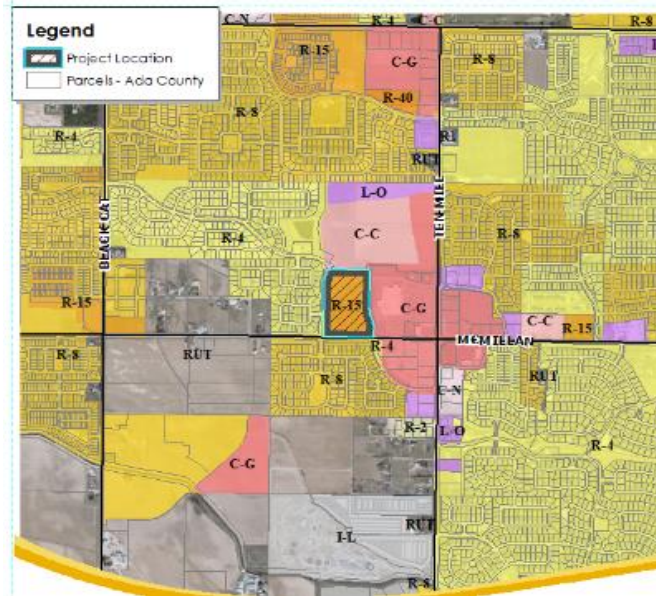


**COMMUNITY DEVELOPMENT DEPARTMENT**

HEARING DATE: 12/21/2021  
 TO: Mayor & City Council  
 FROM: Joseph Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: H-2021-0094  
 Alpha Development R-15 MDA  
 LOCATION: The site is located at S0427438410 on the north side of W. McMillan Road between N. San Vito Way and N. Vicenza Way, near the northwest corner of N. Ten Mile Road and W. McMillan Road, in the SE 1/4 of Section 27, Township 4N, Range 1W.



**I. PROJECT DESCRIPTION**

Development Agreement Modification to remove the subject parcel from the boundary of the existing DA (Summerwood Subdivision, H-2019-0001, Inst. #2019-055407) for the purpose of creating a new DA consistent with a new concept plan consisting of a multi-family development on 16.6 acres of land in the R-15 zoning district.

**II. SUMMARY OF REPORT**

- A. Applicant:  
Brad Watson, Alpha Development Group –166 E. 14000 S., Suite 110, Draper, UT 84020
- B. Owner:  
Alpha R-15 Boise, LLC. – 166 E. 14000 S., Suite 110, Draper, UT 84020
- C. Representative:  
Same as Applicant

**III. STAFF ANALYSIS**

The subject property, approximately 16.6 acres, is part of a larger Mixed-Use Community area that encompasses more area to the north and some area at the southwest corner of McMillan and Ten Mile, as seen on the future land use map. The existing DA includes a concept plan for the overall mixed-use area from 2008 when the property received a Comprehensive Plan Map Amendment to change the

property from Medium Density Residential to Mixed-Use Community. The current concept plan depicts a large-scale business park consisting of a private hospital or other large employer, large and small-scale retail, professional and personal services, restaurants, and, specific to this property, an area of assisted living facilities with supportive medical offices, as shown in Exhibit V.A.

This map amendment and concept plan were intended to create an employment center in northwest Meridian, however a majority of the property has remained vacant. The only portion that has developed somewhat consistent with the original concept plan is the Wal-Mart to the east, which is not a part of this DA. Instead, more commercial businesses have opened up near the intersection of McMillan and Ten Mile, specifically on the northeast and southeast corners. According to the Applicant and former property owner, without a large retailer or employer like that of a hospital, the subject R-15 parcel would not viable to develop an assisted living community as originally proposed.

Therefore, the Applicant is requesting to modify the existing DA to remove this parcel from the boundary and terms of the existing DA to enter into a new DA in order to develop the property as a multi-family project consistent with the proposed conceptual development plan, as shown in Exhibit V.B. The submitted plan depicts two types of multi-family buildings with townhome style on the west half and more traditional apartment buildings on the east half of the site (*elevations were not provided with the application submittal*). **At a minimum, two residential styles of building should be provided consistent with what appears to be shown on the submitted conceptual development plan.** The Applicant has oriented a majority of the townhome style buildings along the west boundary to face north and south and placed a drive aisle directly along the west boundary to provide a transition so the existing homes to the west in the Vicenza Subdivision (Bridgetower). The Applicant's proposal helps with reducing building massing along this collector street corridor (San Vito Way) and pushes the units further from the existing homes to offer a greater separation between the different residential uses. The general design shown on the concept plan depicts a transition of density, building massing, and overall intensity of the proposed multi-family use from the west to the east towards the hard commercial corner of Ten Mile and McMillan. In general, Staff supports these elements of the proposed conceptual development plan.

**However, it is important to note the green space at the very north end of the site as shown on the conceptual development plan is not part of this development; this area is zoned C-C and owned by a different property owner. Additionally, the conceptual development plan does not reflect the accurate boundary of the property and Staff is not sure if the buildings shown at the north end are on the subject parcel. Prior to the Council meeting, the Applicant should submit a revised concept plan depicting the actually boundary of the development and clarify that the three (3) buildings in this area fit on the subject parcel as shown.** In addition, the northern most driveway is also shown on this property that is not located within this project boundary, the applicant will need to coordinate the driveway connection with the adjacent property owner. **This connection is desired by staff because it will provide a more direct route to Pleasant View Elementary school to this west.**

The Applicant has noted in their narrative a requested DA provision to provide 30% overall open space but this request did not note if this value is meant to be qualified or non-qualified. Based on the maximum density allowed on this property, Staff has calculated an estimated amount of qualified open space as 22% overall, approximately 3.66 acres. An additional 1.3 acres of qualified open space would need to be added in order to meet the noted 30% qualified open space threshold. Staff does not find it necessary to include the 30% minimum because it may not be attainable on this site and would likely require an additional DA Modification to modify that provision based on the submitted site plan. However, Staff is recommending a DA provision requiring at least 25% qualified common open space (approximately 4.15 acres) regardless of unit count, per the Applicant's request in their narrative. This is only a fraction above what code would require and would add to the usable open space in the future development.

The apartment style units on the east half of the site are shown framing the centralized open space and amenities, such as sports courts; to their south, an apparent clubhouse and pool are shown along McMillan Road. There are several other areas of open space shown throughout the site that appear to meet the minimum standards for qualified common open space. The submitted plan shows each drive aisle with sidewalks that connect within the entire site and out to the adjacent collector street sidewalks—in terms of pedestrian facilities within a multi-family development, the submitted concept plan shows a robust pedestrian network that would offer ample connectivity through the site and to the commercial uses to the east. The Applicant did not submit conceptual building elevations with the subject DA Modification application. Multi-family residential does require Administrative Design Review following any Conditional Use Permit (CUP) approval but Staff does anticipate at least conceptual elevations will be provided at the time of CUP submittal for Commission and Staff to review on a preliminary basis.

No specific development numbers have been presented with the application except for a requested maximum unit count based on the future land use designation allowance of gross density, 15 units per acre. No other specific data is presented because a future CUP will be needed to formally approve the use of multi-family residential in the R-15 zoning district. Because a future CUP will be needed and the requested density falls within the allowed gross density within the designate future land use, Staff does not find it necessary to include a specific provision noting a minimum or maximum number of units allowed on this property. With the future CUP, all development factors will play a role in the number of units Staff supports. Off-street parking would be required per the standards listed in UDC Table [11-3C-6](#) for multi-family developments. Qualified open space would also be required, per the standards listed in UDC 11-4-3-27C. Compliance with the specific use standards listed in UDC [11-4-3-27](#) for multi-family developments is required and would be reviewed with the CUP application. Adjustments may be necessary to the concept plan to comply with these standards and any ACHD required revisions.

Three public streets abut the subject site on the west, south, and east boundaries: San Vito Way on the west, McMillan Road (an arterial street) on the south, and Vicenza Way on the east. Vicenza and San Vito are collector streets that do not currently connect north of the site but are shown to connect and continue to the northeast and connect to Ten Mile on the Master Street Map. This project would not be responsible for the extension of these roads as this property owner does not own the land to the north. In addition, Vicenza Way currently only provides access to the Wal-Mart property that has access to Ten Mile through shared drive aisles whereas San Vito Way is the main access from McMillan to the Bridgetower Subdivision west of the subject site. Because of the existing conditions, the submitted conceptual development plan depicts two access points to Vicenza Way and one access point to San Vito Way. Overall, these connection points and the internal drive aisle layout shown on the concept plan show adequate circulation for the site and the two north access points, one to each adjacent collector street, provide a connection between parcels that should help capture nearby vehicle trips to and from the commercial area at the northwest corner of McMillan and Ten Mile by minimizing the need to access the arterial street network. As noted, a future CUP application will be needed and because the number of units requested will likely exceed one hundred (100), a Traffic Impact Study (TIS) is anticipated. Through the future TIS, the City and ACHD will be able to mitigate negative impacts of additional residential units utilizing the road network. Staff is recommending a DA provision noting compliance with future ACHD conditions.

The subject site is part of a Mixed-Use Community (MU-C) future land use area—this designation calls for a mix of residential and commercial land uses that are thoughtfully integrated. One of the reasons the Applicant has stated for requesting this DA Modification is the subject site has sat vacant in its current configuration and entitlements for over a decade. Because this mixed-use area is not yet developed and the site is already zoned for residential uses, Staff supports the Applicant's request to enter into a new DA consistent with the proposed development plan. Staff does not anticipate the

existing DA concept plan is attainable in its scope or use, as noted above. Furthermore, Staff finds the required mixed-use policies will be met in the future as the commercial areas in the vicinity develop and provide connectivity between uses and sites. **At a minimum, the following mixed-use policies should be met with the proposed plan incorporated into the remaining mixed-use area and the nearby commercial uses in the adjacent commercial designations:**

- Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.
- Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating areas at restaurants do not count towards this requirement.
- All mixed use projects should be accessible to adjacent neighborhoods by both vehicles and pedestrians. Pedestrian circulation should be convenient and interconnect different land use types. Vehicle connectivity should not rely on arterial streets for neighborhood access.
- A mixed use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.

**Overall, Staff is supportive of the proposed DA modification and is recommending approval of the request.**

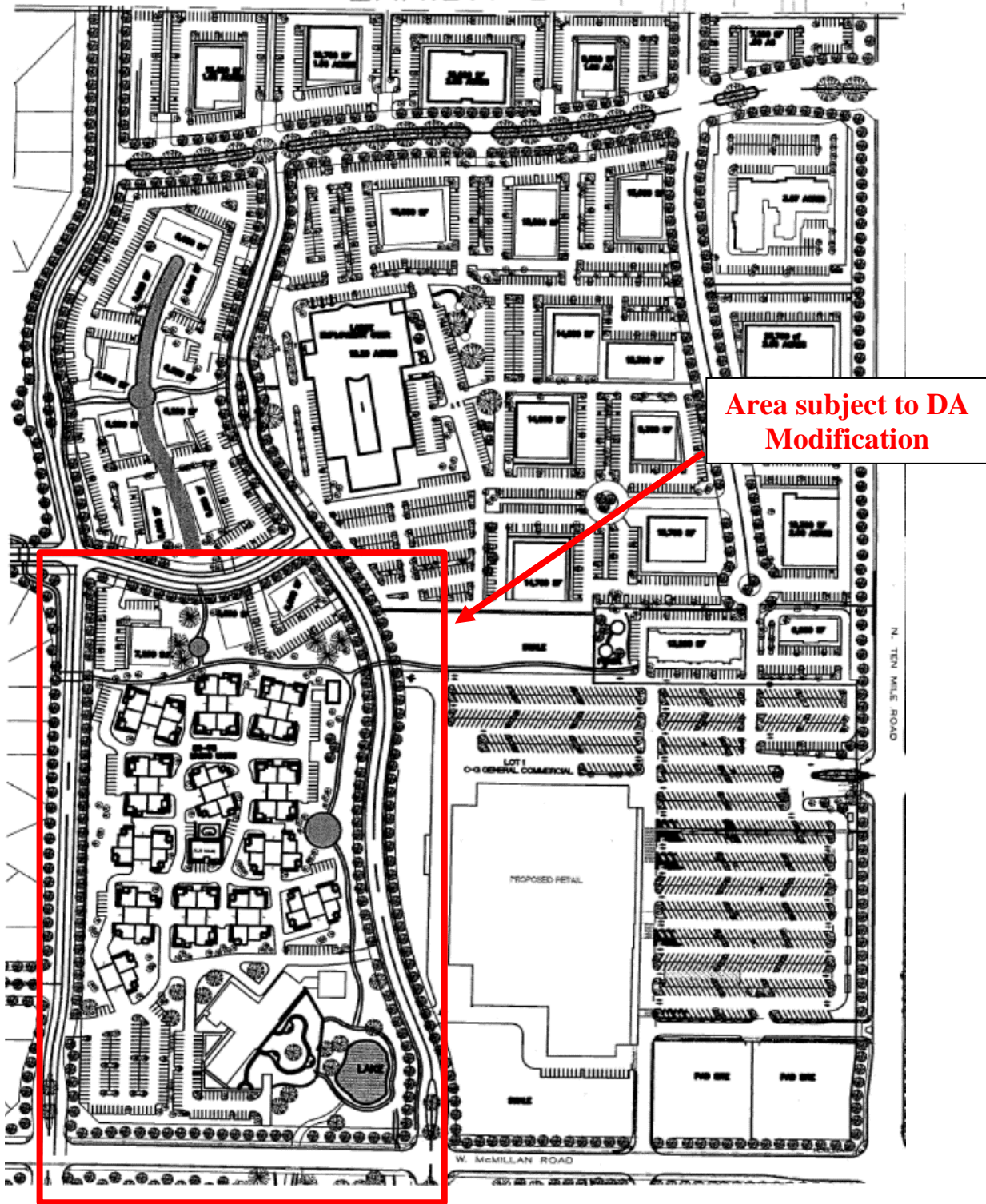
#### **IV. DECISION**

##### **A. Staff:**

Staff recommends approval of the modification to the DA as proposed by the Applicant and finds the existing concept plan and DA provisions are better suited to address development of the subject property.

V. EXHIBITS

A. Existing Approved Conceptual Development Plan (Summerwood MDA)



B. Proposed Conceptual Development Plan (dated: November 2021)

Site Plan (as of 11/12/2021)



## C. Legal Description for Property Subject to Development Agreement

### Legal Description

A parcel of land being a portion of the Southeast quarter of Section 27, Township 4 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the South quarter corner of said Section 27, monumented by a 2 inch aluminum cap (Corner Record No. 2017-116131), from which the Southeast corner of said Section 27, monumented by a 2 inch aluminum cap (Corner Record No. 2016-064167), bears South 88°56'23" East, a distance of 2654.57 feet, thence

South 88°56'23" East, coincident with the South line of said Section 27, a distance of 858.75 feet; thence leaving said South line

North 01°03'37" East, a distance of 55.00 feet, to the Southwest corner of Vicenza Subdivision, Book 108, Pages 15026 through 15028, records of Ada County, also being the Point of Beginning; thence

North 01°03'49" East, coincident with the Easterly boundary line of said Vicenza Subdivision, a distance of 825.49 feet, to the beginning of tangent curve to the right; thence Northeasterly along the arc of said curve to the right, coincident with said Easterly line, an arc distance of 257.44 feet, said curve having a radius of 555.00 feet, a central angle of 26°34'36", and a chord bearing of North 14°22'38" East, a distance of 255.14 feet; thence

South 89°14'27" East, a distance of 596.06 feet, to the beginning of a non-tangent curve to the right, also being a point on the Westerly right of way of N. Vicenza Way as shown on Record of Survey Instrument No. 9439, records of Ada County, Idaho; thence coincident with said Westerly right of way for the following (3) courses: thence Southeasterly along the arc of said curve to the right, an arc distance of 41.69 feet, said curve having a radius of 245.00 feet, a central angle of 09°44'55", and a chord bearing of South 03°48'40" East, a distance of 41.64 feet; thence

South 01°03'48" West, a distance of 588.00 feet, to the beginning of a tangent curve to the left; thence Southeasterly along the arc of said curve to the left, an arc distance of 154.00 feet, said curve having a radius of 385.00 feet, a central angle of 22°55'08", and a chord bearing of South 1002345 East, a distance of 152.98 feet, to a point on the Westerly boundary of those lands described in Warranty Deed Instrument No. 2014-082525, records of Ada County, Idaho; thence coincident with said Westerly boundary

South 21°51'18" East, a distance of 79.91 feet to the beginning of a tangent curve to the right; thence Southeasterly along the arc of said curve to the right, an arc distance of 54.40 feet, said curve having a radius of 136.00 feet, a central angle of 22°55'09", and a chord bearing South 10°23'45" East, a distance of 54.04 feet to a point of tangency of said Westerly boundary; thence

South 01°03'48" West, coincident with said Westerly boundary, a distance of 170.92 feet, to a point on the Northerly right of way of McMillan Road, as described in Warranty Deed Instrument No. 113128365, records of Ada County, Idaho; thence

North 88°56'23" West, coincident with said Northerly right of way, a distance of 730.59 feet, to the Point of Beginning.

## **VI. PLANING DIVISION COMMENTS**

### **A. Development Agreement Provisions**

1. Development of the subject property shall no longer be subject to the terms of the existing Development Agreement (Summerwood Subdivision, H-2019-0001, Inst. #2019-055407).
2. Future development of the subject site shall be substantially consistent with the conceptual development plan and provisions contained herein.
3. Direct lot access to W. McMillan Road is prohibited, as shown on the submitted conceptual development plan.
4. Future development shall provide half of the required landscape buffer (12.5 feet) to the existing C-C zoning and property to the north (Parcel #S0427417210) and shall work with the adjacent property owner to coordinate the driveway connection to San Vito Way as shown on the submitted conceptual development plan.
5. A conditional use permit is required to be submitted and approved by the Planning and Zoning Commission for the proposed multi-family development in the R-15 zoning district as set forth in UDC Table 11-2A-2. The proposed use is subject to the specific use standards listed in UDC 11-4-3-27, Multi-Family Development.
6. Future density of the multi-family development shall not exceed 15 du/ac, consistent with the allowed gross density in the Mixed-Use Community future land use designation.
7. With the future Conditional Use Permit application and future multi-family development site plan, the Applicant shall provide a minimum of at least 25% overall qualified common open space, per the Applicant's Narrative.
8. A Certificate of Zoning Compliance and administrative Design Review applications shall be reviewed and approved by the Planning Division prior to submittal of any building permit application(s).