

Meridian Planning and Zoning Meeting

June 20, 2024.

Meeting of the Meridian Planning and Zoning Commission of June 20, 2024, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Commissioner Andrew Seal, Commissioner Maria Lorcher, Commissioner Jared Smith, Commissioner Patrick Grace and Commissioner Brian Garrett.

Members Absent: Commissioner Enrique Rivera and Commissioner Matthew Sandoval.

Others Present: Tina Lomeli, Kurt Starman, Bill Parsons and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/>	Brian Garrett	<input checked="" type="checkbox"/>	Maria Lorcher
<input type="checkbox"/>	Matthew Sandoval	<input checked="" type="checkbox"/>	Patrick Grace
<input type="checkbox"/>	Enrique Rivera	<input checked="" type="checkbox"/>	Jared Smith
<input checked="" type="checkbox"/>	Andrew Seal - Chairman		

Seal: All right. Good evening. Welcome to the Planning and Zoning Commission meeting for June 20th, 2024, and at this time I would like to call the meeting to order. The commissioners who are present for this evening's meeting are at City Hall and I don't believe we got anybody on Zoom. Let's see here. If you are joining on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiantcity.org and they will respond as quickly as possible. With that we will begin with roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: So, first item on the agenda is the adoption of the agenda. We have Blayden Subdivision, File No. H-2023-0043, will be opened for the sole purpose of continuing to a regularly scheduled meeting. So, if there is anybody here to testify on that application, we will not be taking testimony for it this evening. With that, can I get a motion to adopt the agenda as presented?

Smith: So moved.

Lorcher: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of June 06, 2024 Planning and Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law for Maddies Wine and Whiskey (H-2024-0008) by Steve Bainbridge, located at 835 E. Fairview Ave.**

Seal: Next item on the agenda is the Consent Agenda and we have two items on the Consent Agenda. The first is to approve the minutes of the June 6th, 2024, meeting of the Planning and Zoning Commission. We also have the Findings of Fact, Conclusions of Law for Maddies Wine and Whiskey, File No. H-2024-0008, by Steve Bainbridge, located at 835 East Fairview Avenue. Can I get a motion to accept the Consent Agenda as presented?

Garrett: So moved.

Smith: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor, please, say aye. Opposed nay? All right. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Seal: At this time I would like to briefly explain the public hearing process. We will open each item individually and begin at 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. You will have 15 minutes to do so. After the applicant has finished we will open the floor for public testimony. Each person will be called on only once during the public testimony portion. The Clerk will call the names individually of those who have signed up in advance to testify. We will need you to state your name and address for the record. You will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting it will be displayed on the screen and you will run the presentation with the assistance of the Clerk if needed. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who have signed up in advanced have spoken we will invite any others who wish to speak -- or wish to testify. 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. So,

please, remember we generally do not call people back up. 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 the City Council as needed.

ACTION ITEMS

3. Public Hearing continued from May 16, 2024 for Blayden Subdivision (H-2023-0043) by Bailey Engineering, located at the South side of W. Chinden Blvd. and west side of N. Black Cat Rd.

- A. Request: Annexation of 27.36 acres of land with R-15 (4.32 acres), R-40 (16.71 acres) and C-G (6.33 acres) zoning districts.
- B. Request: Conditional Use Permit for a multi-family development consisting of 312 dwelling units on 14.92 acres of land in the R-40 zoning district.
- C. Request: Preliminary Plat consisting of 26 building lots and 11 common lots on 24.98 acres of land in the R-15, R-40 and C-G zoning districts.

Seal: So, at this time I would like to continue the public hearing for Item H-2023-0043 for Blayden Subdivision for a continuance to July 18 and, as indicated, this is the fifth continuance requested by the applicant, so if we can put in a renoticing fee, so that the adjacent property owners are made aware again of the continuance. Somebody needs to take a stab at that.

Smith: Mr. Chair?

Seal: Go ahead.

Smith: I move that Item H-2023-0043 is continued to the July 18th hearing and that a renoticing fee is imposed per the code -- city code at staff's discretion.

Seal: Do I have a second?

Garrett: Second.

Seal: It has been moved and seconded to continue File No. H-2023-0043 for Blayden Subdivision to the date of July 18th with the imposed fee. All in favor, please, say aye. Opposed nay? The file is continued.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

4. Public Hearing for Black Rock Coffee (H-2024-0011) by CSHQA, located at 776 N. Cliff Creek Ln.

- A. Request: Conditional Use Permit for a new, approximate 1,460 sq. ft. coffee shop including a drive-thru, parking and pedestrian access, located within 300 feet of an existing drive-through facility, residential district, and existing residence on approximately 0.54 acres of land in the C-G zoning district.

Seal: I would like to open the public hearing for Item No. H-2024-0011 for Black Rock Coffee and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. The second item on your agenda this evening is the Black Rock Coffee conditional use permit. This site consists of 0.54 acres of land, currently zoned C-C in the city and located at 776 North Cliff Creek Lane. This particular lot is a lot and block in the Mile High Pines Subdivision that was approved in 2020. Was integrated with the -- the rest of the multi-family that's currently developed out there. So, staff has found that this site is consistent with the mixed use community standards. I would also mention to you as well that the concept plan that was tied to the original development -- the recorded development agreement for this project did include a drive through on this particular property, so now the applicant is here before you this evening, just executing or making sure that they are in compliance with that recorded development agreement. As I mentioned to you, this proposed drive through is within 300 feet of an existing residential use, which is why they are here to discuss the proposal with you this evening. On the submitted site plan here the applicant is proposing to construct a 1,460 square foot coffee shop, which is defined as a restaurant in the UDC with the associated drive through. Access to this property is from a private street that was approved with the residential subdivision, which is along the west boundary here. So, you can see there is an access that comes into the site. The site plan also meets the UDC standard for parking. As you recall, a restaurant requires one stall for every 250 square feet of gross floor area for the structure. The site has nine stalls in accordance with the UDC standards. Access into the drive through -- it happens along the southern boundary. You can see there is an escape lane that runs along the eastern boundary. The drive through window is adjacent to North Ten Mile Road here. So, cars have the ability to get around and move out as they enter the drive through and they can also turn and head north before they even enter the drive through lane itself. So, there is really two functions happening here as far as the drive through is concerned. If they decide not to go into it, they can get out sooner rather than entering it and having to go around the building. One of the other items that we look for as part of our specific use standards for drive throughs are -- is pedestrian connectivity. Because this site was approved with that Mile Pine -- Mile High Pines development, city staff did require some open space here along the west boundary. That was constructed as part of that development, along with some interconnected pathways from the multi-family to the commercial portion of the site and if you look at the southern portion of this site plan you can see there is a walkway that runs east-west into and through the lot and, then, also connects through the drive

through with the front of the proposed coffee shop here and, then, also to the south. The city has already approved a medical office on the other southern lot and so we are trying to get not only pedestrian connectivity from east to west to the commercial, but also in north-south, so that's happening as well. To -- to your right you will see the -- the landscape plan. The landscape buffers along Pine Avenue and North Ten Mile Road were installed with the subdivision improvements and those will need to remain intact and protected during construction. The applicant did provide some sample building elevations. If you drive down North Ten Mile you will probably see a lot of the multi-family that's already constructed out there. This design is -- is proposed to match similar building materials as were approved with the multi-family structures. I would just let the Commission know that the applicant still needs to go through that design review process with the city, so we will -- we will ensure compliance with the architectural standards manual and the requirements in the recorded development agreement. I had a chance to look at the public record. No one has provided any public testimony on this application. Again, staff is recommending approval as the site does meet the goals of the Comprehensive Plan and meets UDC standards. With that I will conclude my presentation and stand for any questions you may have.

Seal: All right. Thank you very much. Would the applicant like to come forward? Good evening. We will need your name and address for the record, please.

Rubinshteyn: Good evening. My name is Sasha Rubinshteyn. I'm here with CSHQA on behalf of Black Rock Coffee Shop. We will be complying with all the conditional -- conditions for approval for Black Rock.

Seal: Okay. Is there anything else want to tell us about the application or questions that you might have?

Rubinshteyn: We signed it in review and we will be complying with all the comments we have received from the city.

Seal: Okay. Commissioners, do we have any questions, comments? Commissioner Grace, go ahead.

Grace: Thank you, Mr. Chairman. There was a comment in the staff report about indoor seating and I was curious how much you would kind of have for indoor seating or patio seating I guess as well.

Rubinshteyn: We are currently still planning out seating requirements, but I think we are looking at between 16 and 20 seats for outdoor on the patio.

Grace: On the patio? Okay. Just to follow up, as someone who used to like to frequent coffee shops, it seems like they have all gone away and I was curious from your perspective, is it just -- is that just the market people just want to be able to drive through and people -- less and less people are going and sitting in coffee shops and spending time there?

Rubinshteyn: I think plenty of people are still spending time in coffee shops. I think the drive throughs just ease of access and there is more convenience. But I do have -- we provide our patio and lots of people have been using Black Rock spaces to our knowledge, so we think it will be successful.

Grace: There is one by my house over on Chinden, so -- good. Glad to hear that.

Seal: Okay. Commissioners, anything else? We might make this quick. Do we have anybody signed up to testify?

Conly: Thank you, Mr. Chairman. No one has signed up.

Seal: Okay. Anybody else in the audience that wants to testify on this? No? If there is anybody online to hit the raise your hand button -- I don't see anybody raising their hand. So, if there is nothing else to add, then, thank you very much. Appreciate the project and we will do our deliberation.

Rubinshteyn: Thank you.

Seal: Thank you. At this time I will take a motion to close the public hearing for File No. H-2024-0011.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2024-0011. All in favor, please, say aye. Opposed nay? Okay. The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: This one seems pretty straightforward to me, so -- I have been to a few Black Rock Coffees and I kind of agree with what Commissioner Grace was saying, it's nice that they have an open area for more seating and things like that, kind of more of a community type of feel to it, especially on this corner, I think it's going to get -- honestly I think it will get quite a bit of foot traffic, plus the drive-through traffic that they have there. So, welcome addition. I was remarking earlier that I drive by that frequently, so I often wonder on some -- some spaces of land what will go there -- what will go there, so now I get an answer this evening. So, if there is any other comments, questions?

Grace: Mr. Chairman, a motion?

Seal: Go right ahead.

Grace: After considering all staff, applicant, and public testimony, I move to approve File No. H--2024-0011 as presented in the staff report for the hearing date of June 20th, 2024, with no modifications.

Smith: Second.

Seal: It's been moved and seconded to approve File No. H-2024-0011 for Black Rock Coffee. All in favor, please, say aye. Opposed nay? File passes. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

5. Public Hearing for Luna Hospice (H-2024-0012) by CivilSphere Engineering, Located at 525 E. Overland Rd.

- A. Request: Annexation of 1.03 acres of land with a proposed R-8 zoning district.
- B. Request: Conditional Use Permit to operate a nursing or residential care facility consisting of a 14-bed hospice facility.

Seal: And with that I would like to open File No. H-2024-0012 for Luna Hospice and we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. Next item, as you mentioned, is Luna Hospice. It's a request for annexation and conditional use permit. The subject property consists of 1.03 acres of land currently zoned R-1 in Ada county and the physical address is located at 525 East Overland Road. Comprehensive Plan designation for this property is medium density residential, but this evening we are talking about a non-residential use on the site for a residential care facility. In the Comprehensive Plan there is some language and policy in there that gives the City Council discretion when a site has access to an arterial and it's located -- is less than two acres in size, an applicant can request an office designation. Although we are not asking for office zoning, the use itself is similar to an office, so staff has used that verbiage in the Comprehensive Plan to say that because it's the nonresidential use and quasi-commercial or office that that rule does -- that -- that policy does apply and so they are here -- although we are not talking about density, we are talking about an office use or a nonresidential use on this site. So, ultimately, the Council will be the one to decide whether this is appropriate or not, and they will let the applicant move forward with that R-8 zoning. I just wanted to give you some of that context that just because we see a residential land use designation doesn't mean something else can't go on there at the discretion of City Council. So, the applicant is here tonight to discuss annexation and a conditional use permit to develop a hospice care facility -- 14 bed facility to be exact. Currently on the site there is an existing county residence and a garage structure that will be used for storage. So, the home is approximately 2,200 square feet and, then, this dark gray box that you see in the middle of the site is a 2,200

square foot addition that they plan to construct on the site if and when annexed into the city and, then, also they are proposing to provide the required number of parking stalls required for that use as well. So, under the code a nursing care, residential care facility only has to provide half a stall per bed. So, in this particular case 14 beds times .5, we are looking at a minimum of seven stalls and that's what you see on the site plan -- or this concept plan this evening. Also wanted to mention to you and we called out in the staff report the existing garage, which is located here along the west boundary, really kind of the southwest corner of the site, they may -- may be encroaching into the R-8 setbacks. Whenever we annex properties in and existing structures stay on the site, we try to get -- we try to have the applicants -- or those structures comply with R-8 standards. So, one of our recommended conditions of approval is that they demonstrate on the site plan what official -- what those official setbacks are. Staff did receive an e-mail from the applicant indicating that it could be a four foot setback on that west boundary and since they are requesting the R-8 zone, the minimum setback required is five. So, there is a possibility of a one foot encroachment. Again, because this is annexation and staff is recommending a development agreement, you can make a recommendation to the City Council for it to remain as is as a nonconforming structure or you can also -- or you could just say remove any structures on the site that don't meet R-8 dimensional standards. Access to this site is probably the more critical issue for this evening and that is because there is no other access to this property, except for Overland Road. I think the one thing that staff was supportive of this use is it's usually less traffic than what you see with other commercial uses. However, this site does have three existing curb cuts as noted in our staff report and the ACHD staff report, so you can see here on the site plan there is a U-shape driveway that is currently constructed on the site and, then, also on the east boundary there is a curb return here as well. Because this curb return on the east boundary aligns with the one on the north side of Overland Road, staff is of the opinion that access should come -- be utilized from that driveway and these two existing be closed. This would allow for cross-access to be achieved and granted to the property to the east and this would also allow the applicant to keep the existing asphalt potentially stubbed to the west for future connectivity to the other county parcel on the west boundary. Now, I would bring to the Commission's attention that the existing home on the west boundary recently went through a pretty large residential addition through the county. Staff has been in conversations with them about annexing into the site and they said -- or annexing their property and they said that they had no -- no plans of annexing anytime soon. So, there is the likelihood of that remaining residential for quite some time. It's -- it's a real possibility. Although our code still requires that we require -- grant cross-access to either one of these properties. Again, if that's something that the Commission wants to recommend to Council that's certainly within your purview and Council can take that under consideration when they act on the annexation request and the conditional use permit as well. Staff is also recommending a 20 foot wide landscape buffer around the south and east boundary. That's something that the applicant did offer up as part of their site plan. I would let you know that that is not required by city code, that's something that the applicant wants to do and staff feels that it's appropriate. Where the existing driveway and the existing garage is on the west boundary staff is okay with that encroaching within the 20 foot buffer and, obviously, the -- the other encroachment as well on the west boundary,

meaning the setbacks. Staff is not recommending a 20 foot buffer along the west boundary. Also mention to you because of the arterial -- Overland Road is an arterial street -- that UDC does require a 25 foot wide landscape buffer along an arterial roadway. The applicant is providing that on the plan or demonstrating compliance with that, except in the areas where the existing U-shaped driveway is. If those -- if -- when that driveway is removed, they are required to provide the 25 feet in the area where -- that area of the driveway is being removed. If they can't meet compliance they can certainly go through alternative compliance with staff at the time that they go through CZC approval with us or they can simply take advantage of our waterwise landscaping standards and that actually allows the applicant to reduce that buffer width by half if you take advantage of those standards. So, not only could they get a narrower buffer where their existing driveways are, but they could also reduce that entire 25 foot buffer by half by employing those -- those water design concepts in our -- in our city code. I think the applicant probably wants the flexibility to meet with staff, but -- or work with staff on that as they go through the -- the remainder process with us, but just wanted to put that on the record for the applicant, that they do have flexibility under the city code. So, here are the -- here is the example of the building elevation, the addition that I had mentioned to you. Certainly it's single building materials. Definitely want the addition to look like the existing residents on the site, so it's a cohesive design. Just let you know they still need to probably refine this design concept a little bit more, work with staff going through that design review process, but I think we can get up there. So, although here is a sample elevation, staff anticipates a little bit more design elements on the structure to comply with the existing residence on the site. I also had a chance to look at the public record on this particular application before I came this evening and, again, no public testimony on this application as well. Again, with their request for Council to approve the nonresidential use on the site and with the conditions in the staff report, staff finds this does meet the requirements of the comp plan and the code and we are recommending approval and I will stand for any questions you may have.

Seal: Thanks very much. Would the applicant like to come forward?

Smarda: Good evening. Thanks, Bill. Appreciate it. My name is Claire Smarda. I'm with CivilSphere Engineering. Address is 4466 North Waterfront Way, Boise, Idaho. Thanks for hearing me out. I am really excited about this project. We feel like this is going to be a great use for the location being on Overland and kind of a more busy street, but we had good feedback from the neighbors in the two meetings that we had with them about being a quieter use, but still complying with everything, but they seemed to be happy with it as far as we understand. As Bill was saying with some of his comments, we are working to get all of those addressed. The ACHD comments came back and talking about the cross-access and the one driveway approach, we are definitely going to work with the city to make that work and try to get the best scenario in there, even -- even though the east and west properties will not be annexing at this time, we are going to do our best to make sure that in the future when they do it's going to also work well and they will be able to get in and out. The other issue was the garage -- the existing garage, that we have got that four feet and not the five feet. We would like to keep the garage if possible and have some alternative compliance, but willing to

work with staff as we move forward to figure out how to make that work. I think most other issues that came up in the staff report we are very happy to comply with. I do have Allyssa Blakely here with the hospice facility to speak about some of the fencing and other requirements that they were concerned about, so she can explain how this hospice facility is a little bit different than maybe a long-term residential care and assisted living facility, so --

Seal: Okay.

Smarda: -- if she wants to come up later or now or --

Seal: Now is perfect. We will need your name and address for the record as well.

Blakely: My name is Alyssa Blakely. I live at 4514 West Clearview Drive, Boise, Idaho. 83703. And I'm an administrator at Luna that is located in Nampa and we are a ten bed home. We are licensed as an assisted living facility, but we only take people that are on hospice. So, we specialize in that end-of-life care. I would say 98 percent of our residents are bed bound or wheelchair bound. No one is ambulatory or can get around on their own and so we are the only option for that in the Treasure Valley right now and that's why we are looking to open up a second location and to bring it to Meridian. That's actually the biggest problem I have in Nampa is people say, oh, it's so far away. And I'm from Seattle, so that doesn't click in my head, but -- so having this location in Meridian will get the people in the Ada county area what they are looking for for their loved ones for that close one-on-one care that we offer. In most large facilities you are looking at caregiver-to-resident ratio one to 20 and we offer one to five and so they are getting much more personalized care and in order to be licensed through the -- the RALF organization for residential assisted living facilities, there is a special license for taking anyone that is -- they say the word eloper, someone's trying to escape or to leave that they are unaware what they are doing, they are always trying to leave and we will not be getting that specific license. We specialize in the end-of-life care. No one's really getting around, so we don't need that license. We are not a locked unit in that verbiage for what they use for that and so when it comes to that six foot fence for the property, we don't have a need for it out in Nampa. We will be having -- getting the same license that we have for the one Nampa for the one in Meridian and taking those same level of care residents. Any questions for me?

Seal: Commissioners, do we have any questions? I do have a couple, actually, between staff and you guys can probably answer. So the garage -- is the garage a garage or a carport? I mean is it enclosed?

Blakely: It's an enclosed garage. It's detached.

Seal: Okay.

Blakely: It's a detached garage.

Seal: Okay. And, then, the existing house, will it be a residence where like the -- it will all be a care facility?

Blakely: It will all be a care facility --

Seal: Okay.

Blakely: -- but it will still look like a home. Okay.

Seal: And, then, the seven parking spots -- parking is always a problem, so --

Blakely: In all honesty, it will be sufficient.

Seal: Okay.

Blakely: There is -- no one that's there has a car.

Seal: Right.

Blakely: Because they are not going anywhere.

Seal: Right.

Blakely: Staff will park over in front of the garage, because that part is paved. That's there during the day and, then, the spots will be open for family.

Seal: Okay. So, really, there is more than just the seven?

Blakely: Yeah. There is just -- there will be seven designated parking spots for visitors and we will have where our staff will park. That's already there.

Seal: Yeah. My concern is more around just emergency vehicle access, because, obviously, there is going to be some of that happening there as well, so I just want to make sure.

Blakely: Actually, that's very very rare.

Seal: Okay.

Blakely: Because they are on hospice everyone has a DNR signed.

Seal: Okay.

Blakely: And so the only people that are the -- the coroner.

Seal: Okay.

Blakey: Anyone else?

Seal: Go ahead.

Grace: Yeah. Mr. Chairman, you made me think of something. You -- so, with the garage -- I'm guessing access to that is from the north side to the side --

Blakely: I'm really terrible at this.

Smarda: I can set -- do you have the site plan on your screen?

Seal: Uh-huh.

Smarda: So, on the west side is where the garage is and so you can see there is some concrete and asphalt just north of it -- of Overland. Before we were coming in with that U-shaped driveway and they could just drive directly over, but we will be closing both of those off because of the staff report and ACHD's comments and so, yes, access to the back garage will come from the north, but it will be a 20 foot drive aisle coming from the east. Does that make sense?

Grace: Okay. Yeah. I just wanted to make sure that the access wasn't maybe on the side that -- that -- adjacent to the residential homes to the south, that the accents was on the other side of the building.

Smarda: I will be along Overland, so we are not going to be putting in a big driveway next to somebody's house or anything like that.

Grace: Yeah. And, then, just to follow up, do you plan on having any like garbage pickup or dumpsters or anything like that?

Blakely: No dumpsters regularly. Regular trash.

Grace: Just the containers like residential?

Blakely: Uh-huh.

Grace: Okay. Thank you.

Seal: Commissioners, anything else?

Smith: Mr. Chair?

Seal: Go ahead.

Smith: I think I have just -- it's more of -- this is more of a me issue than anything. So, if the drive aisle coming from the east and we have this garage around on the west, can

you walk me through really quickly just kind of the path -- if I'm an employee and I'm parking there, do I go through where this parking lot is and kind of up this curb and around the house and, then, down --

Smarda: So, there will be -- I will have to redraw the site and there will be some additional demolition outside of the existing house that will have to happen to get a larger drive aisle through there, but, yes, they will be coming in from the east side, coming down and heading west and, yes, we will wrap around, but I will ensure that there are decent turn radiuses for cars to get in there and everything like that.

Smith: Okay. Cool. Thank you. That makes more sense.

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

Conly: Thank you, Mr. Chair. No one's signed up.

Seal: Thank you. Is there anybody else in the audience that wants to testify? I think we have had everybody up here. Everybody's had their chance tonight. With that thank you very much. Appreciate it.

Smarda: See you guys.

Seal: With that, if there is no further questions or comments, I will take a motion to close the public hearing for File No. H-2020-0012.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2024-0012. All in favor, please, say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Would anybody like to jump in and comment on this?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: This seems to be a good use for this space and it sounds like the client is going to be able to make any changes to make the site work regards to annexation and accessibility. You know, the four foot setback or the five foot site is a pretty small amount and I understand the city wants compliance, but with that structure really being there I would be in favor of alternative compliance, but I'm not the decision maker, so all I can do is make -- give my opinion and it seems like moving the cars from the east side

of the property to the west and having that parking should be sufficient for the kind of care that they are going to offer at the facility.

Seal: Commissioner Smith?

Smith: Thank you, Mr. Chair. I agree with Commissioner Lorcher, I don't feel super strongly about the alternative compliance. I think that to my mind -- again, not the decision maker here, but I don't see that being an issue to me personally. I also just want to thank you for what you are doing. I have -- generative diseases run kind of pretty strong in my family and so having seen kind of my family take care of my grandparents and great grandparents over the years, you know, it's really important work you guys do and I thank you guys for that.

Seal: Okay. Anybody else? Okay.

Garrett: Mr. Chair?

Seal: Go ahead.

Garrett: Just like to comment, I, too, second that. I -- having family go through this several times I very much appreciate the services you are providing.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council for File No. H-2024-0012 as presented in the staff report for the hearing date of June 20th, 2024, with no modifications.

Smith: Second.

Seal: It's been moved and seconded to recommend approval of File No. H-2024-0012 for Luna Hospice. All in favor, please, say aye. Oh, Commissioner Grace, go ahead.

Grace: I had a question before we vote.

Seal: Absolutely.

Grace: Sorry. I had a question before we vote. Maybe it's for staff. Do we have to make any recommendation on the setback, Bill, or --

Parsons: Mr. Chair, Members of that Commission, I would appreciate something on that, if you wouldn't mind, Commission, just for the fact that currently we don't have anything addressed in the DA that speaks to a nonconforming structure on the site and that's why I brought it up. I just wanted to be clear that -- I heard you were supportive of

it, so, again, as we transition from you to City Council I want it to be clear that if you guys want a DA revision that Council approve that to remain a nonconforming structure, that we add that verbiage in the DA, so that they are aware that you made that recommendation to them and, then, staff can add that and share that information with them as presented to City Council.

Seal: Okay.

Lorcher: Want me to do that again?

Seal: Absolutely. Thank you very much.

Lorcher: After considering all staff, applicant and public testimony, I move to recommend approval to City Council for File No. H-2024-0012, as presented in the staff report for the hearing date of June 20th, 2024, with the recommendation that the nonconforming structure remains as is.

Smith: And second stands.

Seal: It's been moved and seconded to recommend approval of File No. H-2024-0012, with the aforementioned modification. All in favor, please, say aye. Opposed nay? Motion passes. Thank you very much.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for UDC Text Amendment 2024 (ZOA-2024-0001) by City of Meridian Planning Division

- A. Request: Text Amendment to amend certain regulations and add new definitions, uses, figures and specific use standards throughout Chapters 1-5 of the City's Unified Development Code (UDC).

Seal: All right. And with that we have one more. Like to open public hearing for Item No. ZOA-2024-0001 and we will begin with the staff report, Bill, again.

Parsons: Thank you, Chair, Members of the Commission. The last item -- at least on my docket tonight is the 2024 UDC text amendment. This body is very familiar with -- every year I come before you with a round of code changes. This is the one that I have been working on for quite some time. It doesn't have to be as formal as the last two applications, so if you guys have questions about any of the proposed language or changes it can be an open discussion if you don't -- if you guys feel like you have -- want something either further explained or kind of the staff rationale for coming forward with that recommendation. I won't hit on all the proposed changes this evening. Certainly there is -- there is a few pages here. But in the staff report that I prepared for you I did highlight some of the -- the more notable ones. Those -- a couple of those

were actually adding some uses to our code that we don't currently have. As you can see here on slide one, we are adding food truck courts and we are also adding a definition for food trucks and, then, in Chapter 2 we are adding those as allowed uses in certain zoning districts and, then, as we transition farther into my report this evening my presentation will also have specific use standards that coincide with those new uses that I'm proposing before you this evening. I also wanted to let the Commission know you have -- over the last several years since COVID has happened we have seen a large increase in the number of drive-throughs that have popped up in our community and so we understand that sometimes that can -- getting in front of a body could -- could slow down the process. Not that we are in the business of slowing down the process, but we are in the business of improving the process and so I do have some draft language for drive-through establishments that I want to share with you this evening as well and let you know again the rationale why we are wanting to change that. So, what I will do is I will just kind of go through my presentation tonight -- or the slides here -- pages of the changes. I will highlight kind of the more notable ones and, then, if there is any ones that you see that spark your interest or you want further discussion on I'm happy to do that as well. Really on this particular slide wanted to least bring a couple attention -- attention to a couple of definitions on -- the slide one is the definition of a bedroom and the reason why this got added is because in our code we have different parking standards for one and two bedroom versus three, four, five and six bedroom homes and what we are studying to see is people are coming forward with what they are calling a two bedroom home, but, in fact, it's a three -- it's a two bedroom with an office slash flex space and it has a closet and all those things that look like a bedroom, but they are wanting to take advantage of the parking requirement for a two bedroom home, which is a one car garage and one parking pad, so you only have to provide two parking spaces, although in a three bedroom home it requires two garage spaces and a 20 by 20 parking pad. So, it's half the parking required. Certainly as this body is very familiar with the affordable housing issue that we are dealing with, it's a national topic, really, it's not a Meridian -- City of Meridian issue. But that was one of the purposes of why we did change our parking standards a couple of years ago to address this, but now we are going to almost blind the line or seeing this being taken advantage of. In the building code there is an actual definition for a bedroom and so that's really what we are trying to achieve here is aligning our zoning ordinance with the building code, so that when we have floorplans that come into the city for us to review we can say if you have X, Y and Z you are a bedroom, not a flex space or an office. Have, then, we can have more ways to enforce that moving forward. Or at least -- or tools to say -- we call it a bedroom, you need to change the plan. The other definition as I mentioned to you, is the food truck court and a food truck. So, food trucks -- and that's nothing new to the City of Meridian. Currently they go through the city clerk's office under a temporary use permit and there is regulatory standards for them to comply with. What we are trying to do here in the UDC is created a three-tiered approach here. So, basically, if you want to be a food truck and be mobile and go throughout the city parking on a site and, then, leave at the end of the day you can do that through a TUP, you don't need to get Planning and Zoning's approval. What we are trying to do -- achieve with these two definitions is allowing these uses on a permitted nature. And certainly I think everyone's aware you go to Portland or larger cities, they have these food truck courts where they

have multiple food -- even downtown Boise they have it where there is multiple food trucks, sitting areas, restroom facilities and it kind of creates its own little synergy and we don't have anything in city code that allows that currently, except for the TUP process. I have met with several different purveyors of food trucks over the last couple of years and they have asked us to look into this and that's why we did. Like if we can understand it, look at what other municipalities are doing and, then, tailor those specific use standards to our needs, there may be a way to do that and I finally got around to it and got it added to the -- the list of code changes for you this evening. So, that's how we defined it and this does -- a lot of these definitions do marry up with the TUP process as well, so that it's a consistent code, not only in the zoning ordinance, but also our temporary use standards. Next -- I think that's probably enough on that topic. I will get into more of the specifics as I get further into my presentation. Next two items, at least on this slide here, we are actually taking out -- going back to that affordable housing issue. In our -- in certain residential districts in our code we have minimum home sizes still. So, this is one way how we felt we could effect that change and the community as not having those obstacles or hurdles. So, again, there is probably more to follow with ADUs. We probably need to further develop those standards a little bit more than what we have, but this is kind of the first step in the process of eliminating obstacles to affordable housing and we felt by doing that we could remove the minimum square footage areas. Also mention to the Commission that Caleb, who is the deputy director, actually had a separate subcommittee on housing and this is one of their recommendations that came from that subcommittee and he has others that, again, we will bring forward to you on a subsequent code change. Here are the changes that I am proposing. As far as adding the -- the food truck and food truck courts to the schedule use in Chapter 2 of our code, originally when we vetted this idea or thought about incorporating food truck courts and food trucks into the UDC as permanent uses, we thought maybe we would just make it ancillary or accessory uses to maybe a restaurant, a bar, a brewery, but as we started talking about these changes with the UDC focus group, we realized that there is -- this could be pretty much anywhere in a commercial or industrial zone. Why are we -- why we are capping ourselves, our thinking -- thinking. So, my miniscule in having them just for specific uses, why not just say you can have it anywhere in a commercial zone or an industrial zone or even in a traditional neighborhood zone. So, that was really one of the recommendations that came from that group. It's like why don't we open it up to all zones and see -- see where it falls. And, again, code is citywide, but code could also be changed. So, if something isn't -- doesn't work as we try this -- certainly we can come back and propose changes to this body and to the City Council moving forward. But you can see here that I have stated that they would -- a food truck court would be principally permitted in all of our commercial zones. The truck would be accessory and, then, same thing for the I-L and industrial zones I should say. And, then, I carried that theme over into our traditional neighborhood districts. But you can certainly tell they don't belong in our residential districts. So, nothing was proposed in any of our residential zones. That was left to the temporary use code to address verses of the zoning ordinance. Here is an interesting change that I wanted to bring to your -- to the Commission as well is the size of a carport. It's -- out of the hundreds of units or probably should say thousands of units we have approved over the last couple of years, we realize that industry standard for

carports is actually nine by 18 feet and our code said ten by 20. So, all of those multi-family developments out there probably have carports that were built to that nine by 18 standard. So, we felt we better get that cleared up in code. So, I went ahead and met with the UDC focus group, met with industry leaders, on carport designs and they did confirm anything other than a nine by 18 is a custom carport and it changes the engineering and the drawings and increases the cost of the carport. So, really, when we look at the intent of the code, the intent of the code is to have covered parking for multi-family. So, even with a nine by 17 or a nine by 18 carport, we are still -- still getting a majority of the parking stalls covered and the car being covered. So, it still meets the intent and that's why we went ahead and proposed this change, so that we could bring some of our older multi-family projects into compliance with -- with the code. The other item on this particular graphic is changes to our regulations along state highways. So, in our code whenever we have residential developments -- not necessarily just residential developments, it's noise sensitive uses, like hospitals, schools, libraries, residential uses, any of those uses adjacent to a federal highway or a state highway require sound attenuation. So, basically, a ten foot berm, a four foot berm, six foot wall combination -- there are standards in the code. Well, we wanted to -- we were approached by one of our -- our prominent developers and they are looking to develop along the new State Highway 16 and some of those overpasses are elevated and where the residential uses abut the overpass, you can't attenuate the sound, it's not possible, because the overpass is taller than the residential subdivision and so they wanted us to study -- the UDC focus group to study that issue and I can tell you I have read multiple noise studies from the federal highways -- because it's just -- it's a very complex issue to try to tackle in code, but what we do have in code is alternative compliance. The other factor that we wanted to take under consideration is -- and bring to your attention is not only are we -- do we need to be conscientious of the noise, but we need to be conscientious of air quality around those types of developments, because there is a bunch of particulates that get put up in the air as well as you are driving down the road or cars may have to idle or be parked there at the intersections for quite some time with congestion and that does have an impact on health and that's what our job is to protect the public -- preserve and protect the public interest and mitigate against public health. So, this is our -- staff's way of not only daylighting that issue, but also taking it one step further and addressing air quality. So, again, this is one component of that. So, we are adding that component to the purposed statement to make it clear that it is not only mitigating air quality, but also the noise impacts. So, that's one new item. And, then, to go along with that, as I mentioned, it's how do we combat that? How do we make that fit in code and I can tell you noise is -- is difficult, because it bounces off things. Noise -- when you want to have any opening noise travels underneath it or around it, through it, so there is no one size fits all and -- but in our code we always have what we call alternative compliance in matters of equal to or better than -- a way of getting to do that and so I made a commandment again to the UDC focus group to try to come up with something. I'm not saying this is the best option, but certainly it's -- it is an option and, again, I can't write a code to capture every scenario out there. But, again, all of my research -- there is ways to do that. You can have greater separation. You could require more landscaping. Do that through taller walls, terrace berm. You can even design the building a certain way. Have triple pane

windows or thicker walls, better HVAC systems to filtrate the air in the home. There is -- there is ways to do that and that's why I thought it was important to add that and make it clear that you can do that and you should do that. If -- if you can't meet that under the -- just meeting the standards of the code. The one thing that I mentioned to you in my staff report is in order to do that I also wanted figures to accompany the proposed changes, because I think it's easy to say there is ways to do it, but there is -- to me photos or figures kind of speak to the standards better. So, after this application was transmitted, I actually went to -- to Brian McClure, who is on our long range planning team, and I said, hey, can you put together some figures that I can share with the Commission so they can see what we are talking about here? So, we have actually-- I'm going to actually stop sharing the changes here and, then, show you some of the graphics that I would like you to incorporate in your deliberations this evening, so that I can carry those forward to City Council since they came after the print date -- or transmittal date of the staff report. Let me see if I can pull these up for you real quick. So, these were the -- the graphics of ways you can use alternative compliance to -- to meet or exceed the city code requirements. So, you can see here in this particular exhibit it shows you where maybe the property grade is exactly at the same grade as the highway and how you can do that. You can still see there is a 35 foot buffer, the highway right of way, and, then, you can see where you have denser landscaping or additional deciduous trees to absorb some of that -- the emissions from the vehicles and particulates as they go down the roadway and certainly landscape buffers and trees to provide adequate noise mitigation as well. So, that's one example. Again, here is -- here is another example with no pathway and just the berm -- the berm and the -- but you can see where you -- you don't do a berm,, but you do a 14 foot tall wall like you see along the interstate. Here is an example where the roadway is higher and how you would achieve that with a 35 foot buffer. It still meets the statement of the development standards. Here is one with a wider buffer at 45 feet. And here is one where you could actually put a backage road right up against the road and, then, even have greater separation. So, again, this is meant as a tool to not telling anyone thou shalt do it, it's just -- these are some alternatives -- if you have to go through the alternative compliance process these are ways you could do it to help just kind of spark ideas for applicants and, then, I also had Brian prepare some perspectives for you. So, you can kind of see a two day rendering here. These won't be in code by the way, just -- just something to see rather than a one dimensional side view of a drawing.

Seal: The focus on this is more where we are developing next to highways, you know, things like that, not necessarily you are going to see -- when we see something like this on a -- like Overland Road or Eagle Road or -- Eagle Road is a highway, but, you know, I mean you can see where I have drawn that distinction from.

Parsons: Yeah. Mr. Chair, Members of the Commission, I think the -- yeah. I think you can see that, but a lot of those areas are already built out. A lot of times what we hear from the development community with our standards is it's -- yes, we want the wall, we want the berm, we want the noise -- you know, suppress the noise, but -- and, then, our code says connect your sidewalk to the roadway. Well, as soon as you open the wall and the berm, guess what, you just created a channel for the noise to go through, so

you haven't really created anything. Well, you have to have access through that berm, so how do you do that? How do you get the landscapers around that and I have always been a proponent put the -- the fence on -- along the right of way and put the landscaping on the interior edge of it and that way the people in the subdivision get to enjoy the -- the berm and the landscaping. So, that's kind of the -- what I tried to achieve here with this, too, is like there is ways to do it. Just -- just because the code says do it this way doesn't mean you can't propose something different or maybe even something better and so that's what I was trying to explained to the UDC focus group is I can't -- just because the highway is elevated, doesn't mean we shouldn't do anything. I don't want to write a code that says you don't have to do anything. That doesn't seem fair. That's not fair to the people that will live there.

Lorcher: And would the developer -- the community be responsible for the -- all the landscaping that --

Parsons: Commissioner Lorcher, no. It -- it would be a common law HOA lot, just like any other subdivision that would be owned and maintained. So, really, that's -- again, these are meant to kind of spur -- get -- get creative solutions and think about that as you are laying out your subdivision. If -- if you were to ask my opinion I think they should always do a backage road -- they should do a buffer, a backage road and another buffer and you would have double buffers on that road and you wouldn't have anybody backing up to the highway. Most places do that. They have a frontage road and they don't -- they don't allow that -- that backyard to be right up against that type of facility for this very reason. You want that step back, so -- but our code isn't that way, but I think they should do it that way in my opinion. But our code -- well, our code kind of lets us down a little bit is it says that the backage road or frontage road -- it speaks to requiring one, but it says offset at 600 feet from the -- from right of way and I think the 600 foot mark is one that probably meets ACHD's policies for separation, but, too, it allows enough land for you to probably develop between the highway and that backage road. Again, it's -- maybe that's something we can look at at some future date, but maybe that's -- there is nothing that says you have to do -- the code says to do that, but there is ways to even do a frontage road this way and still meet that requirement. A lot to think about, but, again, it really needs to be a combination of landscaping and wall or berm to really successfully mitigate air pollution and noise pollution.

Lorcher: Yeah, but the two I can think of off the top of my head is where Touchmark is off of Highway 84 where they have a significant berm, but I think there is also a frontage road there as well to be able to serve that waterfall and the landscaping and, then, Spurwing around Chinden had a couple of iterations, because I think one was called Farm or something like that and, then, Spurwing took it over where they had that wall involved with tall grasses and it's not really a frontage road, I think they are kind of waiting for the road to get wider and who is going to pay for that, but there is a significant berm between that and the community to be able to do that, but if you are talking about Highway 16, at least where I am at at Ustick and McDermott, just north of us towards McMillan they are building now and some of the developers are putting in

walls and some of them are not, so -- and in the long term, if there are going to be different developers, it's going to look inconsistent.

Parsons: Yeah, I can -- Chair, Members of the Commission, I can certainly share it with you -- I know all the developments south of McMillan we required I believe six foot berm and six foot wall so it was consistent all the way down to Ustick and, then, from that point, you are right, there is north of McMillan -- we don't know what that's going to be yet --

Lorcher: Right.

Parsons: -- until it comes in and I can tell you when -- an application is going to come soon. It's not in the process right now, but we are pre-apping and in discussions with the developer on that site and that's why I'm -- we are moving this code amendment forward to help with that -- address that concern when it's in front of his body and the City Council.

Lorcher: Yeah. We do know the long-term plan for Highway 16 between Chinden and the freeway. It's going to be a hundred percent elevated. It might not be in our lifetime, but that's the long-term goal. Even though there is a bridge over McMillan, but there is not at Ustick and there is going to be a bridge on Cherry and the railroad tracks, but some places there is not, so it's going to be -- you know, for now, so eventually is will all be elevated, so -- okay.

Parsons: So, Commissioners, here is where I left a -- kind of a blank spot for those graphics. So, once I hopefully get a positive recommendation from you, then, insert those this evening. As I transition to City Council those will be inserted in this table for Council to take under consideration.

Smith: Mr. Chair?

Seal: Go ahead.

Smith: One question that's just -- is top of mind because of some of the discussion the Transportation Commission has been having around right of way for future expansion, the long-term plan, but I guess just things that -- kind of the geometries of, you know, if it say a development is not currently -- you don't currently have that -- the highway that's above a certain level, but say we use right of way to expand the highway down the line, does the city ensure the compliance or does the -- does the body that's using that right of way to extend a lane, for example, do -- do we, then, ensure compliance that otherwise would have fallen on the developer or those people just because it's the order of operations, do they not get that same protection of that abatement?

Parsons: Mr. Chair, Members of the Commission, I think Chinden Road is a -- Chinden Boulevard is a prime example of what happened there. We preserve the right of way. Some people got beautiful landscaping and everything and some got a wall right behind

their backyards. So, to answer your question, the transportation authority is going to dictate that, because they are going to have to follow federal regulations as well, so we have to kind of defer to their standards. We can -- certainly if they come to us and ask for input we are always going to say put it back the way it was, because that's why we -- that's how we work with ACHD typically when they come in and widen an arterial road and there is landscaping in place we are like please put the landscaping back in, don't do rock. We want it put back the way we have approved it and they will do that in most cases if they -- if we can get in front of that and ask them to do that, but if we don't, then you are right, we are left at the mercy of whatever is going to be required by the transportation -- the minimum required and that's what I said when I was researching this particular topic, that's what I was researching, what does the highway district require in these types of situations and a lot of times it's that wall that you see along the interstate and that's why you see the -- the mix, but there is also a technical study they have to do to determine what the mitigation is, so it's very complex, a little bit more than what we need to get -- get involved at the city's process, but, yeah, the government requires a study to show how it's going to be mitigated and why -- the purpose of it, so, again, when you have the federal government you have a lot of regulations you have to try to meet, so they are always going to trump us.

Smith: Thank you.

Parsons: So, here is the slide with the -- expanding upon the drive-through establishments. So, again, this was vetted through the UDC focus group this year. They were happy to see this, because a lot of -- probably what you are seeing along Ten Mile, if I had to guess, probably a majority of our drive-throughs are either Eagle Road or Ten Mile and Ustick -- or Ten Mile and Chinden area just the last couple years. So, again, the code isn't eliminating a CUP for a drive through. There is always going to be parameters they have to hit, so it's -- essentially if they are still within 300 feet of a residential use or district they are going to need that -- that CUP, but we -- what we went on to say is if -- again if somebody comes forward and they are part of a mixed use development or they have a master site plan and they show a couple drive-throughs on the site and it looks like it's a pretty well thought out concept plan, that's where we can say, you know what, your concept plan included a drive through. You are doing what's consistent with that plan, we are not going to make you go through a condition use permit, we are going to approve it based on the merits of that concept plan and that -- either that development agreement or whatever requirements we have in place for that development moving forward. That was one way to do it. Everyone liked that. Again, if it's separated by any street -- I'm not sure why we picked the arterial street, so, basically, we said any street and, then, Old Town, again, it's going to be -- it's going to be required in our downtown area. It's just how it works, because of the -- how small the lots can be and we want it more walkable in our downtown, so we want to make sure whatever they do it functions well. The other component of -- it's this and I can assure the -- the Commission this -- this change is not going to combat all of the In-N-Outs of the world. I can't -- again, it's almost like noise mitigation, I can't write a code to off-set the -- the stacking for a Chick-fil-A, for an In-N-Out. It's impossible. Well, what we did do is we did put in some minimum standards for the width of the stacking lanes

and the escape lane and, then, we also put in a minimal amount of vehicles you have to account for each requirement and we did differentiate the difference between a restaurant and a bank, so -- and you can see that there. All -- all other drive-throughs. So, here on number six here it says for basically restaurants, food or coffee shops, you can have two stacking lanes, but you are going to have to provide -- each one's going to have to stack a minimum of five and still provide that escape lane. And, like I said, for banks or something it could be two, because you have a lot of people go to banks or use their drive-through facilities like a -- it doesn't operate the same or even a drive-up pharmacy is not the same as a restaurant -- a fast food restaurant or a coffee shop. So, again, this is some of the ways to try to work on that and mitigate that. So, again, if a developer came in and they met all this criteria, it's going to be staff level and they are going to have to demonstrate how this works. I almost thought about -- I mean certain drive-throughs ACHD requires what's called a queueing analysis. You have to have concerns that cars -- cars may stack up on the road, because they are too close to an intersection, but I really didn't want to put in -- add somebody else's requirement into our city code, so I figured out how can I do that, but not -- not make -- impose somebody else's -- an outside agency's requirement in our code, but, anyways, I stopped at that and let it -- stayed with these standards. Any comments or concerns with these proposed changes?

Seal: Commissioner Grace.

Grace: Mr. Chair. Bill, maybe I'm being way overly technical, but with regard to that page seven there, number one, is residential modifying the word use? So is it a residential district, residential use or dwelling. Okay.

Parsons: That is correct.

Grace: I guess -- I just wouldn't want anyone to think it reads the other way. Residential district or any kind of use. But, again, I could be overanalyzing it.

Smith: Mr. Chair?

Seal: Go ahead.

Smith: Thanks. Bill, I -- because I have the worst memory. The dimensional standards for a minimum living space, do those currently exist for anything above R-4 or is it just R-2 and R-4 that currently have them?

Parsons: Mr. Chair, Members of the Commission, it's only in R-2 and R-4 districts currently.

Smith: Thank you.

Seal: As I'm thinking about the -- I mean there is a million things that kind of went through my head on that as far as how -- how does something like that affect kind of

outbuilding or out structures or -- I'm thinking kind of the tiny home, mother-in-law quarters, you know, rent something as an Airbnb type of scenario and that. Is that something that could be impacted by that or is that just a whole separate section?

Parsons: Yeah. Mr. Chair, the ADU standards are all contingent on the structure that is the primary structure, so --

Seal: Okay.

Parsons: -- anyone that comes in for an ADU permit, the maximum you can have is 900 square feet.

Seal: Okay.

Lorcher: Maximum?

Parsons: Yes. So, if there -- again, the code reads you get up to 50 percent of the primary structure or 900 square feet, whichever is more restrictive. If you had a big 5,000 square foot home and, obviously, 50 percent -- 900 is going to be the more restrictive, so you are not going to be able to build anything more than a 900 square foot unit. But, like I said, we are still toying with that. It's on -- on my list of talking with legal on July 1 about how we tweak those ADU standards to see -- not necessarily increase the size of them, but just explain do they need to really provide additional parking on the site? How do we kind of minimize those impacts or make it a little easier for applicants to get those established. I don't know if we will go as far as saying -- allowing other types of ADUs, like modular homes or tiny homes, which is an RV in our world, but -- I don't think we will go that far yet, but who knows. I mean it's up for debate or discussion anyways.

Seal: Okay. Yeah. Like I said, that just -- my mind starts kind of thinking in that, you know, multi-generational housing and things like that as -- as things come forward about it, like where -- and I have got to think there is going to be a lot more of that heading our way in the future.

Parsons: Mr. Chair, Members of the Commission, it's always been my -- it's interesting, because we really don't have a lot of R-2 developments in the community, but whenever we do -- and typically the homes encompass the entire lot anyways, so no one is going to go in there and -- I haven't -- the homes are usually four or five thousand square feet at a minimum on some of those lots. So, I haven't seen it in the case where someone has built just a 1,500 square foot home on an R-2 lot or even a 1,400 square foot home on R-4. But certainly some of our older subdivisions throughout Meridian they do have -- there is even requirements on the face of the plat that says home sizes are X amount square footage. It very -- very odd. But, yeah, that -- that standard has been in place for quite some time.

Seal: Okay. I did see your pass by, but there was one that kind of touched on definition of mobile home or -- I saw that one go by and I did not -- breezed through that when I was reading it at home, so --

Parsons: Mr. Chair, Members of the Commission, this is one that we have to get aligned with state code. So, currently we have to treat manufactured homes that -- say, for example, there is a lot -- there is a lot -- residential lot in Old Town and if someone wants to put a manufactured home on it we have to treat them -- per state law we have to treat those as -- the same as a single family dwelling. But also in that state code it says -- but they have to meet the other parking requirements and the setbacks of the -- established by the city. So, this is one saying it's not -- it's not a manufactured home park. That's a different use in the code. But when it's a standalone manufactured home on a residential lot it has to be treated like a single family. So, that's why we had to correct that error. It was a -- it's a conflict with state code, so that's what we are doing here is worked with legal on the language there and so we are trying to get that in alignment with state code, so we are not out of compliance.

Seal: I'm bouncing all over the place I now. On the food truck, food court, you mentioned that the -- like the food court that is down in Boise, what is kind of the vision of that? Is it more -- is it someplace they are going to go for the day or for the evening and, then, exit or is it something that can be more semi-permanent, you know --

Parsons: And that's the next slide for you is the specific use standards. So, haven't gotten there yet, but we are there now, so --

Seal: Okay.

Parsons: -- good time to have that discussion. So, the one in Boise is different. It's not set up. It's a hybrid model. So, basically, they rent the land from the city of Boise, they pay a proportionate share of their earnings to Boise. They have a contract with them and, then, there is a morning shift, so trucks come in for the morning and they leave and, then, another set of food trucks come in in the afternoon for the evening crowd. So, it just depends if you want breakfast, lunch or dinner, how they -- and we are not getting that specific on this particularly case. From my research on the topic and what I think is best for the City of Meridian is -- I'm looking at cities like Portland to see what they do. A lot of the people that I have met with have shown me concepts where they would have a -- a shared building that had restaurants, potentially a tap inside, almost a drinking establishment where you can get your food out there, but you could go in there and just meet with the neighbors and talk and treat it just like a bar atmosphere. They have picnic areas with shade structures. They have Cornhole or outdoor games where you can -- it's like a -- just a little commercial development where everyone congregates and that's what I tried to do with these specific use standards. So, again, if you are going to develop the site and it's going to be permanent, we are going to require them to put in permanent things and so that's why you can see here I specify hour of operation and I want to mention to the Commission that a lot of these standards come from other sections of our code, you know. We go and look and say how does this work and how

can we tailor that to fit our needs and that's what I have tried to do here. So, basically, here is the hours of operation that's in our code. We limit that. Again, we want food trucks to have a clean appearance. We don't -- we don't want rundown food trucks that aren't taken care of, because it's a safety hazard. They have to be inspected by the health authority and the fire department. So, we have got to make sure the -- they meet the minimum standards for them, so that's why you see that here. They have to have their own utilities to serve that, so they got to have access to water or power, whatever else they need to operate their -- their food truck. So, I -- I have gone as far as saying I want to see permanent restrooms. I don't want a bunch of porta-pots out on -- in the middle of the street court. If it's going to be permanent -- build permanent structures on the site and pave your spot where you park your food truck, then, we also require parking. So, we -- I also said two parking spaces shall be provided for each food truck, so that when people come they aren't parking all over the commercial development or taking people's parking. It needs to be a standalone business. And, then, same thing as sheds or anything like that, again, don't want any permanent portable structures on this site. If you are going to do it we want you to have a designated building that addresses trash, restrooms and even gathering space. But -- anyways, that's kind of the idea behind it. Again, we will put in the landscaping, just like the code, the frontage improvements, all of those things that come with development.

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: I'm thinking of two off the top of my head. They are in downtown Phoenix. They created a food truck court with shipping containers and so they made a U-shape where you walk in and, then, each container was its own entity. It's like a food court type thing, but it was permanent and it did have a bathroom and in the middle there were like recessed seating, you know, like a fire pit where you can gather and play Cornhole or shuffleboard or that type of thing, but I didn't see any parking. And it -- because it was downtown Phoenix I don't think -- it wasn't ready to create a lot of any kind, so I think it was just -- ended up being street parking. And, then, the other one I was thinking of just recently during the Mountain West championship, we were in Las Vegas and they also had this -- I wish I remembered the name of it, but they also had kind of zigzag, weird kind of flow of these foods -- these little food truck type things, but it was also on the strip and there was definitely no room for parking, so -- but they did have permanent bathrooms and each one was their own like little stall that had -- sometimes there was a bar with their chairs or others there were just public seating all around it just kind of created this S curve that you went through. I'm just wondering -- depending on where this goes, is the restriction of having designated two parking stalls for each truck or court is going to limit the opportunity for a space to have this type of concept? You know, I mean -- I think in both of these cases they were in-fill projects, you know, they kind of found an empty lot and thought, oh, let's put this here and both have been extremely successful and both of them were very -- a lot of people would just walk to them, because it was in a central location in an urban area, which is a little different than our community, since we are a little bit more spread out, but I guess the

only thing that I kind of thought through my mind is that if you do choose to have something like this and ends up being an in-fill and wondering if the two parking spaces per food truck and say there is ten or 12 of them, is that going to inhibit that concept to actually come to fruition because of the space that it might end up being? And I don't know if that's really a question, it's just --

Parsons: Mr. Chair, Members of the Commission, I do appreciate that feedback, because, you're right, if -- but at the same -- at the same token if it is a food truck or a trailer, then, they have vehicles, too, and they have to park that somewhere. So, like you said, there is never going to be a perfect scenario. I think the intent was to have some type of parking.

Lorcher: Uh-huh.

Parsons: But certainly there is always alternative compliance to parking standards and, then, in our downtown area they would have the ability to go to -- in front of the Meridian Development Corporation, which is our renewal district, and ask for their recommendation on parking. So, there is other ways to get there. If you think that it's important I think we could certainly modify that to say -- unless approved to alternative compliance or something like that to give them an out if this -- if that's something that the Commission would entertain to move it forward to City Council.

Lorcher: You have the word shall, as -- you know and --

Parsons: Yeah. You must do it, so, yeah, it's a pretty --

Seal: I like the idea of alternative compliance on that, because I -- as I have looked at and thought of different developments where ideas like this that come through the city where we have kind of -- you know, work places, modern craftsman, you know, the areas that have that capability, if we had something like this in that area, then, you have -- not only do you have kind of that small business or entrepreneurial element to it with businesses, you also have the food trucks that are in there and kind of more of a community feel and involvement in it -- Saturday market kind of feel to it, you know, where that's not a -- it's a semi-permanent fixture in that it's easily accessible, involves more than just food where you have, you know, several small businesses that are involved in it, where an alternative compliance to that, because there is already parking provided for some businesses there that are obviously going to benefit from that, so in my mind that's kind of where I see as a food court kind of would pop up around here. I love the idea of having it in Old Town, to be perfectly honest. I think it would do amazing things to help revitalize the Old Town down -- downtown area, but in some of the newer developments, if this is an option, even as something that they can do for an amenity, you know, to kind of spur something like that on to -- you know, kind of going out here on a limb, but I think about stuff like this a lot where I have -- I have seen it be very successful, you know, especially in smaller communities as they put things like this together, more haphazardly, but, you know, it comes with a high amount of success to it, because they kind of do involve small business entrepreneurs, food trucks, kind of

more of a festival or Saturday market type of feel to the whole thing, but having it being more, you know, permanent, semi-permanent and, then, the community would be helpful I think. I like the idea of that, so --

Smith: Mr. Chair?

Seal: Go ahead.

Smith: I fully echo your thoughts. One of the other things I was just thinking about is -- is transit orientation. You know, if something is -- especially as -- over the next decades as we kind of look for additional transit opportunities I'm thinking about there might be opportunities to have alternative compliance or things like that based on proximity to outside -- maybe outside of downtown, down to -- near Ten Mile. If there are opportunities. Or near really high density housing. You know, amenities that -- that's a different conversation, but it actually -- I think it's an interesting concept. I think even just proximity to a lot of foot traffic. I don't know, however, to quantify that, but I think that's an area where encouraging more of this kind of concepts would be great. I think that my wife mentioned the other day -- we visited family back in California and she came back and she said, you know, I really like that Idaho places such a -- such a priority on supporting local businesses and supporting Idaho businesses and I think that's something that absolutely small businesses, entrepreneurship, we should just courage and have more of that. You know, the term 15 minute city is a political taboo word, but I think the more that we can have services or community opportunities just in the paths of people's daily lives, not just going downtown, but near their homes or on the way from home to work, or vice-versa, I think that's -- that should be encouraged. So, I think the parking conversation and also, you know, maybe some additional conversations around what is allowable for some of these other things, maybe not in this current iteration, but definitely conversation to go forward I think this is -- is worthy of that.

Seal: Commissioner Grace.

Grace: So, it got me thinking, Mr. Chairman, about the parking. So, if you are a single food truck, you don't have a requirement for two parking spaces, but if you are in a court you do and if -- a court is defined as two or more food trucks and that was -- that was intentional; right? You guys thought about that?

Parsons: It was intentional for the fact that -- if you look at the food truck standards, it should be an established business with parking already or if anyone wants to put a food truck on their site, then, they would have to come in and give us a site plan and show us where are going to park that and we could evaluate that and analyze that, whether or not they are losing parking or not. So, that's why. I think certainly with the food truck court there is -- there is a couple of different ways we can fix the code. One, shared parking is one option. We do allow that in the code, so that's through alternative compliance. For shared parking or two you can say not required in Old Town if you want it more -- or what we have tried to do is minimize like in Old Town, because of the

fact that we want people walking and not have a sea of asphalt. I could see if this project to the east of us ever gets up and running again I could see the frontage for having a bunch of food courts right there right along Main and they have structured parking and we have City Hall parking right across the street. That could work, so -- and we have street -- on-street parking. I think of what I hear here and I really like the discussion we are having, because, again, I'm just thinking, you know, a parking stall seems reasonable, but you bring up good point. Those are valid points. What do we do. Again, the code is the minimums. Well, what do we do in those situations where it can't work? So, we want to be flexible, but we don't want to go too flexible, we -- we still want to make it clear that this is a permanent use and it comes with an investment in the community and not the -- the other find -- the other difficulty here that we are trying to -- trying to protect, too, is the fact a lot of people invest heavily in their brick and motor stores for restaurants and we want to be sensitive to that as we look at rolling out these codes, because they put millions of dollars into their store front or their commercial kitchens and their businesses and the parking lots and their landscaping and all of the employees and they are paying taxes and, then, you have a food truck come in here and they just have to do the minimum, you know, nothing, and they can just go on a dirt lot and serve food out of a trailer. So, again, there is an economy of scale there, but I just -- that's -- that's why I'm trying to make it feel more permanent and not make it feel like you could just up on -- and have a gravel lot and not do anything and just have a bunch of food trucks on it, it really is -- if you are going to do this let's do it right, let's get some kind of investment in the community and make sure that we are not hurting surrounding businesses. We want it -- I'm with you I think it can bring some real synergy to the community if we do it right and get the right standards in place.

Seal: Yeah. There is also businesses that are -- I mean that are brick and mortar that also have food trucks and highly sought after food trucks, because --

Parsons: They do both.

Seal: Yeah. They -- they can do both and hope, you know, might be some of the -- provide some of the leadership on this where -- I mean they don't -- they -- I don't know that they are necessarily going to want to be in something like that, but depending on where we put things it's an opportunity for businesses to think about expansion. They do have brick and mortar and they do have a food truck and they are going to try -- going to try this location where you are going to see what the -- you know, see what the draw is on that and we can look at expanding on that area as well, so -- but I do like the point you make about we want to be careful we are not parking it next door to -- I will just pick on In-N-Out. Let's not put anything else next to that that would draw a crowd. But -- yeah. So, I -- yeah. Absolutely. I mean if we tried to do something along these lines -- along kind of the -- you know, where we have a lot of restaurants already along the Hill Road or something like that, it probably wouldn't be well received. So, I don't know if we are going to speak to some kind of etiquette on that or if that's just more of a common sense move, but that's -- that is a very good point.

Parsons: I think this is a good time to probably segue into the next one, just food trucks, and that way we can -- again to your point, we are not requiring parking for a single food truck. We are. We are just requiring a designated space on the site to accommodate for that food truck. So, again, that's going to require -- again, it's going to be treated just like a permanent use. Like a food truck would be approved as an accessory use to the primary business and, therefore, it would have to operate at the same -- same hours of operation. Again, make sure that it's -- the food truck integrates with the brick and mortar store on the site, so it doesn't look like it's too different functions and it needs to integrate as one, almost to -- like the Maddies recently that you saw where they had the food truck all built in, the trailer all built in and that -- they are using that as their commercial kitchen and, then, again, all the necessary instructions that come with that. The difference here is that we don't really require the outdoor seating, but we do require the primary business owner to grant patrons to use the restroom or even the food truck vender access to their public restrooms. Again, we don't want the -- the portable restrooms out in the parking lot. We don't want anyone parking in the landscape buffers and, then, again, if they do designate a spot for the food truck we want to make sure that the primary business still meets the minimum code requirements for parking. So, again, this is our way to -- to fact check that and prove that up and when they come in with their site plan we can verify that they are -- they are meeting all of those requirements and not impacting the surrounding developments by having people park all over in spots they shouldn't be, but that's kind of the difference between the two. The one -- you know, one -- so, again, CUPs and you want to move every -- every day or stay on the site for two hours and leave every night, you can do that all day long, through the clerk's office. That's not a use through the zoning code. You want to be parked there permanently you are going to require -- it's going to require some improvements on the site and us to -- to review and look at that. So, again, it's almost -- almost think of it like what we did a few years ago with home occupations versus live-work versus vertically integrated buildings. I did the tier approach -- yeah, you can live in your home, run your business. Or you can rent -- buy a building -- flex space, have your business below you and walk up and down stairs and -- but it's a smaller footprint. Or you can come down downtown, build a big building and the whole entire floor -- bottom -- first floor is all commercial and it's all residential or commercial above. It's -- it's really -- this is the approach. You start with one scale, you go to the next scale and, then, if you want a full on food truck court you're doing all of that. So, it really is that tiered approach, just like we did with home office versus live-work and vertically. So, we would regulate that.

Seal: Will there be an appetite on the -- the permanent food truck to make it semi-permanent, meaning that -- depending on the -- thinking of somebody that has a truck that's -- you know, a food truck or a -- I'm thinking more of something like a trailer where they have the ability to pull it out, take it somewhere, do their business out of it and bring it back, because it is -- I mean conceptually it is -- that is their kitchen, but they can take and -- and do other things with it. There -- would there be the capability to do that for -- for a business -- I'm -- and I'm -- I'm thinking of the businesses that have a food truck as part of their business where for a really busy times with their brick and mortar, that just augments what they are capable of doing where, you know, other times when

they need to pull it out, they need to go to the fair or, you know, other big events and stuff like that, would that be something that they could apply for or have the ability to do?

Parsons: So, Mr. Chair, yes, as long as they have a designated spot, no one says they have to leave that there all the time. They could still move people in and out there. We are just making sure that it's -- it matches, no one's parking in their parking lot and the parking meets -- as soon as we give them that approval planning isn't going to go out there and regulate every vender that goes in and out of that site. A prime example is -- I think you have seen a couple of them recently. You saw Loose Screw Brewery where they are going to have a food truck or try to have a food truck in front of their business. They have a pad site right in front of it. They have a patio connected to it, just almost like Maddies and they will be able to serve people at that -- at that brewery. That's how he -- that's a way for him to augment his business and have other vendors come in and out. There is already a designated spot, so that -- no one says they have to bolt it to the ground, take the tires off, put it on jacks, have permanent utilities to it. No. Let's just screen things, integrate it best you can, you know, make it blend in, make it complimentary to the existing business. Again, it's -- you put money into the business, into your building, we want you to have a nice food truck as well. We want you to -- we want that same person that is renting space from you to take pride in operating on the same property that you are offering them. So, that's one. And, then, also the -- a drinking establishment, the dog park, you approved it off of Ten Mile there, that little cover area or the outdoor doggie area, they had a little area where you could pull up a food truck or a trailer, so that's really kept -- almost the intent of what we are trying to do here with the specific use standards.

Seal: Okay.

Smith: Mr. Chair?

Seal: Yes.

Smith: So, the one question about the hours of operation, is that tied to the food truck or the location where it --

Parsons: Mr. Chair, Members of the Commission, that is tied to the primary business. So, if the one closes at 10:00 the food truck is closing at 10:00.

Smith: So -- Mr. Chair?

Seal: Yes.

Smith: One thought. For example -- but to be with -- Neckar is a coffee shop in Boise primarily earlier hours. There is a food truck, for example, they are out -- and it's not a food truck, but they have a cart that is serving coffee and hotdogs, et cetera, until, you know, 10:00 11:00 p.m. and so that I guess is a question of does it make sense that if I

say I have a coffee shop, but I have a small food truck or something like that and they go to an event that is a day long event and I'm serving coffee there, would I have to extend the hours of operation on the primary business in order to be able to operate my food off site or would I have to close down early just because my normal hours -- and I think is maybe not what the code is going for or maybe that is the intention and -- can you help me on this?

Parsons: Mr. Chair, Members of the Commission, that would be the key, too. That's the example where someone could get a special use permit, a special event permit and be able to operate as part of that even through the CUP process. It has nothing to do with this scenario here.

Smith: Got it. Okay. Thank you.

Seal: Okay. Moving right along.

Parsons: On the last item Kurt and I worked that out with one of the developers, so that just -- a play on words, but it is just -- typically when we -- in our code we require people to provide proof of posting, but in doing so they have to get it notarized -- legally notarized and provide that documentation. There is nothing in state code that requires it, we just had that in our ordinance, so as long as they can provide the -- the documentation and provide the photos and placement where they put that on and they certify that they have done it correctly, it still meets the intent of the code and the requirements of the code. So, it is just a cleanup item.

Seal: Okay.

Parsons: Again, like the last application, no one has provided any public testimony on this UDC text amendment as well and I would ask the Commission to again include those graphics as part of the -- that I shared with you, the figures, so I can include those as we transition to City Council and offer up any other language you had -- you have regarding the parking standards pertaining to food truck courts. With that I will go ahead and conclude my presentation and see what you guys want to do. I don't think we need to deliberate, you deliberated and we have talked about it, so I didn't know how you want to proceed.

Seal: I will ask for public testimony.

Starman: I was just going to make that comment. This is a public hearing, so you should follow the normal protocol for that and, then, once you are complete you can close the hearing and deliberate further.

Seal: Okay. Would anybody in the audience like to come up and testify? I mean you hung out for this, so I figured you may -- you were going to do something, but -- okay. All right. Commissioners, we have questions, comments, statements for staff?

Grace: Mr. Chairman, I have just one question on page one at the bottom. It mentions that -- with regard to a mobile home -- or manufactured homes. It says that it must comply with -- the title is -- the building code in Title 11?

Parsons: Mr. Chair, Members of the Commission, no. That's referring to requirements for setbacks and parking.

Grace: Okay. Got it.

Seal: Okay. We have nobody wanting to come up and provide testimony, so with that, if we are ready, I will take a motion to close the public testimony portion of ZOA-2024-0001.

Smith: So moved.

Grace; Second.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. ZOA-2024-0001. All in favor, please, say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Yeah, with that I don't know how much we want to put into a motion. With this really good conversation for certain, so it's been -- you know, all these ideas, you know, make my head swim with more ideas, so it makes me want to build something in Meridian, you know. Just need to find that right investor. But -- no. Like I said, I think it's a very good discussion. If anybody -- does anybody have any more to add or to discuss on this? If not, somebody can take a stab at a motion. Bill, you wanted to -- what you wanted to add in there was wanting to include the graphics for -- from -- or for -- we can be more explicit about it I think.

Parsons: Yeah. Mr. Chair, Members of the Commission, I think you can just say -- include the figures shared at the hearing tonight.

Seal: Okay.

Parsons: You just say share -- the figure that were shared at the hearing, because they are part of the public record. They are still kind of the public record. I made sure to get those to the clerk when I sent out the staff report.

Seal: So, just to include the graphics shared in the presentation. Okay. Anybody? Any takers on a motion?

Lorcher: Okay. After considering all staff, applicant and public testimony, I move to recommend approval to City Council of File No. ZOA-2024-0001 as presented in the staff report for the hearing date of June 20th, 2024, with one modification to include the graphics during the planning and zoning presentation.

Garrett: Second.

Smith: Second.

Seal: It's been moved and seconded to recommend approval of File No. H -- sorry -- ZOA-2024-0001 with the aforementioned modification. All in favor, please, indicate by saying aye. Opposed nay? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: All right. Good job, everyone. I will take one more motion.

Smith: Mr. Chair?

Seal: Go ahead.

Smith: I move we adjourn.

Lorcher: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 7:43 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK