

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 2/3/2022  
 TO: Planning & Zoning Commission  
 FROM: Alan Tiefenbach, Associate Planner  
 208-884-5533  
 SUBJECT: H-2021-0089  
 Moberly Rezone  
 LOCATION: Parcel R0406010125, located south of W. Broadway Ave., between NW 2nd St and NW 1st St.



**I. PROJECT DESCRIPTION**

This is a request to rezone 0.16 acres of land from I-L to O-T to allow the construction of a duplex.

**II. SUMMARY OF REPORT**

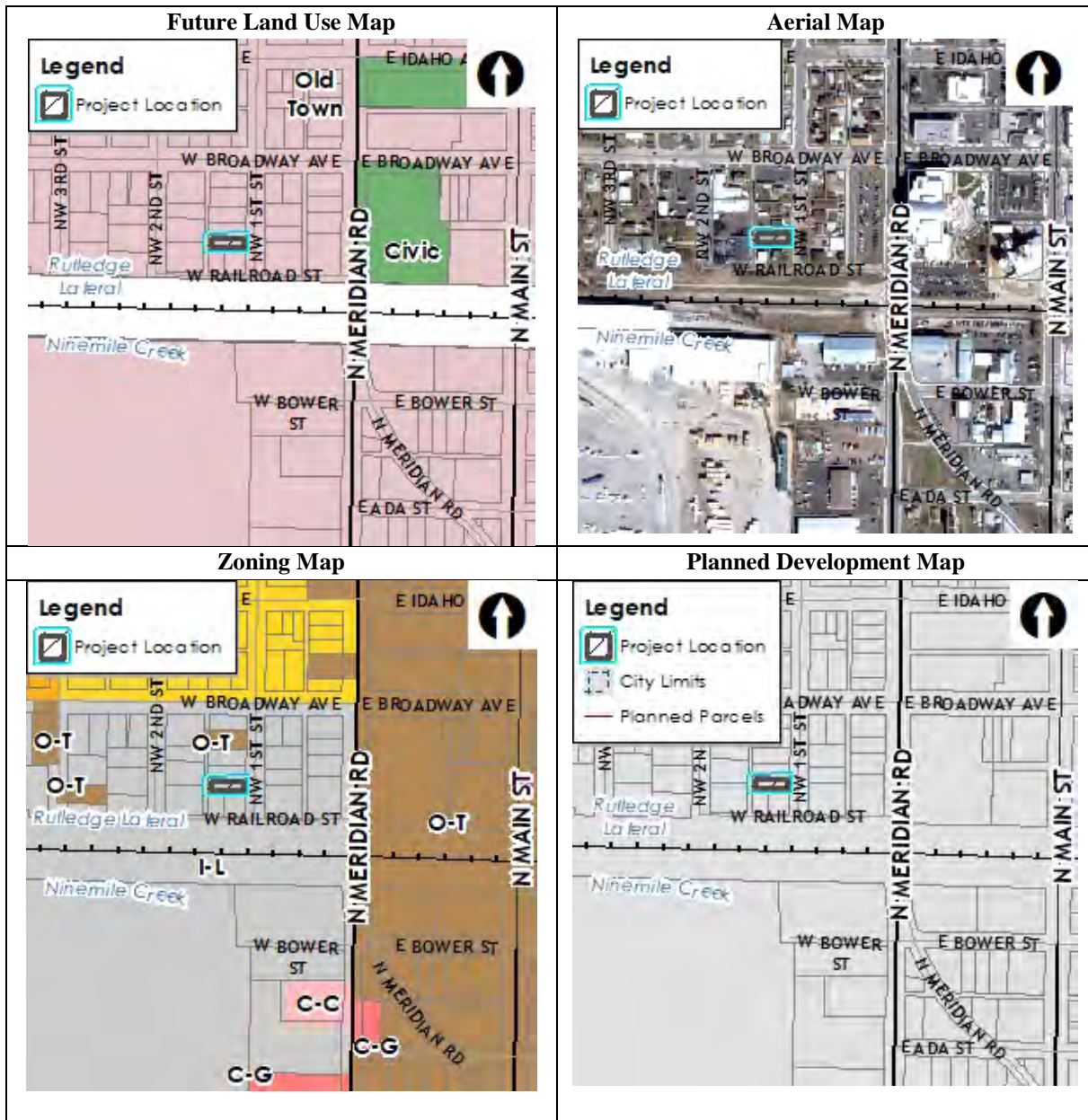
1. Project Summary

Description	Details	Page
Acreage	0.16 acres	
Future Land Use Designation	Old Town (O-T)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	One duplex	
Lots (# and type; bldg./common)	1 lot	
Phasing Plan (# of phases)	NA	
Number of Residential Units (type of units)	2	
Density	12 du/ac	
Open Space (acres, total [%]/buffer/qualified)	None required	
Amenities	NA	
Physical Features (waterways, hazards, flood plain, hillside)	No unique physical features	
Neighborhood meeting date; # of attendees:	Octboer 19, 2021 – 4 attendees	
History (previous approvals)	J.M. Anderson’s Second Addition, platted in 1905	

## 2. Community Metrics

Description	Details	Page
Ada County Highway District	No traffic impact study required	
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access will occur from an alley accessed from W. Broadway Ave and W. Railroad St	
Stub Street/Interconnectivity/Cross Access	None	
Existing Road Network	NW 2 <sup>nd</sup> St, W. Broadway Ave, W. Railroad St and NW 1 <sup>st</sup> St.	
Existing Arterial Sidewalks / Buffers	No buffers proposed or required	
Proposed Road Improvements	No road improvements required, sidewalk will be required along the NW 2 <sup>nd</sup> St frontage	
Distance to nearest City Park (+ size)	Approx. 1/4 mile to Centennial Park	
Fire Service	No comments	
Police Service	No comments	
Wastewater		
<ul style="list-style-type: none"> <li>• Comments</li> </ul>	<ul style="list-style-type: none"> <li>• Additional 306 gpd committed to model. Total committed flow to treatment plant is 14.25 MGD.</li> <li>• Currently sewer is from back alleyway to the west. However, City is planning on abandoning the line in the alley and installing a new main in W 1st St. The plan is for this project to start Spring of 2022. If the applicant wishes to connect to sewer in the alleyway before the new sewer is installed they will be required to install a dry line to the east property boundary for easy connection to the new main once built.</li> </ul>	
Water		
Distance to Water Services	0	
Pressure Zone	2	
Water Quality	No concerns	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	A utility plan will need to be submitted, reviewed and approved by PW.	

3. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Carl Argon – 4515 E. Copper Point Dr. Meridian, ID 83642

B. Owner:

Moberly Holdings, LLC - 4408 W. Saddle Ridge Dr., Nampa, ID 83687

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	1/18/2022	
Radius notification mailed to properties within 300 feet	1/14/2022	
Sign Posting	1/25/2022	
Nextdoor posting	1/14/2022	

**V. STAFF ANALYSIS**

This is a proposal to rezone from I-L to O-T to allow for the construction of duplex.

The subject property is a vacant lot comprising 0.16-acres which is zoned I-L. Along NW 1<sup>st</sup> St. (east side of the property) is predominately single family, multifamily and duplexes, nearly all of which is at least 50 years of age (with many dating back to the early 1900s). West of the property is a mixture of industrial uses, a food bank, religious facility and residential, both single family and attached. North of the property is single family attached and multifamily. One of the properties approximately 100 feet to the north is already zoned O-T (631 NW 1<sup>st</sup> St). Railroad tracks are approximately 200 feet south of the property. An alley borders the property along the west.

1. Rezoning

The applicant proposes to rezone from I-L to O-T to construct a duplex. A duplex is a principally-permitted use in the O-T zoning district and the zoning would be in conformance with the FLUM as described below.

The City may require a development agreement (DA) in conjunction with a rezoning pursuant to Idaho Code section 67-6511A. As this property is already within the City, the infrastructure surrounding the property has already been installed, and all other requirements have been addressed through pertinent regulations, staff comments, and the design review required for the duplex, staff is not recommending a development agreement with this rezoning.

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

The FLUM recommends the property for Old Town. This designation includes the historic downtown and the true community center. Sample uses include offices, retail and lodging, theatres, restaurants, and service retail for surrounding residents and visitors. A variety of residential uses are also envisioned and could include reuse of existing buildings, new construction of multi-family residential over ground floor retail or office uses.

The purpose of the O-T district is to accommodate and encourage further intensification of the historical city center in accord with the Meridian Comprehensive Plan. The intent of the O-T district is to delineate a centralized activity center and to encourage its renewal, revitalization and growth as the public, quasi-public, cultural, financial and recreational center of the city. Public and quasi- public uses integrated with general business, and medium high to high density residential is encouraged to provide the appropriate mix and intensity of activities necessary to establish a truly urban city center.

The applicant proposes to construct a duplex (2units) on the subject property once the rezone process is concluded. Although the Plan does specifically mention multi-family residential over ground floor retail or office uses, the property is surrounded on three sides by existing one story residential and multifamily with only a small number of industrial or non-residential uses in close

proximity. Although a work / live situation is feasible, because the subject property is on a residential street with no commercial frontage, staff finds the proposed residential use in this area appropriate.

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

- Encourage diverse housing options suitable for various income levels, household sizes, and lifestyle preferences. (2.01.01)

*This application is for a rezoning from I-L to O-T to allow a duplex on an infill site. This would allow for more diversity in housing.*

- Maintain a range of residential land use designations that allow diverse lot sizes, housing types, and densities. (2.01.01C)

*A duplex would increase the diversity in lot sizes, housing types and densities.*

- Encourage the development of high quality, dense residential and mixed-use areas near in and around Downtown, near employment, large shopping centers, public open spaces and parks, and along major transportation corridors, as shown on the Future Land Use Map. (2.02.01E)

*The subject property is an infill site near the downtown core, within a large area which is designated for Old Town zoning by the Comprehensive Plan, near N. Meridian Rd., a principal arterial, and is within walking distance of a large amount of goods, services and jobs.*

- Encourage infill development. (3.03.01E.)

*The property is vacant property, surrounded by existing residential development on all sides, except for a body repair shop directly to the west. This is an infill development.*

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

*This project can be serviced by City of Meridian water and sewer, and all infrastructure will be designed in conformance with City standards.*

4. Existing Structures/Site Improvements:

The property is presently vacant.

5. Proposed Use Analysis:

The applicant proposes to rezone from I-L to O-T to construct a duplex. This is a principally-permitted use in the O-T zoning district subject to applicable standards for development in the traditional neighborhood districts.

6. Dimensional Standards (UDC 11-2):

UDC 11-2D-4 requires a minimum height of 35 feet and all buildings should be a minimum of 2-stories. There are no minimum setbacks in the O-T zoning district. The proposed elevations reflect a building that is 2-stories.

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

The subject property would be alley-loaded. This brings the building closer to the street and removes garages and driveways from the front view of the home. This is consistent with new urbanist principles in an old town zone district. Access will occur via an alley at the west which connects from W. Broadway to W. Railroad St. At present, there is a dumpster blocking the alley north of the property. This requires access to occur by traveling southbound on NW 2<sup>nd</sup> St and



then eastbound on W. Railroad St, which is a one-way street. There is presently a fence in the location where the driveway is proposed, but staff did confirm by a site visit that the 16 ft. wide alley to the location of the proposed driveway is adequate. ACHD and Fire have reviewed the proposed access configuration and have not expressed comments or concerns.

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

The applicant proposes a duplex with two-bedroom units. UDC 11-3C-6 requires 2 parking spaces per dwelling unit with at least one in an enclosed garage, other spaces may be enclosed or a minimum 10-foot by 20-foot parking pad.

The concept site plan reflects two one-car garages with a driveway area of 30 ft. long by 44 ft. wide. In addition, there is plenty of on-street guest parking along NW 1<sup>st</sup> Street. The parking provided meets the minimum requirements of 11-3C. As required per UDC 11-3C-5, all off street parking areas and driveways into and through a parking area shall be improved with a compacted gravel base, not less than four (4) inches thick, surfaced with asphaltic pavement.

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

There is presently no sidewalk, curb or gutter along NW 1st St. The applicant will be required to install a sidewalk a minimum of 5 ft. in width as required per UDC 11-3A-17.

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

A landscape buffer is not required for a duplex in the O-T zone district. The UDC does not regulate landscaping on residential lots.

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

There is existing fencing along the side and rear property line. The rear fencing would need to be removed to accommodate parking at the alley-loaded structure. Any new or relocated fencing should comply with fencing regulations per UDC 11-3A-7.

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

Public services are available to accommodate the proposed development.

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

A conceptual elevation was provided with this application. The elevation indicates a structure with pitched roofs, fishscale accents, clapboard siding, shuttered windows and a small ground level patio on each side. As is required by the O-T zoning district, the units are at least two-stories, although the elevations do not indicate whether the minimum required 35' height is met.

Design review is required prior to building permit. The dwelling units will be reviewed against the Architectural Standards Manual (ASM). The ASM for residential requires visually heavier and more massive elements or materials, such as stone or masonry, primarily at the base of buildings, and lighter elements and materials such as siding. Also, the ASM states primary building entries to be clearly defined using any unique combination of architectural elements, materials, or façade modulation meeting other architectural standards in the Manual.

The elevations show a combined front entrance inset for both units with minimal overhang. This project is near the downtown core and is being proposed for Old-Town zoning. A key element of old-town design is walkability in residential areas, bringing houses to the street with narrow setbacks (or build-to's) and offering a sense of community and gathering places through the uses of useable porches. In order to set the precedent for how NW 1<sup>st</sup> develops in the future, staff recommends a condition of approval that at time of design review submittal the structure shall

include a ground-level covered porch for each unit (individual or combined) of sufficient size to allow covered seating at the front.

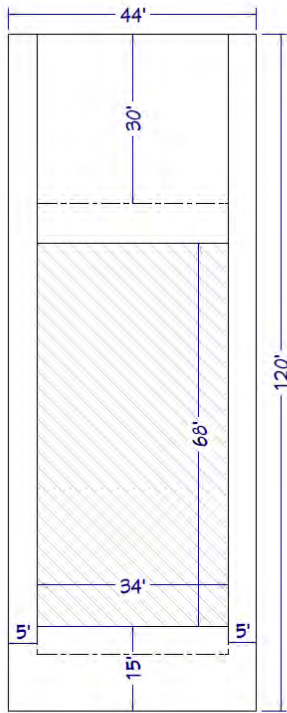
## **VI. DECISION**

### **1. Staff:**

Staff recommends approval of the proposed rezoning from I-L to O-T with the conditions noted in Section VII of this report.

## VII. EXHIBITS

### 1. Building Envelope (NOT APPROVED)



1ST STREET

Site Map  
SITE MAP SCALE: 1/4" = 2'



To the best of my knowledge these plans are intended to comply with owner's and/or builder's specifications and any changes made on them after they are made will be done at the owner's and/or builder's expense and responsibility. The contractor shall verify all dimensions and enclosed details. RB CONSTRUCTION is not liable for errors or omissions in construction. While every effort has been made in the preparation of this plan to avoid mistakes, the maker can not guarantee against human error. The contractor of the job must check all dimensions and other details prior to construction and be solely responsible therefor.

BUILDING CONTRACTOR/HOME OWNER TO REVIEW AND VERIFY ALL DIMENSIONS, SPECS, AND CONNECTIONS BEFORE CONSTRUCTION BEGINS.  
ELECTRICAL SYSTEM CODE: SEC. 2501  
MECHANICAL SYSTEM CODE: SEC. 2601  
PLUMBING SYSTEM CODE: SEC. 2601



2. Rezoning Legal Description (date: 12/9/2021)

Description for  
**O-T Zone**  
December 9, 2021

A portion of the in the Northeast 1/4 of the Southeast 1/4 of Section 12, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho more particularly described as follows:

Commencing at a 5/8" Iron pin marking the centerline intersection of N. Meridian Road and W. Broadway Avenue, from which a 5/8" Iron pin marking the centerline intersection of W. 3rd Street and W. Broadway Avenue, bears North 89°25'49" West, 956.87 feet; thence on the centerline of W. Broadway Avenue, North 89°25'49" West, 323.00 feet to the centerline of NW 1st Street; thence on the centerline of NW 1st Street, South 00°30'09" West, 246.25 feet to the easterly extension of the north boundary line of the South 3/4 of Lot 9, Block 2, J.M. Andersons Second Addition to Meridian, as file in Book 2 of Plats at Page 87, records of Ada County, Idaho and the **REAL POINT OF BEGINNING**;

thence continuing on said centerline, South 00°30'09" West, 43.75 feet to the easterly extension of the south boundary line of Lot 10, Block 2 of said J.M. Andersons Second Addition to Meridian;

thence on said south boundary line and the easterly and westerly extension thereof, North 89°25'49" West, 158.06 feet to the centerline of a public alley;

thence on the centerline of the public alley, North 00°30'09" East, 43.75 feet to the westerly extension of the north boundary line of the South 3/4 of said Lot 9;

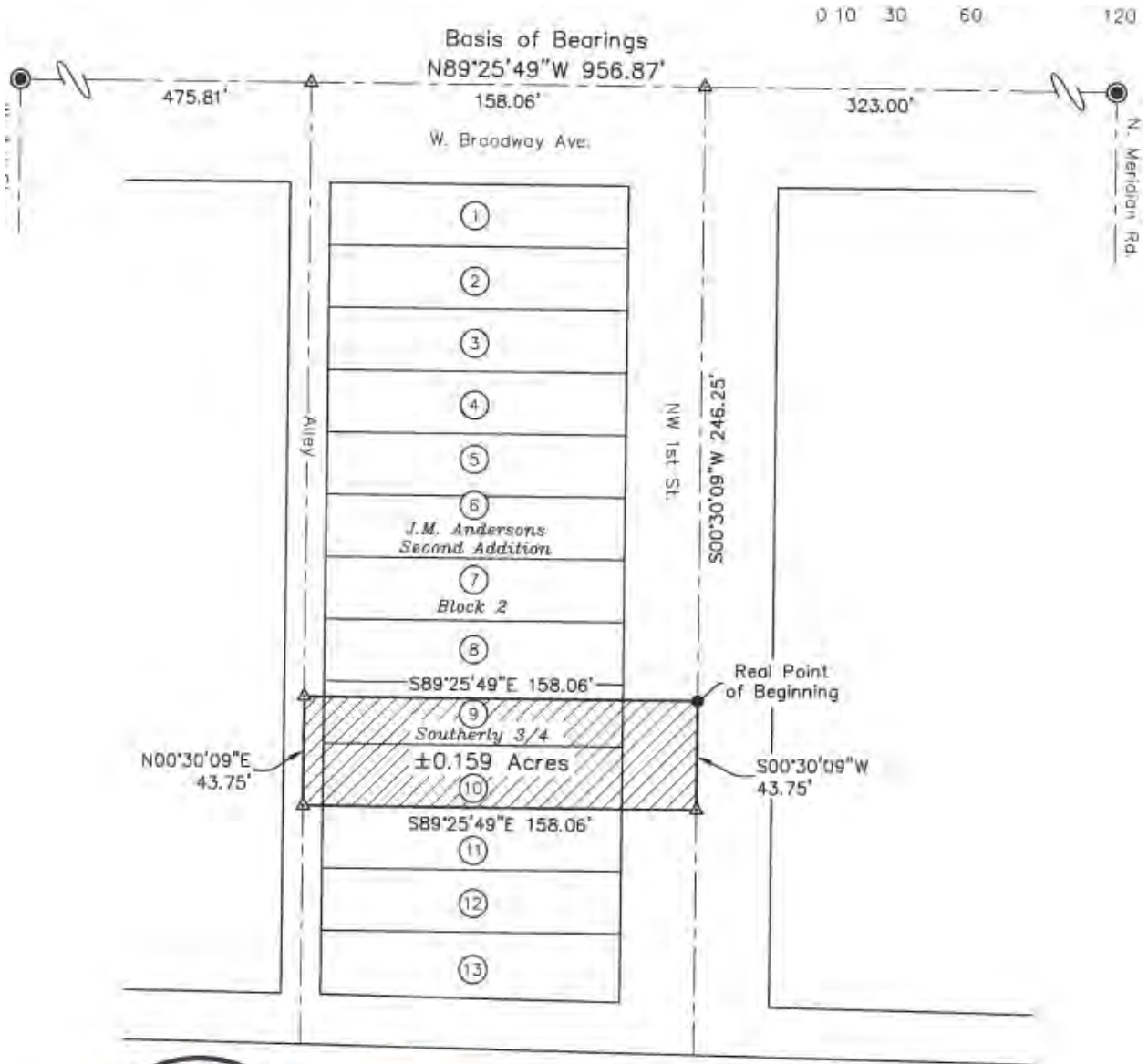
thence on said north boundary line and the easterly and westerly extension thereof, South 89°25'49" East, 158.06 feet to the **REAL POINT OF BEGINNING**.

Containing 0.159 acres, more or less.

This description was prepared using record data as shown on Record of Survey No. 9863, recorded as Instrument No. 2014-056419, records of Ada County, Idaho and was not verified with a survey on the ground by Idaho Survey Group, LLC.

End of Description.





## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING

#### Staff Comments:

1. Administrative design review is required prior to building permit for all new attached residential structures containing two (2) or more dwelling units. Elevations should include at least two field materials, accent materials, a heavier accent material around the base of the buildings, covered porches, and overhangs matching the rooflines or porches over the garage doors.
2. The duplex shall include a ground-level covered porch at the front for each unit (individual or combined) of sufficient size to allow covered seating. Conformance will be reviewed at time of design review.
3. All off street parking areas and driveways shall be improved with a compacted gravel base, not less than four (4) inches thick, surfaced with asphaltic pavement, as required per UDC 11-3C-5.
4. Sidewalk should be constructed along NW 1<sup>st</sup> Street pursuant to UDC 11-3A-17.
5. Staff's failure to cite specific ordinance provisions does not relieve the applicant of responsibility for compliance.
6. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.
7. The development shall comply with all provisions of the O-T zoning district as set forth in UDC 11-2D-1.

### B. PUBLIC WORKS CONDITIONS:

#### Site Specific Conditions:

1. There is a sewer main running through the alley on the west side of this parcel that currently serves the area, however, the City will be installing a new line in West 1<sup>st</sup> Street which will need to be utilized. The applicant can use the current sewer line, but must install a dry line to the east for future connection to the new main once it is built.
2. A utility plan must be provided for review and approval by the City with the building permit application.

#### General Conditions:

3. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
4. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
5. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in

the development, and if so, how they will continue to be used, or provide record of their abandonment.

6. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
7. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
8. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
9. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
10. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
11. Developer shall coordinate mailbox locations with the Meridian Post Office.
12. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
13. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.

#### **C. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=250046&dbid=0&repo=MeridianCity>

### **IX. FINDINGS**

#### **A. Rezoning**

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

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

*Staff finds the proposed zoning map amendment to rezone the property from the I-L zoning district to the O-T zoning district is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed zoning map amendment and the request for the development complies*

*with the regulations outlined in the requested O-T zoning district and is consistent with the purpose statement of the requested traditional neighborhood zoning districts in general.*

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

*As this is an infill site surrounded by predominately residential development, Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.*

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

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

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

*Subject site is already annexed so Staff finds this finding nonapplicable.*