

**CITY OF MERIDIAN
FINDINGS OF FACT, CONCLUSIONS OF LAW
AND
DECISION & ORDER**



In the Matter of the Request for Conditional Use Permit for Treasure Valley Law Enforcement Childcare, Located at 1085 S. Ten Mile Road in the M-E Zoning District, by Elizabeth Allen.

Case No(s). H-2024-0030

For the Planning & Zoning Commission Hearing Date of: September 5th, 2024 (Findings on September 19th, 2024)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of 09/05/2024, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of 09/05/2024, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of 09/05/2024, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of 09/19/2024, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of 09/05/2024, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of 09/05/2024, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of 09/05/2024.

By action of the Planning & Zoning Commission at its regular meeting held on the 5th day of September, 2024.

COMMISSIONER MARIA LORCHER, CHAIRMAN VOTED_____

COMMISSIONER JARED SMITH, VICE CHAIRMAN VOTED_____

COMMISSIONER BRIAN GARRETT VOTED_____

COMMISSIONER ANDREW SEAL VOTED_____

COMMISSIONER PATRICK GRACE VOTED_____

COMMISSIONER MATTHEW SANDOVAL VOTED_____

COMMISSIONER ENRIQUE RIVERA VOTED_____

Maria Lorcher, Chairman

Attest:

Chris Johnson, City Clerk

Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

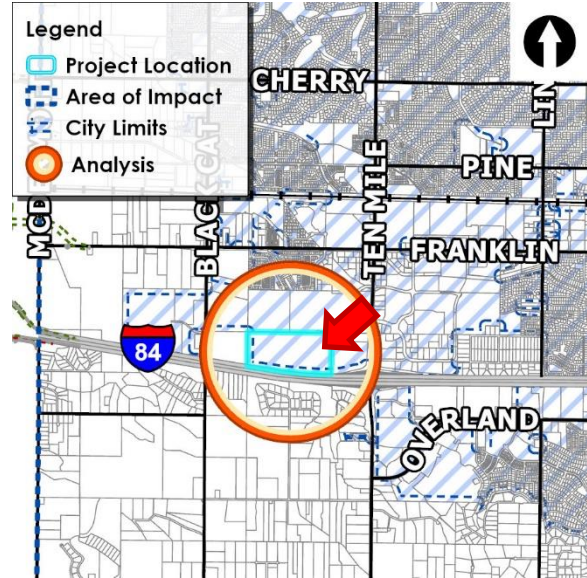
By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

**COMMUNITY DEVELOPMENT
DEPARTMENT REPORT**



HEARING DATE: 9/5/2024
 TO: Planning & Zoning Commission
 FROM: Nick Napoli, Associate Planner
 208-884-5533
 nnapoli@meridiancity.org
 APPLICANT: Elizabeth Allen
 SUBJECT: H-2024-0030
 Treasure Valley Law Enforcement
 Childcare
 LOCATION: 1085 S. Ten Mile Rd., in the SW 1/4 of
 Section 15, T.3N., R.1W.



I. PROJECT OVERVIEW

A. Summary

Conditional Use Permit to construct and operate a 7,504 square foot daycare center in the M-E zoning district, by Ball Ventures Ahlquist.

B. Recommendation

Staff: Approval with conditions.

C. Decision

Commission: Approved

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)/Proposed Use	Vacant/undeveloped/daycare	-
Existing Zoning	Mixed Employment (M-E)	VII.A.2
Future Land Use Designation	High Density Employment (HE) in the Ten Mile Interchange Specific Area Plan (TMISAP)	VII.A.3

Table 2: Process Facts

Description	Details
Preapplication Meeting date	4/19/2024

Description	Details
Neighborhood Meeting	5/1/2024
Site posting date	8/21/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		-
• Comments Received	Yes	-
• Commission Action Required	No	-
• Access	W. Grand Mogul Drive/ S. La Vista Drive (private)	-
• ITD Comments Received	No (NA)	-
Meridian Fire	Distance to Station #6: 2.4 miles Response Time: 3 minutes	-
Meridian Public Works Wastewater	Distance to Mainline: Will be available at site when Grand Mogul is extended along north boundary. Impacts or Concerns: No	IV.A.12
Meridian Public Works Water	Distance to Mainline: Will be available at site when Grand Mogul is extended along north boundary. Impacts or Concerns: No	IV.A.12

See City/Agency Comments and Conditions in Section IV and in the public record for all comments received.

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

The subject site is currently designated High Density Employment on the future land use map (FLUM). This designation is part of the Ten Mile Interchange Specific Area Plan (TMISAP) which promotes a variety of employment in the area. The existing development agreement anticipates this property developing with a mix of commercial and light manufacturing uses. The proposed development plan is generally consistent with the conceptual development plan included in the DA, as required.

Land Use Types in High Density Employment:

- Corporate, business and professional offices
- Research facilities and laboratories
- Complementary uses primarily serving district employees and users, such as business services, conference centers, **child care**, restaurants, convenience retail, and hotels and motels.

The current zoning is M-E (Mixed Employment) was established with the Vanguard Village Rezone (H-2021-0081). The proposed daycare use contributes to the mix of land use types desired in the High Density Employment designation in the Ten Mile Interchange Specific Area Plan (TMISAP), which include commercial uses.

Table 4: Project Overview

Description	Details
History	AZ-09-008 Meridian Crossing [Ord. #10-1467, Development Agreement (DA) Inst. #110115738]; H-2021-0081 Vanguard Village (MDA, RZ, PP, CUP – DA Inst. #2022-0497799); H-2023-0072 Vanguard Village (MDA – DA is not yet recorded); A-2024-0088 PS; FP-2024-0012 Vanguard Village No. 1 – FP (not yet approved or recorded); H-2023-0071 District at Ten Mile (CPAM, MDA, PP, RZ)
Physical Features	Williams Pipeline
Acreage	1.12 Acres

B. History and Process

There is a development agreement in effect for this property that governs future development (Vanguard Village Inst. #2022-0497799). An amendment to the agreement was recently approved but has not yet been recorded. A preliminary plat was previously approved that includes the subject property; a final plat application has been submitted but has not yet been approved. The final plat shall be recorded prior to issuance of a certificate of occupancy. A rezone, comprehensive plan map amendment, and amendment to the development agreement (H-2023-0071) was recently approved by Commission and is awaiting City Council action.

C. Site Development and Use Analysis

1. Proposed Use Analysis (*UDC 11-2*):

Goal 2.04.01A of the Comp Plan emphasizes the importance of supporting a network of public resources, schools, community centers and other public facilities that address the city’s educational and training needs. The 7,504 square foot daycare facility will provide valuable childcare for our law enforcement officers across the valley.

The UDC (Table 11-2B-2) lists daycare uses as an allowed use with a conditional use permit in the M-E zoning district; compliance with the specific use standards for such in UDC 11-4-3-9 is required.

2. Dimensional Standards (*UDC 11-2*):

Future development is required to comply with the dimensional standards listed in UDC Table 11-2B-3 for the M-E zoning district.

3. Specific Use Standards (*UDC 11-4-3*):

11-4-3-9. – Daycare Facility.

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

- i. In determining the type of daycare facility, the total number of children at the facility at one time, including the operator's children, is the determining factor. *The applicant is proposing a daycare with 84 children as the scope of work. This designates the use as a daycare facility.*
- ii. On-site vehicle pick-up, parking, and turnaround areas shall be provided to ensure safe discharge and pick up of clients. *The applicant is proposing a pick-up area for children that meets this requirement. However, staff has found that many daycares require parents to check in/out their children. As a result, the*

applicant shall Stripe the loading zone as parallel parking (9' x 23') and install a planter island with a bulb out to match the southern portion of the loading zone.

- iii. The decision-making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval. *The applicant is proposing 84 children being watched at any one time by 18 staff members. City staff recommends the Commission allow up to 125 children to provide flexibility for the user as the Treasure Valley continues to grow (in case of a future expansion). Additionally, the proposed hours of operation are 5:00 am and 10:00 pm.*
- iv. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by Title 39, Chapter 11, Idaho Code. *Said proof shall be provided prior to issuance of certificate of occupancy.* The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.
- b. The applicant shall not exceed the maximum number of clients as stated in the approved permit or as stated in this title, whichever is more restrictive.
- c. Additional standards for daycare facilities that serve children.
 - i. All outdoor play areas shall be completely enclosed by minimum six-foot nonscalable fences to secure against exit/entry by small children and to screen abutting properties. *The applicant shall submit a fencing detail with the submittal for a Certificate of Zoning Compliance.*
 - ii. Outdoor play equipment over six (6) feet high shall not be located in a front yard or within any required yard. *N/A*
 - iii. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk. *N/A*

D. Design Standards Analysis

1. Structure and Site Design Standards (*Comp Plan, UDC 11-3A-19*):

Goal 5.01.02D of the Comp Plan emphasizes the importance of building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods. Buildings are required to be designed in accord with the design standards in the Architectural Standards Manual and TMISAP. See Section III.D.4 See below for more information on design requirements.

The proposed development plan complies with the parking lot design standards. However, due to this development being the first in the subdivision staff has concerns about the future parking to the west not being installed. The applicant has indicated there may be a building in the proposed future parking but nothing has been solidified. Given that offsite improvements are already being made, staff recommends the entirety of the western parking area is installed. Additionally, staff is increasing the capacity for children from the applicant's proposed 75 to 125 to provide flexibility for the user as the Treasure Valley continues to grow (in case of a future expansion). By paving the additional parking, it will prevent overflow parking on unimproved surfaces and will provide better integration when the surrounding properties develop. Staff recommends the site and landscape plan be revised to include the future parking to the west with this application.

Per UDC 11-3A-19B.4, a minimum 5-foot wide pedestrian walkway is required to be provided from the perimeter sidewalk to the main building entrances per UDC 11-3A-19B.4a.

The walkway is required to be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks.

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

i. Landscape buffers along streets

The landscaping within the street buffers along I-84, W. Grand Mogul Drive and LaVista Lane should be installed with the subdivision improvements associated with Vanguard Village Subdivision No. 1. **However, if they're not completed prior to the issuance of the first Certificate of Occupancy within this development, this developer should be responsible for these improvements as required with the final plat (FP-2024-0012). Review of the street buffer landscaping for consistency with UDC standards will take place with FP-2024-0012.** Note: Although this site doesn't abut the future extension of W. Grand Mogul Drive, the larger (soon to be) lot does; therefore, street buffers are required on the larger (future) lot.

ii. Parking lot landscaping

Parking lot landscaping is required in accord with the standards listed in UDC 11-3B-8C.

The applicant is required to add extra shrubs to all planter islands and plant one additional tree in the planter island with the fire hydrant (with a minimum of one tree per planter island). Requests for alternative compliance to this standard can be made as permitted under UDC 11-5B-5. Additionally, the applicant must remove two parking stalls from the southeast parking area adjacent to the trash enclosure to ensure sufficient ingress and egress. Lastly, the applicant should widen the planter island south of the trash enclosure to 5 feet (measured from inside of the curb) and meet the minimum requirement of 50 square feet.

The site/landscape plans submitted with the Certificate of Zoning Compliance should be revised to comply with these standards.

iii. Landscape buffers to adjoining uses

No residential uses exist or are planned adjoining this site to the west or east; therefore, no buffers are required.

iv. Tree preservation

There are no existing trees on this site. Tree mitigation will not be required.

v. Pathway landscaping

Landscaping is required along the multi-use pathway running along the Williams pipeline in accord with the standards listed in UDC 11-3B-12C. **A mix of trees, shrubs, lawn and/or vegetative groundcover should be provided; the landscape plan should be revised to include shrubs as required. This is being reviewed with the Vanguard Village No. 1 final plat application.**

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

Off-street vehicle parking is required in accord with the standards for commercial districts in UDC 11-3C-6B.1. Bicycle parking is required in accord with the standards listed in UDC 11-3C-6G and should comply with the design standards listed in UDC 11-3C-5C.

i. Nonresidential parking analysis

A minimum of one (1) space is required for every 500 s.f. of gross floor area. Based on the total square footage of the structures (i.e. 7,504 s.f.), a minimum of 15 spaces are

required; 40 spaces are proposed. While this exceeds the required number of parking spaces, staff has concerns regarding the future parking to the west not being installed. With off-site improvements already being made, staff recommends the entirety of the western parking area is installed. Additionally, staff is increasing the capacity for children from the applicant's proposed 75 to 125 to provide flexibility for the user as the Treasure Valley continues to grow (in case of a future expansion). By paving the additional parking, it will prevent overflow parking on unimproved surfaces and will provide better integration when the surrounding properties develop. Staff recommends the site and landscape plan be revised to include the future parking to the west with this application.

A loading zone is currently proposed along the front of the building without any striping. The applicant shall stripe the loading zone as parallel parking (9' x 23') and install a planter island with a bulb out on the north portion of the loading zone to match the southern portion.

ii. Bicycle parking analysis

A minimum of one (1) bicycle parking space is required to be provided for every 25 proposed vehicle parking spaces or portion thereof; bicycle parking should be depicted on the plans in accord with this standard along with a detail of the rack that demonstrates compliance with the design standards.

4. Building Elevations (*Comp Plan, Architectural Standards Manual*):

Goal 5.01.02D of the Comprehensive Plan underscores the significance of building design and landscaping in buffering, screening, beautifying, and integrating commercial, multifamily, and parking areas into existing neighborhoods. The elevations and renderings for the proposed structure, detailed in Section VII.E below, are designed to facilitate a smooth transition from the I-84 corridor to the multi-family development to the north and from the industrial area to the west to the commercial users to the east. The neighboring buildings are expected to generally align with the proposed elevations for the daycare facility. **However, the District has proposed their own design standards and if approved by Council these would govern the site.**

Standards:

The architectural design of the proposed structures must adhere to the following standards:

1. **Architectural Standards Manual:** All designs must comply with the specifications outlined in the Architectural Standards Manual.
2. **UDC 11-3A-19:** Structures and site designs must meet the criteria listed in this section of the Unified Development Code.
3. **Ten Mile Interchange Specific Area Plan (TMISAP):** The design guidelines for the Mixed Employment (ME) designation, as detailed in the Application of the Design Elements table on page 3-49, must be followed.

TMISAP Design Elements for HE Designated Areas Include:

- **Architecture and Heritage (pg. 3-32):** New buildings should incorporate architectural features and details that reflect the area’s historical farming and dairy activities from around 1900.
- **Building Form and Character (pg. 3-37):** The primary façades of the buildings must include entries. Trash dumpsters should be located away from the primary façades, ideally at the rear, and enclosed within screened structures with at least 6-foot-tall walls. Although the proposed structures are single-story, they achieve a taller form of 22 feet in height (note: the ME designation permits buildings of 1-4 stories). The base, body, and top of the buildings are defined through variations in color, step-backs, fenestration patterns, and parapet heights. Roof-mounted mechanical equipment must be screened from view by parapets, and flat roofs with varying parapet heights are proposed.
- **Signs (pg. 3-46):** Signage should contribute to the overall character, identity, and wayfinding system. A separate sign permit is required.
- **Public Art (pg. 3-47):** High-quality public art is encouraged in streetscapes, public buildings, parks, transit areas, and other public projects in the Ten Mile area. Given the industrial nature of this project, which lacks public spaces, public art is not recommended.

The proposed elevations align with the Architectural Standards Manual and TMISAP guidelines. The applicant must apply for an administrative design review following the completion of the Conditional Use Permit (CUP) process. **However, the District has proposed their own design standards and if approved by Council these would govern the site.**

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

The applicant is proposing a 6-foot fence on the perimeter of the outdoor playground. This satisfies the height requirement from the daycare facility specific use standards in UDC 11-4-3-9. However, the fence is required to be non-scalable. Fencing details shall be provided with the certificate of zoning compliance submittal.

6. Parkways (*UDC 11-3A-17*):

Parkways are required to comply with the standards listed in UDC 11-3A-17E.

E. Transportation Analysis

1. Access (*UDC 11-3A-3*):

Goal 6.01.02B highlights the need to minimize the number of access points onto arterial streets by implementing strategies such as cross-access agreements, access management, and the development of frontage and backage roads, while also enhancing connectivity between local and collector streets. Access to the site is proposed via La Vista Lane, a private street still pending approval, connecting to the future extension of W. Grand Mogul Way, a collector street, along the northern boundary. To support future connectivity and comply with UDC 11-3A-3A.2, a cross-access easement should be established along the southeast boundary of the site for access to and from the parcel to the south. Additionally, an access easement should be granted to the future lot to the north to facilitate use of the private street and interconnectivity between lots. These easements may be accomplished through a note on the final plat or a separately recorded easement.

2. Pathways and Multiuse Pathways (*UDC 11-3A-8 and UDC 11-3A-5*):

Goals 4.04.01 and 4.04.02 of the Comprehensive Plan emphasize the importance of linking local pathways from neighborhoods to regional pathways in commercial and community areas. In line with these goals and the Pathways Master Plan, a 10-foot wide multi-use pathway is required along the Williams pipeline and must be constructed as part of the subdivision improvements for Vanguard Village. To facilitate this, a 14-foot wide public use easement (comprising a 10-foot pathway plus 2 feet on each side) must be submitted.

Additionally, pathways must be constructed in accordance with the standards outlined in UDC 11-3A-8. A pathway connection should be established to the adjacent property to the north via the driveway stub to enhance interconnectivity. Sidewalks are also proposed along the private street adjacent to the east boundary to ensure comprehensive pedestrian access.

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

Sidewalks are required along all streets as set forth in UDC 11-3A-17. Sidewalks are proposed in accord with UDC standards.

4. Private Streets (*UDC 11-3F-4*):

A private street (La Vista Lane) is proposed along the east boundary of the site. A private street application has been submitted (a-2024-0088) with the final plat application that's currently in process.

F. Services Analysis

1. Waterways (*UDC 11-3A-6*):

All waterways, except natural waterways, are required to be piped unless used as a water amenity or linear open space, in which case they may be left open as set forth in UDC 11-3A-6. The Marvin Lateral lies along the south and west boundaries of this site within a 50-foot wide Nampa & Meridian Irrigation District (NMID) easement (20-foot left and 30-foot right) and should be piped. See comments from NMID in Section IV below.

2. Pressurized Irrigation (*UDC 11-3A-15*):

Underground pressurized irrigation water is required to be provided in each development as set forth in UDC 11-3A-15.

3. Storm Drainage (*UDC 11-3A-18*):

An adequate storm drainage system is required in accord with the adopted standards, specifications and ordinances; design and construction shall follow Best Management Practice as adopted by the City per UDC 11-3A-18.

4. Utilities (*Comp Plan, UDC 11-3A-21*):

Both the Plan and the UDC establish policy and regulations for extending and connecting to City utilities. Goal 3.03.03G of the Plan mandates urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities. All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. The Applicant shall comply with all previous conditions of approval associated with this development [H-2021-0081 Vanguard Village (MDA, RZ, PP, CUP – DA Inst. #2022-0497799); H-2023-0072 Vanguard Village (MDA); A-2024-0088 PS; FP-2024-0012 Vanguard Village No. 1 – (FP); H-2023-0071 District at Ten Mile (CPAM, RZ, PP, MDA); LDIR-2024-0026 and LDIR-2024-0018].
2. The proposed use shall comply with the specific use standards listed in UDC 11-4-3-9. Daycare Facility. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by Title 39, Chapter 11, Idaho Code. Said proof shall be provided prior to issuance of certificate of occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.
3. The site plan and/or landscape plan, as applicable, shall be revised with the certificate of zoning compliance application as follows:
 - i. Depict a minimum 5-foot wide pedestrian walkways from the perimeter sidewalk (along La Vista Lane and Williams Pipeline pathway) as shown on the concept plan; the walkways shall be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4.
 - ii. Additional shrubs and an additional tree are required in the planter island with the fire-hydrant (a minimum of 1 tree is required per planter island); alternative compliance to this standard may be requested as allowed in UDC 11-5B-5. Planter islands shall be a minimum of 50 square feet and dimensioned with future submittals.
 - iii. Include shrubs and lawn or vegetative groundcover along with the trees within the landscape strips along the multi-use pathway within the street buffer along the eastern boundary of the site adjacent to the William pipeline in accord with the standards listed in UDC 11-3B-12C.
 - iv. Provide a fencing detail in accord with the standards listed in UDC 11-4-3-9.
 - v. Stripe the loading zone as parallel parking (9' by 23') and install a planter island with a bulb out to match the southern portion of the loading zone.
 - vi. Remove the two parking stalls to the north of the trash enclosure to provide an adequate ingress/egress.
 - vii. Widen the planter island south of the trash enclosure to 5 feet in accord with UDC 11-3B-8.
 - viii. The applicant shall restrict access to the western parking designated as future parking on the concept plan through fencing, extruded curbing, barriers, or a combination of these options.
~~Provide additional parking further west designated as future parking on the concept plan to provide for adequate ingress and egress for employees, customers, and republic service.~~
4. The design of the proposed structures shall comply with the design standards in the Architectural Standards Manual and the design elements in the Ten Mile Interchange Specific

Area Plan (TMISAP) as noted in the Application of the Design Elements table on pg. 3-49 for the Mixed Employment (ME) designation, unless otherwise modified in the Development Agreement (DA).

5. The landscaping within the street buffers along I-84, Grand Mogul Drive and LaVista Lane should be installed with the subdivision improvements associated with Vanguard Village Subdivision No. 1. However, if it's not completed prior to the issuance of the first Certificate of Occupancy within this development, this developer shall be responsible for those improvements as required with the final plat (FP-2024-0012).
6. The recent modification to the development agreement (H-2023-0074) shall be approved by City Council and recorded prior to submittal of the first Certificate of Zoning Compliance and Design Review application for this site.
7. The applicant shall provide cross access in accordance with 11-3A-3 prior to occupancy of the building.
8. A 14-foot wide public use easement (10' pathway + 2' each side) shall be submitted for the proposed multi-use pathway within the street buffer within the Williams pipeline easement prior to issuance of Certificate of Occupancy. Alternatively, this easement may be provided earlier prior to recordation of final plat application for Vanguard Village Subdivision No. 1.
9. All development within the Williams pipeline easement shall comply with the Williams Developers' Handbook.
10. A Certificate of Zoning Compliance and Design Review application(s) shall be submitted and approved prior to submittal of building permit applications for this site. Building permits may be issued prior to recordation of the final plat; however, no Certificates of Occupancy shall be issued prior to recordation of the final plat for the lot on which the building(s) is located, per requirement of the most recent amendment to the DA (H-2023-0074).
11. The maximum of children allowed to be watched at any one time shall be 125, unless further restricted by the building department.
12. The Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground within two (2) years from the date of approval of the subject conditional use permit; or apply for a time extension prior to that date as set forth in UDC 11-5B-6F in order for the conditional use permit to remain valid.

B. Meridian Public Works

NON-PLAT CONDITIONS

PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. Water and Sewer is not available to site and will not be available until other development extends it to this site.
2. Water meters are required to be located in landscaping area and not in drive or walkway.
3. Water main cannot go through seepage bed. Separation of 25' is required unless mitigation efforts are made.
4. All Sewer mains must be located within an Easement if they are outside of the right of way. **Water and Sewer in parallel require a 30' Easement. Water services require a 20' easement up to and 10' beyond the meter or as close to 10' as possible. Fire Hydrants require a 20' easement up to and 10' beyond the hydrant.**
5. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.
6. Ensure no Sewer service lines pass through underground seepage beds or swales.
7. A Streetlight Plan will be required for the Development of this property.

General Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
5. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The

- Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9-4-8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
 9. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
 10. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
 11. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
 12. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 13. Developer shall coordinate mailbox locations with the Meridian Post Office.
 14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
 15. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
 16. The applicant's design engineer shall be responsible for 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.
 17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certificate of occupancy for any structures within the project.
 18. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
 19. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
 20. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. Nampa & Meridian Irrigation District



ORGANIZED 1994

Nampa & Meridian Irrigation District

1503 FIRST STREET SOUTH
FAX #208-463-0092

NAMPA, IDAHO 83651-4395
nmid.org

OFFICE: Nampa 208-466-7861
SHOP: Nampa 208-466-0663

August 12, 2024

City Clerk's Office
City of Meridian
33 E. Broadway Avenue, Suite 102
Meridian, ID 83642-2619

**RE: H-2024-0030/ Treasure Valley Law Enforcement Childcare Center;
1085 S Ten Mile Rd**

To Whom It May Concern:

Nampa & Meridian Irrigation District (NMID) requires a filed Land Use Change Application to review prior to final platting.

All private laterals and waste ways must be protected. The Districts Marvin Lateral courses along the south and west boundaries of this property. The Districts easement for the Marvin Lateral at this location is a minimum of fifty feet (50') total, twenty feet (20') left and thirty feet (30') right.

This easement must be protected. Any encroachment without a signed License Agreement and approved plan before construction is unacceptable.

All municipal surface drainage must be retained on site. If any municipal surface drainage leaves the site, NMID must review drainage plans. Developer must comply with Idaho Code 31-3805. Please feel free to contact me for further information.

Sincerely,

David T. Duvall
Asst. Water Superintendent
Nampa & Meridian Irrigation District
DTD /eol

Cc: Office/ file
S. Pardew
A. Wolfe
Applicant



D. Ada County Highway District (ACHD)



Alexis Pickering, President
Miranda Gold, Vice-President
Jim Hansen, Commissioner
Kent Goldthorpe, Commissioner
Dave McKinney, Commissioner

July 9, 2024

To: Elizabeth Allen, Ball Ventures Ahlquist
1144 S Silverstone Way, Suite 510
Meridian, ID 83642

Subject: MPP21-0003 / H-2024-0030
1085 S Ten Mile Road
Treasure Valley Law Enforcement Childcare Center

On March 8, 2022, the Ada County Highway District approved MPP21-0003 / H-2021-0081, the Vanguard Village Subdivision, for construction. The site-specific conditions of approval also apply to MER24-0064 / H-2024-0030, Treasure Valley Law Enforcement Childcare Center.

If you have any questions, please feel free to contact me at (208) 387-6384.

Sincerely,

Sam Standal
Assistant Traffic Engineer
Development Services

cc: Sonya Allen and Bill Parsons, City of Meridian

connecting you to more

Ada County Highway District • 3775 Adams Street • Garden City, ID • 83714 • PH 208 387-6100 • FX 345-7650 • www.achd.idaho.org

V. FINDINGS

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

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

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.
Commission finds the site is large enough to accommodate the proposed use and meet all dimensional and development regulations of the M-E zoning district.
2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.
Commission finds the proposed daycare use will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section IV of this report.
3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.
Commission finds the design, construction, operation and maintenance of the proposed use should be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the area.
4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
Commission finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section IV of this report.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
Commission finds the proposed use will be served by essential public facilities and services as required.
6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
Commission finds the proposed use will not create additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.
Commission finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.
8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance.
Commission finds the proposed use will not result in the destruction, loss or damage of any such features.
9. Additional findings for the alteration or extension of a nonconforming use:
This finding is not applicable.
10. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,
This finding is not applicable.

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

This finding is not applicable.

VI. ACTION

A. Staff:

Staff recommends approval of the proposed CUP application and finds it in conformance with the Comprehensive Plan, UDC with the conditions included in Section IV. and Findings in V.

B. Commission:

The Meridian Planning & Zoning Commission heard this item on 9/5/2024. At the public hearing, the Commission moved to approve the subject CUP request.

1. Summary of the Commission public hearing:

- a. In favor: Elizabeth Allen
- b. In opposition: None
- c. Commenting: Colin Ronhaar
- d. Written testimony: Elizabeth Allen
- e. Staff presenting application: Nick Napoli
- f. Other Staff commenting on application: Bill Parsons and Kurt Starman

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by Commission:

- a. The western parking being paved or blocked off to prevent driving, parking, and walking on the unimproved area.

4. Commission change(s) to Staff recommendation:

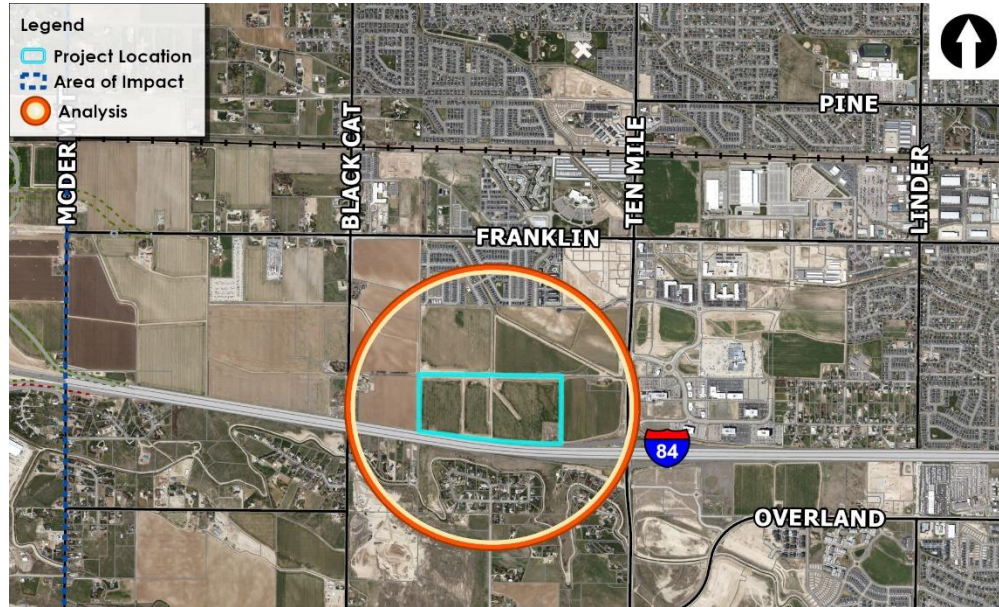
- a. Commission modified condition [3.viii](#) to restrict access and parking on the unimproved area along the western portion of the site.

VII. EXHIBITS

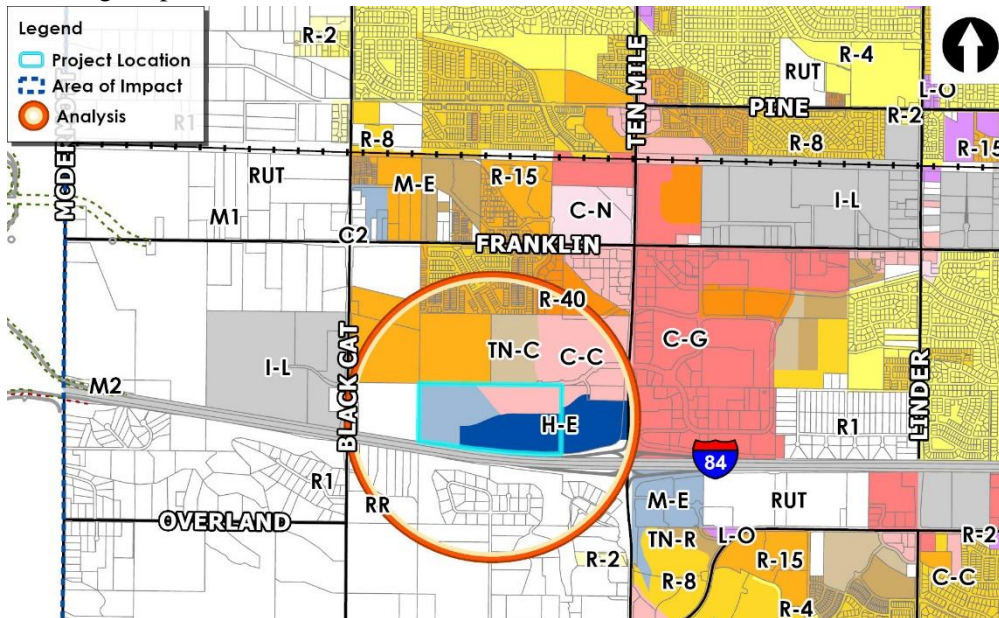
A. Project Area Maps

(link to [Project Overview](#))

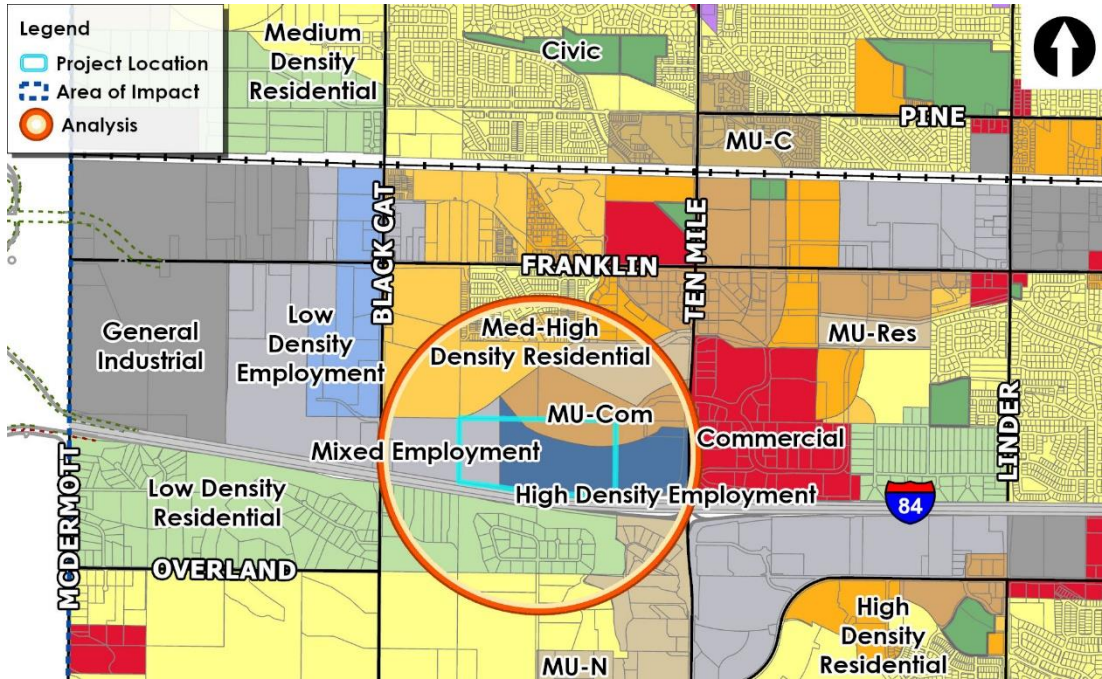
1. Aerial



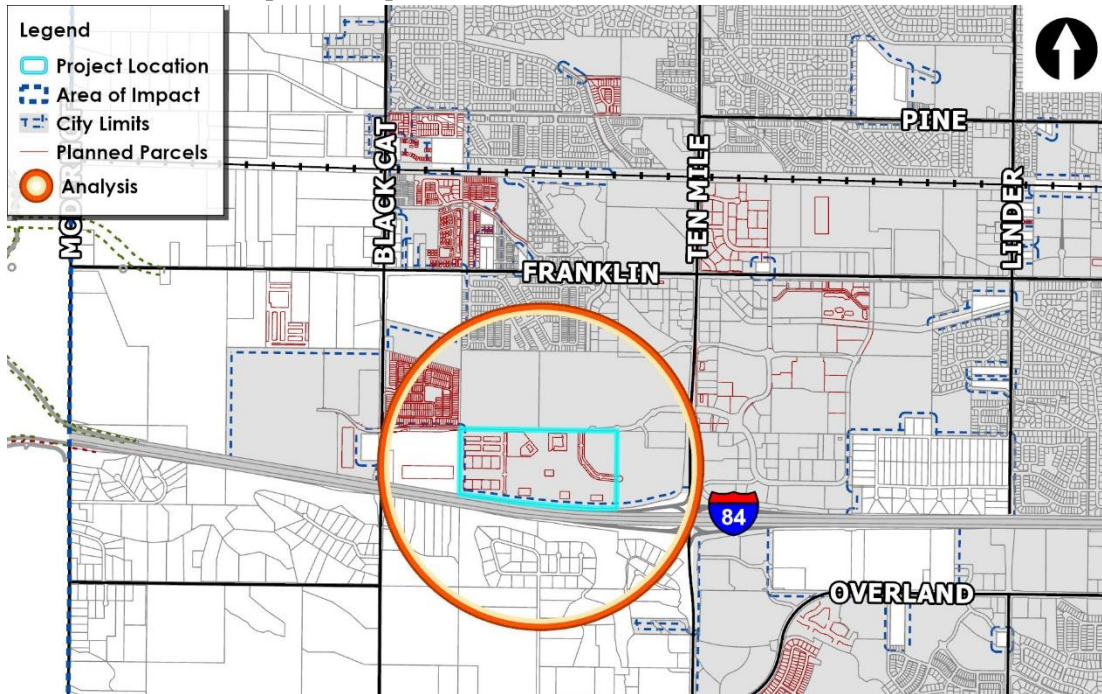
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Service Accessibility Report

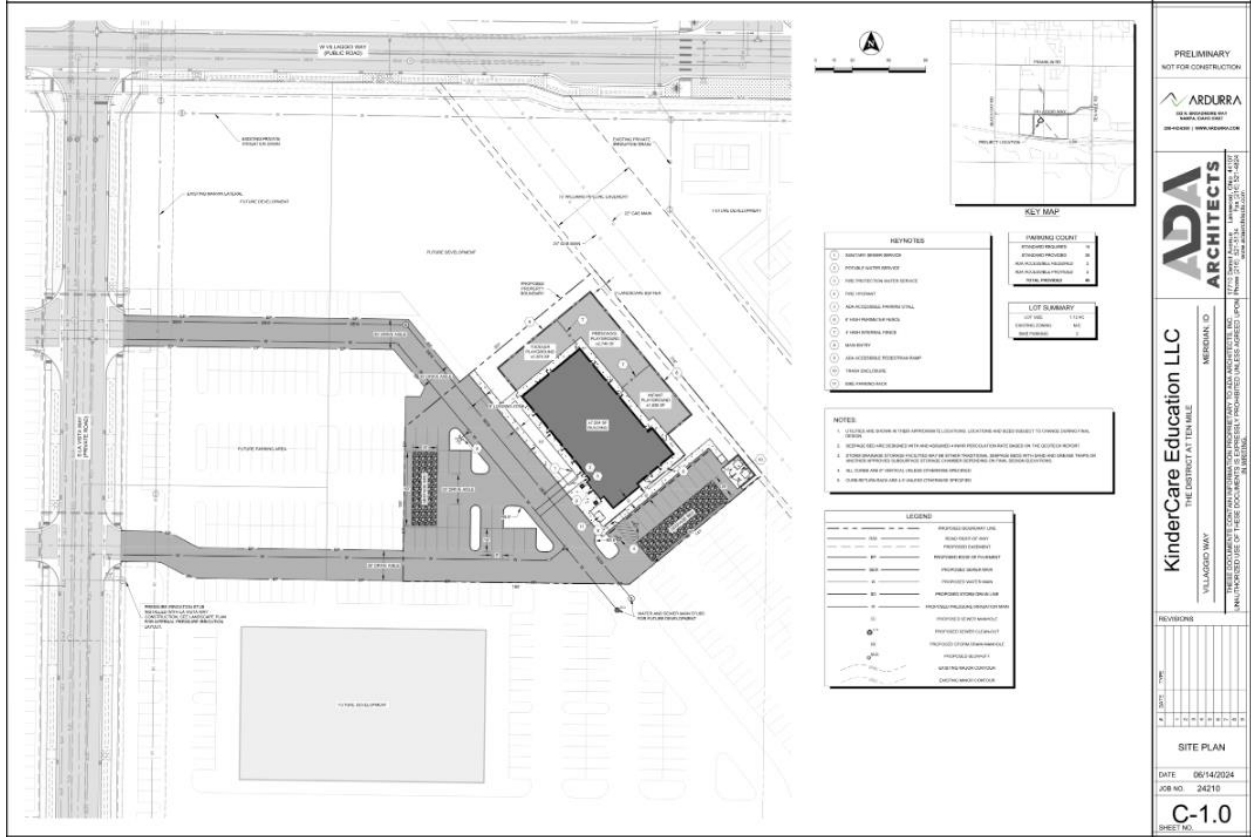
PARCEL S1215427850 SERVICE ACCESSIBILITY

Overall Score: 25	17th Percentile
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Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time > 9 min.	RED
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Within 1/4 mile of future transit route	YELLOW
Arterial Road Buildout Status	Ultimate configuration (# of lanes in master streets plan) matches existing (# of lanes)	GREEN
School Walking Proximity	From 1/2 to 1 mile walking	YELLOW
School Drivability	Not within 2 miles driving of existing or future school	RED
Park Walkability	No park within walking distance by park type	RED

Report generated on 07-26-2024 by MERIDIAN\sallen

C. Site Plan (date: 6/14/2024)



KEYNOTES	
1	BUILDING FOOTPRINT
2	PROPOSED LOT PAVEMENT
3	PROPOSED DRIVEWAY
4	PROPOSED DRIVEWAY
5	PROPOSED DRIVEWAY
6	PROPOSED DRIVEWAY
7	PROPOSED DRIVEWAY
8	PROPOSED DRIVEWAY
9	PROPOSED DRIVEWAY
10	PROPOSED DRIVEWAY
11	PROPOSED DRIVEWAY
12	PROPOSED DRIVEWAY

PARKING COUNT	
STANDARD PARKING	12
PROPOSED PARKING	12
ADA COMPLIANT PARKING	3
TOTAL PARKING	15

LOT SUMMARY	
LOT 1	1.17 AC.
LOT 2	0.00 AC.
LOT 3	0.00 AC.
LOT 4	0.00 AC.
LOT 5	0.00 AC.

NOTES:

- EXISTING AND PROPOSED DRIVEWAY LOCATIONS, LOCATIONS AND BE SUBJECT TO CHANGE UPON UTILITY SERVICE.
- PROPOSED DRIVEWAY LOCATIONS ARE TO BE PROVIDED TO THE PROPERTY OWNER BY THE OWNER'S CONTRACTOR.
- PROPOSED DRIVEWAY LOCATIONS ARE TO BE PROVIDED TO THE PROPERTY OWNER BY THE OWNER'S CONTRACTOR.
- ALL UTILITIES AND SERVICES ARE TO BE PROVIDED BY THE PROPERTY OWNER.
- PROPOSED DRIVEWAY LOCATIONS ARE TO BE PROVIDED TO THE PROPERTY OWNER BY THE OWNER'S CONTRACTOR.

LEGEND	
—	PROPOSED DRIVEWAY
—	PROPOSED DRIVEWAY
—	PROPOSED DRIVEWAY
—	PROPOSED DRIVEWAY
—	PROPOSED DRIVEWAY
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—	PROPOSED DRIVEWAY

PRELIMINARY
NOT FOR CONSTRUCTION

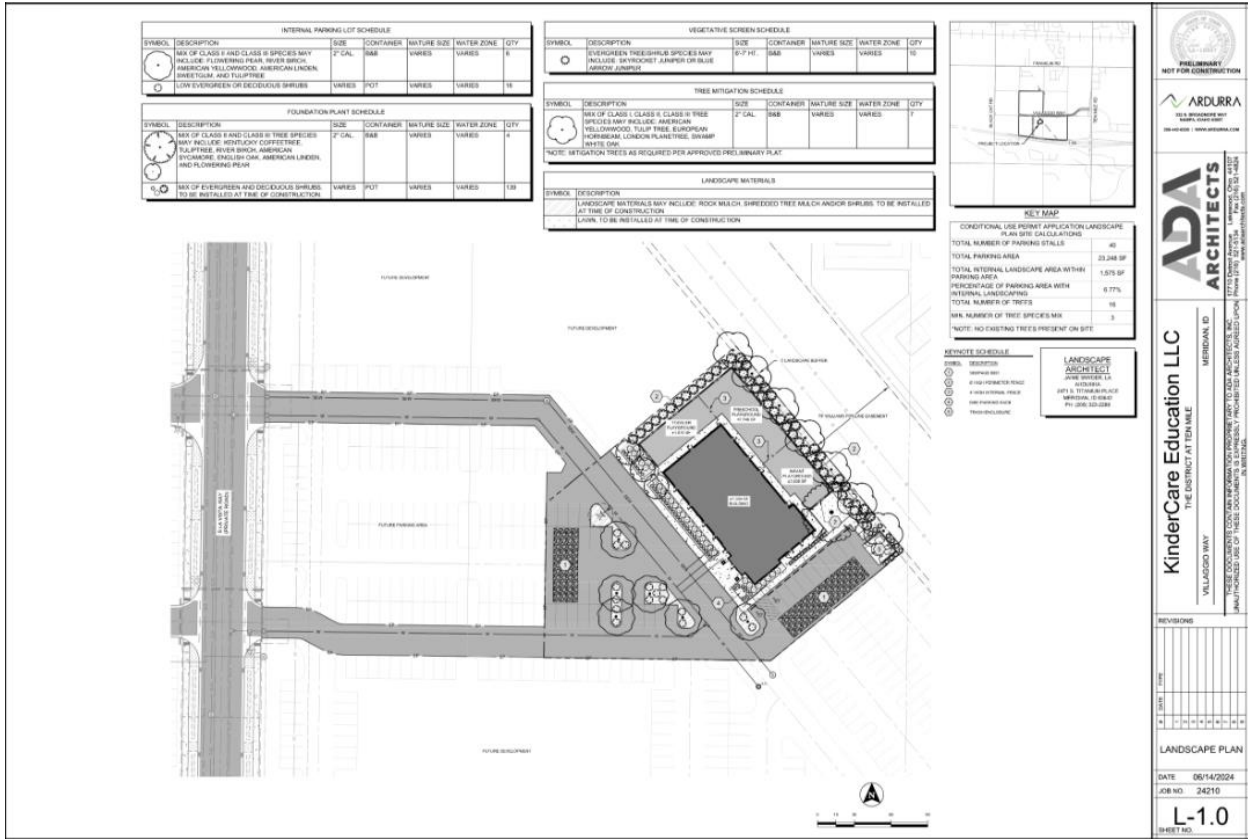
ARDURRA
1510 W. BROADWAY
BOISE, IDAHO 83702
(208) 333-2222

ADA ARCHITECTS
1510 W. BROADWAY
BOISE, IDAHO 83702
(208) 333-2222

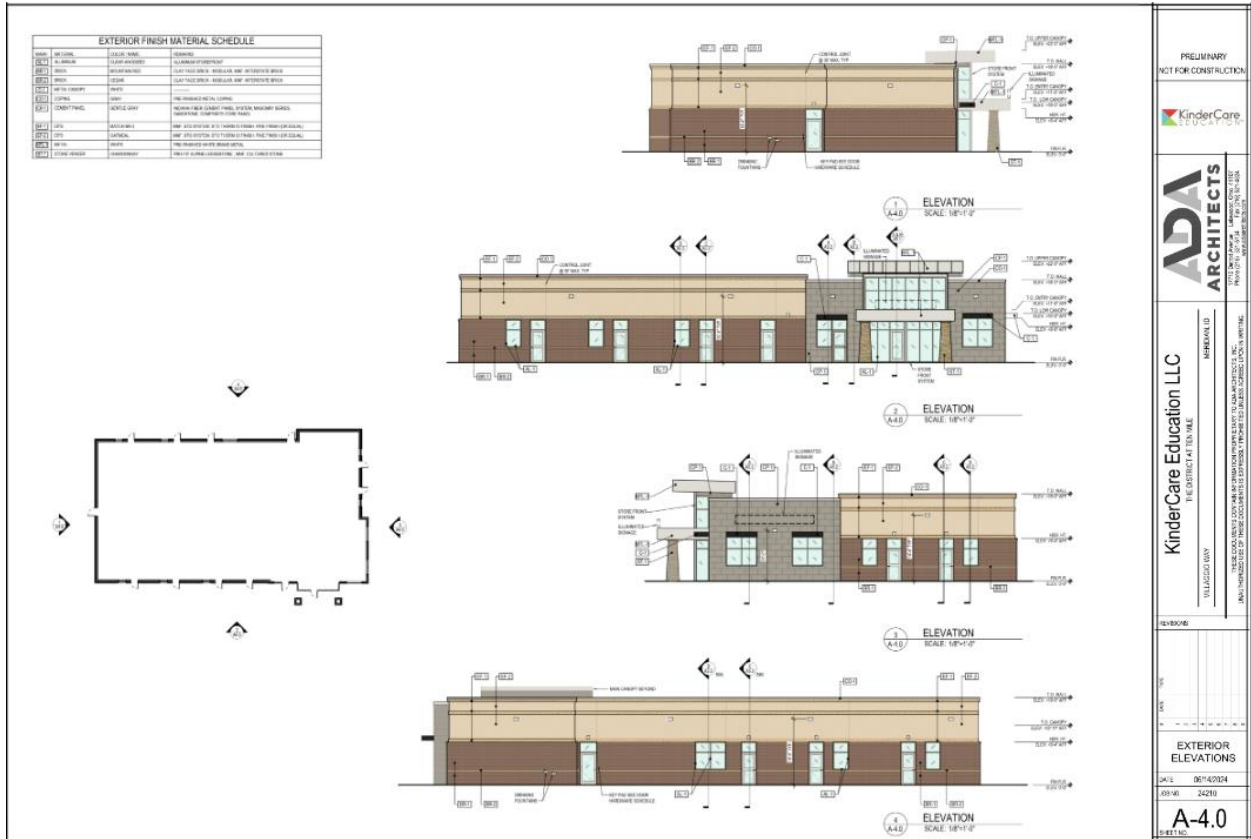
KinderCare Education LLC
15400 N. MERIDIAN RD.
MERCIDIAN, ID
VLLAD000001

DATE: 06/14/2024
JOB NO: 24210
C-1.0
SHEET NO.

D. Landscape Plan (date: 6/14/2024)



E. Building Elevations (date: 6/14/2024)



PRELIMINARY
NOT FOR CONSTRUCTION

KinderCare Education LLC

ADA ARCHITECTS

KinderCare Education LLC
11111 W. 10th Ave., Suite 100
Meridian, ID 83446
Tel: 208.333.1111
www.kindercareeducation.com

15-100-000

EXTERIOR ELEVATIONS

DATE: 06/14/2024

001-00: 24210

A-4.0

SHEET NO.