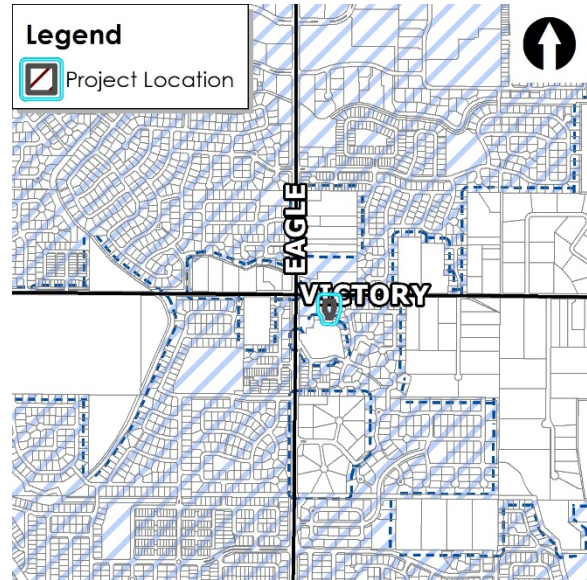


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/4/2021
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2021-0003
 The Kiddie Academy
 LOCATION: 3335 E. Victory Road



I. PROJECT DESCRIPTION

The Applicant, neUdesign Architecture, requests Conditional Use Permit approval to construct a new 7,926 square foot, single-story daycare facility on approximately 1 acre of land on Lot 3 of The Shops at Victory plat in the C-C zoning district.

II. SUMMARY OF REPORT

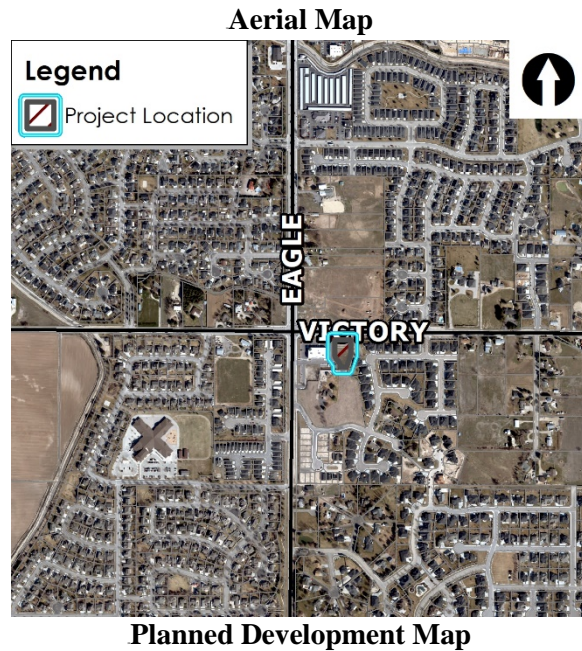
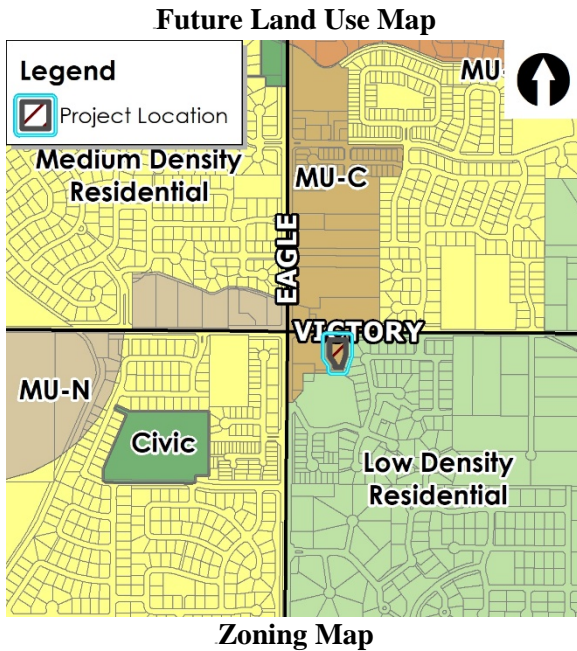
A. Project Summary

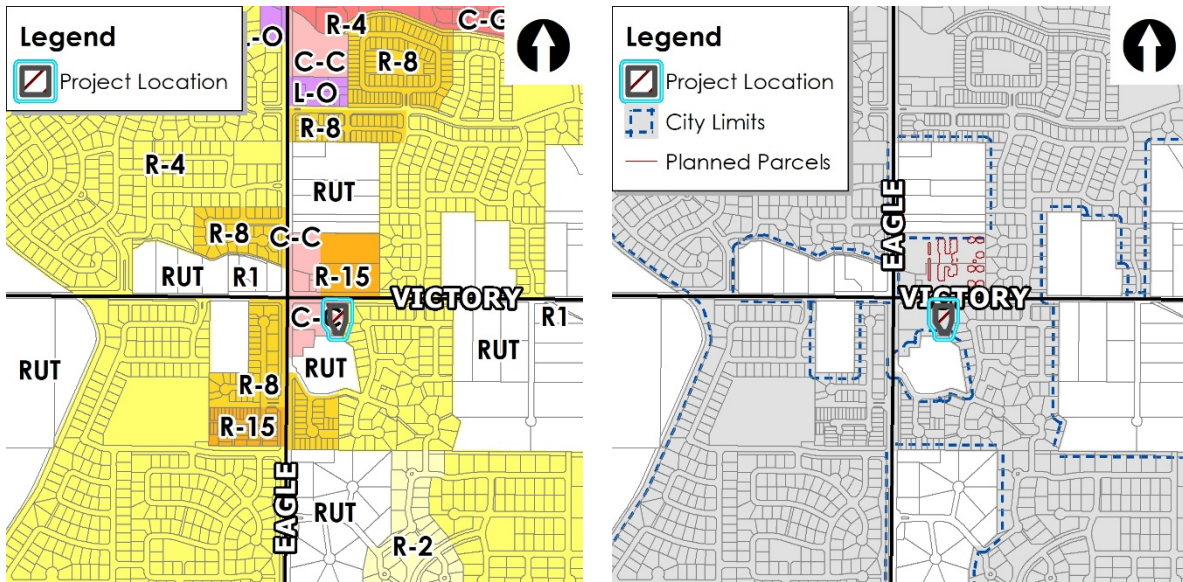
Description	Details	Page
Acreage	1.06 acres	
Future Land Use Designation	Mixed-use Community	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Commercial – Daycare Center	
Lots (# and type; bldg./common)	One (1) building lot	
Phasing Plan (# of phases)	One (1) phase	
Neighborhood meeting date; # of attendees:	December 21, 2020; no attendees	
History (previous approvals)	AZ-08-007; PP-08-006; CUP-08-011; ALT-08-012; A-2015-0061 and DA instrument #111032845. DA restricts hours of operation on this property from 6am-10pm.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	No – Staff letter No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access to Victory Road via an existing driveway connection near the northeast corner of the site. No other road improvements are proposed or required.	
Stub Street/Interconnectivity/Cross Access	Cross-access to adjacent parcels is already in place with the existing Development Agreement	
Existing Road Network	Yes	
Fire Service		
<ul style="list-style-type: none"> • Distance to Fire Station • Fire Response Time 	0.6 miles from Fire Station #4 Within 5-minute response time goal	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

Amanda Bidwell, neUdesign Architecture – 725 E. 2nd Street, Meridian, ID 83642

B. Owner:

Jason White, WL Victory Crossing, LLC – 8385 W. Emerald Street, Boise, ID 83704

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	2/12/2021	
Radius notification mailed to properties within 500 feet	2/9/2021	
Site Posting Date	2/22/2021	
NextDoor posting	2/9/2021	

V. STAFF ANALYSIS

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

The future land use designation for this property is Mixed-use Community – The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four

miles). Employment opportunities for those living in and around the neighborhood are encouraged.

The proposed use of a Daycare Center (more than 12 children) is a community-serving use that fits within this future land use designation as it can serve both the immediate area but also the nearby community at-large. When analyzing projects within this designation, the other uses provided nearby and within the same designation area should also be taken into account.

Of this mixed-use area, a majority of it has not yet redeveloped from county residential uses. The commercial subdivision that the subject site is a part of contains a Rite-aid and one additional commercial lot that is not yet developed. This MU-C designation also exists across Victory Road where a higher density multi-family development has been approved and is currently under review for their administrative approvals. With the existing residential to the east and south of this development and the possibility for more commercial uses further north along Eagle and within this future land use designation, Staff finds the proposed use to be consistent with the MU-C future land use designation.

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

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability” (3.06.02B). *Adding a daycare use in this location introduces an additional use to immediate area. In addition, this property has direct pedestrian access to the adjacent subdivision to the east, therefore promoting overall sustainability and the benefits of having a supportive commercial use nearby residential.*
- “Encourage the development of supportive commercial near employment areas” (3.06.02C). *The proposed daycare is not near an employment center but is part of a smaller commercial subdivision. Furthermore, the remaining undeveloped Mixed-use area north of the subject site could also contain employment opportunities making the location of this daycare to those future employers equally important.*
- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B). *Despite the subject property being within a mixed-use community designation, this area of MU-C is relatively small in size and is separated from the rest of this designation by an arterial street, Victory Road. This separation makes it more feasible for smaller-scale commercial like that of the proposed daycare. In addition, this property has direct pedestrian access to the subdivision to its east providing convenient pedestrian access to the adjacent residential development.*
- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). *With the proposed landscaping and landscape buffer, and easy pedestrian access, the proposed use should be both buffered and integrated into the existing neighborhoods.*

C. Existing Structures/Site Improvements:

The subject site has some partial improvements from its original approvals in 2005 including an access to Victory Road, parking spaces adjacent to the street, and existing cross-access and cross-parking agreements. There are no other existing structures on this site.

D. Proposed Use Analysis:

A Daycare Center (more than 12 children) is listed in UDC Table 11-2A-2 as a conditional use in the C-C zoning district. *See narrative included in the application for more specific details on the proposed use from the Applicant's perspective.*

E. Specific Use Standards (UDC [11-4-3](#)):

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

1. 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's narrative states the maximum number of children at the facility is 158 children. The building will have multiple rooms for different age groups. In addition, a maximum of 21 staff members will be employed here during peak hours throughout the day.*

2. On site vehicle pick up, parking and turnaround areas shall be provided to ensure safe discharge and pick up of clients.

The Applicant has revised their site plan to meet this requirement. The revised site plan shows additional parking on the north side of the building and to the west of the building. Between these western parking spaces and the building is the discharge area for children. This drive aisle is shown as a one-way pick-up/drop-off area for parents that goes from the south to the north adjacent to the west facing daycare center. The Applicant has proposed the one-way drive aisle in this direction with the anticipation of a majority of the future children coming from subdivisions to the south of the property and the shared access along Eagle Road, shared with the proposed development, via an approved cross access agreement.

The parking area specifically for this lot is proposing 30 parking stalls, of which 18 will be brand new to the site. However, the subject property has a shared access and parking agreement with the rest of the Shops at Victory commercial subdivision, noted on the approved plat. The adjacent drive aisles appear to be 25 feet wide, meeting code requirements for a two-way drive aisle; the Applicant will be required to show compliance with the parking lot standards at the time of Certificate of Zoning Compliance submittal.

With the proposed parking and the revised layout showing a true pick-up/drop-off area, Staff finds the proposed use and site design will provide for safe discharge and pick up of children at this business and is enough for the proposed use and submitted maximum capacity of 158 children.

3. The decision making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval. *Staff recommends a maximum of 158 allowable clients at any one time unless the maximum occupancy is limited further by fire or building code; Staff has written a condition of approval commensurate with this recommendation.*

4. 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. *The Applicant has agreed to comply with this requirement in their narrative.*

5. In residential districts or uses adjoining an adjacent residence, the hours of operation shall be between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. This standard may be modified through approval of a conditional use permit. *The subject property has limited hours of operation of 6am to 10pm due to a provision of the existing Development Agreement. The*

Applicant has stated in their narrative that they intend to operate within these hours and is not seeking to change this DA provision. Staff has included a condition of approval related to the proposed business hours.

6. Prior to submittal of an application for an accessory daycare facility in a residential district, the applicant or owner shall hold a neighborhood meeting in accord with subsection 11-5A-4B of this title. Notice of the neighborhood meeting shall be provided to all property owners of record within one hundred feet (100') of the exterior boundary of the subject property.

NA

B. Additional standards for daycare facilities that serve children:

1. All outdoor play areas shall be completely enclosed by minimum six foot (6') non-scalable fences to secure against exit/entry by small children and to screen abutting properties. *The submitted landscape plans show a 6' tall steel tube fence proposed along perimeter of the play areas.*
2. Outdoor play equipment over six feet (6') high shall not be located in a front yard or within any required yard. *The play equipment being proposed is not known at this time; Applicant will comply with this requirement if any equipment is ever proposed.*
3. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk. *Not applicable, C-C zoning district.*

F. Dimensional Standards ([UDC 11-2](#)):

The daycare center will be in a new building that requires Certificate of Zoning Compliance (CZC) and Design Review approval prior to building permit submittal. All UDC dimensional standards appear to be met with the submitted site plan but the Applicant shall comply with the required dimensional standards at the time of CZC submittal.

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Direct lot access is provided via a driveway connection to E. Victory road, an existing arterial street. Further cross-access is provided to the west through the rest of the commercial subdivision which provides an additional arterial access to S. Eagle Road.

H. Parking ([UDC 11-3C](#)):

The proposed building is shown as 7,926 square feet, requiring a minimum of 16 parking stalls. 30 parking stalls are proposed to meet this requirement in addition to having an existing cross-parking agreement with the adjacent commercial lots to the west. All parking and parking lot landscaping meet UDC standards.

I. Sidewalks ([UDC 11-3A-17](#)):

There is an existing five-foot (5) sidewalk that traverses the site from the Astoria Subdivision to the east. There is also existing attached sidewalk along E. Victory road. A portion of the sidewalk traversing the site is proposed to be removed to accommodate the new daycare facility but is shown as connecting to the required sidewalk surrounding the entire building and will provide access to the parking around the building.

UDC requires that new commercial buildings provide 5-foot wide sidewalks from all public entrances to the arterial sidewalks. The submitted plans do not show this connection and the most logical and feasible place for this to occur is by continuing the sidewalk within the existing landscape buffer along the east boundary. Staff is recommending the site plan and landscape plan

are corrected at the time of CZC submittal to show this sidewalk connecting to the existing sidewalk along Victory Road.

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

The project requires a 25-foot landscape buffer to adjacent residential uses and is already in place with previous approvals. This landscape buffer is shown to remain on the submitted landscape plans. All other landscaping proposed is for the parking lot landscaping and appears to meet UDC standards.

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

There is existing 6-foot vinyl fencing along the property boundary that the Applicant is showing to retain and protect. The Applicant is proposing new 6-foot tall steel tube fencing to enclose the play areas as discussed in the specific use standards section above. The existing and proposed fencing meets UDC standards.

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

All new non-residential buildings require Administrative Design Review (DES) approval prior to submitting for building permit. The Applicant has submitted conceptual elevations including color elevations. The submitted elevations appear to meet architectural standards by providing varying roof heights, two different field materials, building modulation, and accent materials providing fenestration for the building. The building is shown with stucco and wood field materials providing for earth tones and differing transitions between the proposed building modulation. Staff will analyze the elevations in more detail with the future required DES submittal.

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard this item on March 4, 2021. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

a. In favor: Amanda Bidwell, Applicant Representative

b. In opposition: None

c. Commenting: Amanda Bidwell; Vijay Llavarasan, Applicant

d. Written testimony: None

e. Staff presenting application: Joseph Dodson, Associate Planner

f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

a. None

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

a. Other locations where this Applicant is operating daycares:

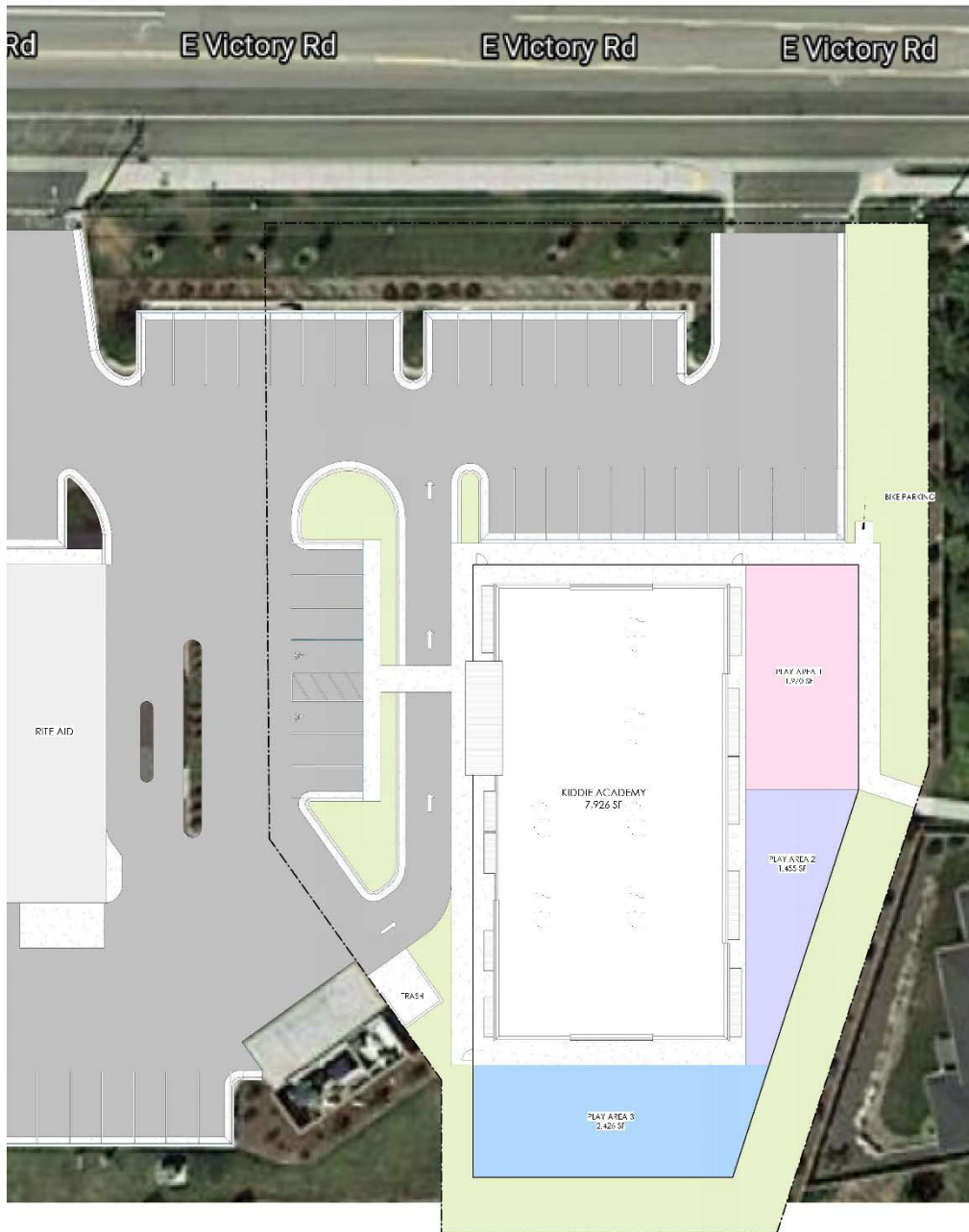
b. Kids to staff ratio – Applicant stated they will abide by the State regulations.

4. Commission change(s) to Staff recommendation:

a. None

VII. EXHIBITS

A. Site Plan (date: 2/17/2021)



1 SITE PLAN - NEW
1/12" = 1'-0"



neUdesign
ARCHITECTURE
725 E 2nd St
Meridian, ID 83642
208.894.2924

CONSULTANT

THIS DOCUMENT IS THE PROPERTY OF
neUdesign ARCHITECTURE, LLC. IT IS TO BE
USED ONLY FOR THE PROJECT AND SITE
IDENTIFIED HEREIN.
© neUdesign ARCHITECTURE, LLC

CLIENT:
VIJAY ILAVARASAN
KIDDIE ACADEMY
3335 E VICTORY RD, MERIDIAN, ID 83642

PROFESSIONAL SEAL

NOT FOR PERMIT

ID	DESCRIPTION	DATE
C	CLIENT REVIEW	06.17.21
D	CONTRACT APPLICATION	12.21
F	CLIENT REVIEW	11.16.20
B	CLIENT REVIEW	11.16.20
A	CLIENT REVIEW	11.12.20

SITE PLAN

A-101

JOB NUMBER:
DRAWN BY:

20110
ALB

C. Conceptual Building Elevations (date: 2/18/2021)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The Applicant shall comply with all existing conditions of approval and Development Agreement provisions (AZ-08-007; PP-08-006; CUP-08-011; ALT-08-012; A-2015-0061 and DA instrument #111032845)
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-9 for Daycare Facilities.
3. The maximum number of allowable clients (children) at the facility at *one time* shall be limited to one hundred and fifty-eight (158) unless building/fire code limits this further; the more restrictive number shall apply.
4. The daycare/pre-school shall operate between the hours of 6:00 am and 10:00 pm per the recorded development agreement.
5. The Applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code 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.
6. The site plan and landscape plan shall be revised prior to submittal for Certificate of Zoning Compliance to show the continuation of sidewalk from the building to the existing sidewalk along Victory Road in accord with UDC 11-3A-19B.4.
7. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review approval from the Planning Department.
8. All existing landscaping on-site shall be protected during construction; if any is damaged or removed, it must be replaced prior to obtaining certificate of occupancy.
9. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-C zoning district.
10. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.
11. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
12. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. Central District Health (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=221698&dbid=0&repo=MeridianCity>

C. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=221993&dbid=0&repo=MeridianCity>

D. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=222751&dbid=0&repo=MeridianCity>

E. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=220295&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Conditional Use Permit

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.

The site appears to meet all the dimensional and development regulations in the C-C zoning district for the proposed use and will be verified upon CZC submittal; therefore, Commission finds the site is large enough to accommodate the proposed use.

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 center will be harmonious with the Comprehensive Plan in that it will provide a much needed service for area residents with easy access to and from the site.

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 operation of the proposed daycare should be compatible with the residential and commercial uses in the close vicinity and the existing and intended character of this mixed-use 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.

If the proposed daycare complies with the conditions of approval in Section VII as required, Commission finds the proposed use should not adversely affect other properties in the vicinity.

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.

Because the site is already annexed into the City and these services are already being provided to the surrounding buildings, Commission finds the proposed use will be served adequately by all public facilities and services.

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 should not create any 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.

Although traffic may increase slightly in this area due to the proposed use and clients dropping off and picking up children, the proposed use and effects were planned for with the design of the discharge area; therefore, Commission finds the proposed daycare should not be detrimental to the general welfare.

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

Commission is unaware of any natural, scenic or historic features in this area and finds the proposed use should not result in damage of any such features.