

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



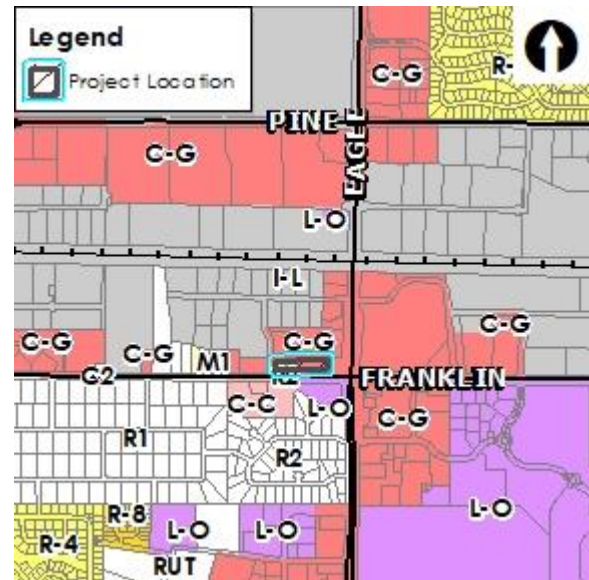
HEARING DATE: March 12, 2024

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: [H-2023-0064](#)
Ultra Clean Franklin – MDA

LOCATION: 3070 E. Franklin Rd., in the SE 1/4 of
Section 8, T.3N., R.1E. (Parcel
#S1108449810)



I. PROJECT DESCRIPTION

Request for a new development agreement with a modification to the terms of the agreement required with the annexation ordinance (#737 Haskin Green).

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	2.01-acres
Future Land Use Designation	Commercial
Existing Land Use	Vacant/undeveloped
Proposed Land Use(s)	Vehicle washing facility
Current Zoning	C-G (General Retail & Service Commercial)
Proposed Zoning	NA
Physical Features (waterways, hazards, flood plain, hillside)	The land slopes down significantly to the north.
Neighborhood meeting date	11/20/23
History (previous approvals)	Ord. #737 Haskin Green; PBA-2021-0016 (ROS #13121)

III. APPLICANT INFORMATION

A. Applicant:

Stephanie Hopkins, KM Engineering, LLP – 5725 N. Discovery Way, Boise, ID 83713

B. Owner:

WWOZ Boise Meridian, LLC – 3070 E. Franklin Rd., Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	City Council Posting Date
Newspaper notification published in newspaper	2/25/2024
Radius notification mailed to property owners within 300 feet	2/24/2024
Public hearing notice sign posted on site	2/23/2024
Nextdoor posting	2/26/2024

V. STAFF ANALYSIS

The Annexation Ordinance ([#737](#)) approved for the property in 1996, requires the property owner to enter into a Development Agreement (DA) with the City prior to issuance of a building permit or plat approval, whichever occurs first. The ordinance includes requirements for inclusion in the future DA and compliance with the [Findings](#) associated with the annexation. *See DA requirements in Section VII.A below.*

No development has occurred on the property and the property has changed ownership since it was annexed. The original plan was to subdivide the property for individual building sites but that plan never came to fruition. The new owner would like to develop the property with a vehicle washing facility. Because there are many outdated requirements for the DA and references to City Code that are no longer in effect, Staff recommends new provisions with this application that are applicable to the proposed development, which will replace the original ones. The Applicant's [narrative](#) provides a response to the existing requirements.

A conceptual development plan was submitted, included in Section VII.B, that shows how the site is proposed to develop with a vehicle washing facility. Future development is required to comply with the dimensional standards for the C-G district listed in UDC [Table 11-2B-3](#).

The property is currently zoned C-G (General Retail and Service Commercial), which allows a vehicle washing facility as a principal permitted use, subject to the specific use standards listed in UDC [11-4-3-39](#), as follows:

- A. A site plan shall be submitted that demonstrates safe pedestrian and vehicular access and circulation on the site and between adjacent properties. At a minimum, the plan shall demonstrate compliance with the following standards:
 1. Stacking lanes shall have sufficient capacity to prevent obstruction of the public right-of-way by patrons. *Three (3) stacking lanes are proposed, which should provide sufficient capacity to prevent obstruction of the public right-of-way.*
 2. The stacking lane shall be a separate lane from the circulation lanes needed for access and parking. *Vehicles stack in the drive leading into the carwash on the south side of the building, which is a separate drive than the one on the north side of the building that exits the carwash with access to parking for use of the vacuums.*

3. The stacking lane shall not be located within ten (10) feet of any residential district or existing residence. *There are no residential districts or existing residences within 10 feet of the stacking lanes.*
4. A letter from the transportation authority indicating the site plan is in compliance with the highway district standards and policies shall be required. *This will be required with the Certificate of Zoning Compliance application.*
- B. Within the industrial districts, a vehicle washing facility shall be allowed only as an accessory use to a gasoline or diesel fuel sales facility for use by non-passenger vehicles. The vehicle washing facility shall be limited in capacity to a single vehicle. The intent is to discourage facilities that cater to passenger vehicles. *Not applicable (this property is in a commercial district).*
- C. Any use that is not fully enclosed shall be located a minimum of one hundred (100) feet from any abutting residential district, and shall be limited in operating hours from 6:00 a.m. to 10:00 p.m. *There are no residential districts abutting this site; however, an extended stay hotel was recently constructed on the abutting property to the north. The Applicant states the proposed hours of operation are from 7:00 am to 9:00 pm. Staff recommends hours are restricted from 6:00 am to 10:00 pm to minimize any negative impacts to the adjacent hotel use.*
- D. If the use is unattended, the standards set forth in [section 11-3A-16](#) of this title shall also apply. *Not applicable (the use will be attended).*

Although residential uses do not abut this site, the extended stay hotel (Waterwalk) to the north will likely be impacted by the noise from the proposed carwash and vacuums. For this reason, Staff recommends the Applicant provide dense landscaping (i.e. a mix of evergreen and deciduous trees and shrubs) that allows trees to touch within five (5) years of planting along the northern boundary of the site. The Applicant states the type of vacuums planned to be installed come with mufflers, which should assist in reducing the noise impacts to adjacent properties. To ensure mufflers are provided, Staff recommends a provision in the DA requiring such.

Access is proposed via N. Olson Ave., a local street along the west side of the site; no access is proposed via E. Franklin Rd., a commercial arterial street, along the southern boundary of the site nor is it allowed. A cross-access easement (Inst. #[2021-105300](#)) was required to this property with the DA for Waterwalk (H-2019-0111, Inst. #[2020-011637](#)), the project to the north. However, there is a 9'3" fall in grade from the proposed driveway to the existing driveway and a significant cross-slope exists, which would make a shared access difficult (see grading exhibit in Section VIII.E below). For this reason, Staff and ACHD supports the proposed access via Olson and does not recommend the cross-access easement with the property to the north is utilized.

An attached sidewalk exists along E. Franklin Rd., which is proposed to be replaced with a detached sidewalk in accord with UDC [11-3A-17C](#). **Staff recommends a 10-foot wide detached sidewalk is installed on this property as well as off-site on the adjacent property to the east owned by ACHD if consent can be acquired from the property owner.**

The Snyder Lateral bisects the western portion of this site within a 40-foot wide NMID easement depicted on the site plan and is proposed to be piped in accord with UDC [11-3A-6B.2](#).

A 35-foot wide street buffer will be required along E. Franklin Rd., an entryway corridor (measured from ultimate back of curb location); and a 10-foot wide street buffer will be required along N. Olson Ave., a local street (measured from back of sidewalk), landscaped in accord with the standards listed in UDC [11-3B-7C](#), including enhanced landscape standards for entryway corridors. Internal parking lot and perimeter landscaping will be required per the standards listed in UDC [11-3B-8C](#).

Conceptual building elevations were submitted as shown in Section VII.D. Building materials consist of a mix of natural limestone and burnished CMU in neutral colors, and woodgrain printed metal cladding. Final

design is required to comply with the design standards in the Architectural Standards Manual.

A Certificate of Zoning Compliance and Design Review application will be required to ensure compliance with UDC standards and the design standards in the [*Architectural Standards Manual*](#) and must be approved prior to submittal of an application for a building permit.

The DA should include the provisions listed in Section VII.F below.

VI. DECISION

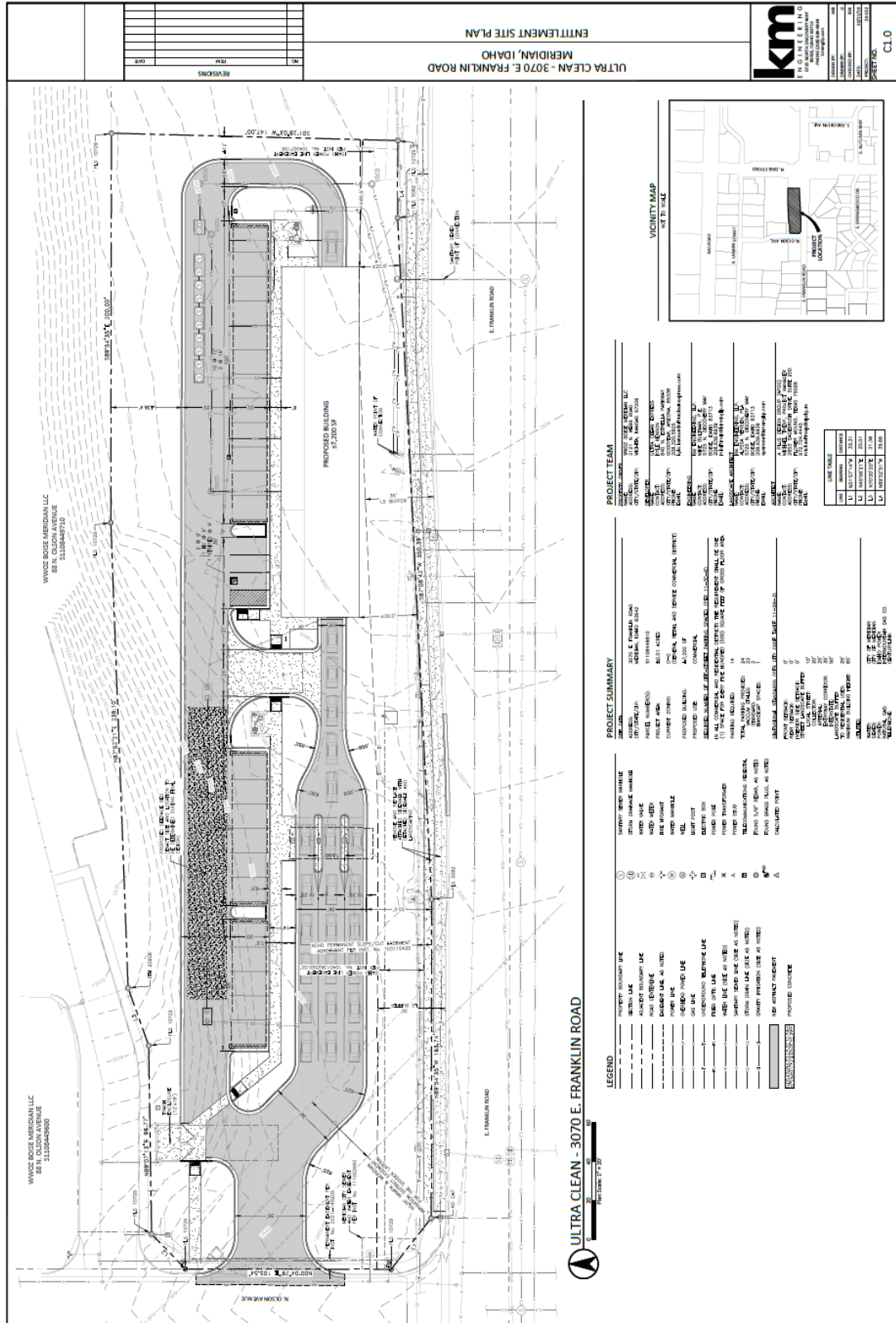
- A. Staff: Staff recommends approval of the proposed Development Agreement modification as requested by the Applicant and as recommended by Staff.

VII. EXHIBITS

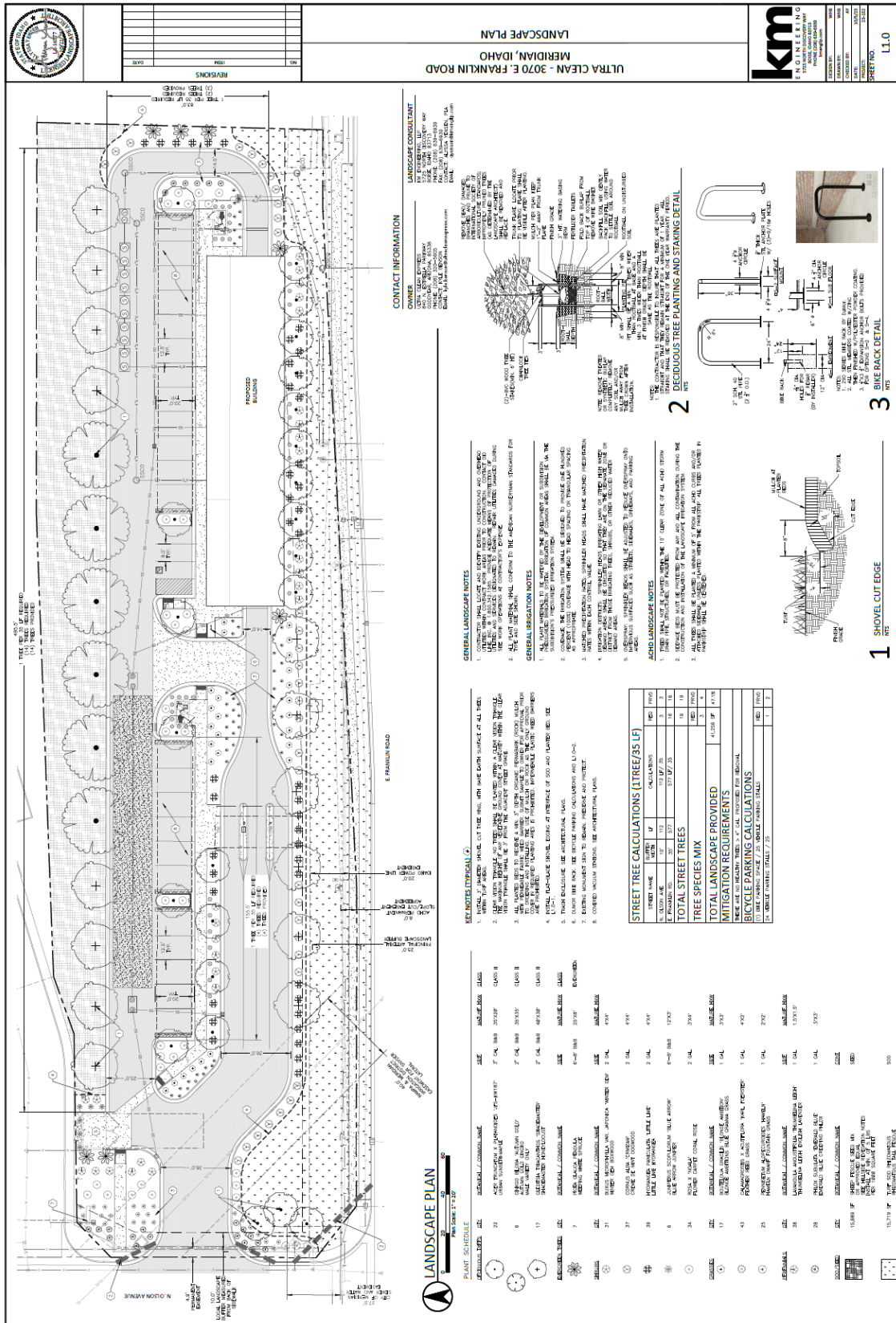
A. Existing Requirements in Annexation Ordinance:

Section 2. That the property shall be subject to de-annexation if the owner shall not meet the following requirements:

- a. That the Applicant will be required to connect to Meridian water and sewer at his expense and resolve how the water and sewer mains will serve the land; the City may enter into a late comers agreement for the extension of the City sewer and/or water; if requested by the Applicants.
- b. That the development of the property shall be subject to and controlled by the Subdivision and Development Ordinance and the Meridian Comprehensive Plan adopted January 4, 1994, and shall only be developed as a commercial or general planned development or under the conditional use process.
- c. That, as a condition of annexation, the Applicant shall be required to enter into a development agreement as authorized by 11-2-416 L and 11-2-417 D prior to the issuance of any building permit or plat approval which ever comes first; that the development agreement shall address inclusion into the subdivision of the requirements of 11-9-605 D, G 1., H, K and L of the Revised and Compiled Ordinances of the City of Meridian and other matters that the property may be de-annexed if the terms and conditions of the Development Agreement are not satisfied.
- d. That the development of annexed land must meet and comply with the Ordinances of the City of Meridian and in particular Section 11-9-616, which pertains to development time schedules and requirements, 11-9-605 M. which pertains to the tiling of ditches and waterways, and 11-9-606 B 14 which pertains to pressurized irrigation.
- e. That these conditions shall run with the land and bind the Applicant, the titled owners, and their assigns.
- f. Meet the requirements and conditions of the Findings of Fact and Conclusions of Law and meet the Ordinances of the City of Meridian, which include that the property must be developed as a commercial or general planned development or under the conditional use permit process.
- g. That the Applicant is required to hook up to the sewer and water and participate in the costs of extending the sewer and water services though the payment of late-comer's fees.



C. Conceptual Landscape Plan (dated: 10/5/23)



D. Conceptual Elevations



Page 9

F. Staff Recommended Development Agreement Provisions

The Development Agreement shall be signed by the property owner and returned to the Planning Division within six (6) months of the date of City Council approval of the Findings of Fact, Conclusions of Law and Decision & Order for the development agreement modification request. The DA shall, at minimum, incorporate the following provisions:

1. Future development of the subject property shall substantially comply with the conceptual development plans included in Section VII, the standards in the Unified Development Code, and the provisions contained herein.
2. Mufflers shall be installed on all vacuums to mitigate noise impacts on the abutting hotel use to the north.
3. Dense landscaping consisting of a mix of evergreen and deciduous trees and shrubs shall be provided along the northern boundary of the site that allows trees to touch within five (5) years of planting to mitigate noise from the proposed development to the hotel use on the abutting property to the north.
4. The hours of operation of the vehicle washing facility shall be limited from 6:00 am to 10:00 pm to mitigate noise impacts on the abutting hotel use to the north.
5. A 10-foot wide detached sidewalk shall be installed along E. Franklin Rd. on the subject property and off-site on the adjacent property to the east owned by ACHD *if* consent can be acquired from the property owner.
6. A 35-foot wide street buffer, measured from ultimate back of curb location, shall be provided along E. Franklin Rd., an entryway corridor; and a 10-foot wide street buffer, measured from back of sidewalk, shall be installed along N. Olson Ave., a local street. Landscaping shall be installed within these street buffers in accord with the standards listed in UDC 11-3B-7C, including enhanced landscape standards for entryway corridors (i.e. E. Franklin Rd.).
7. The future structure on the site and the layout of the site shall comply with the design standards listed in UDC 11-3A-19 and in the Architectural Standards Manual.