

# STAFF REPORT

## COMMUNITY DEVELOPMENT DEPARTMENT



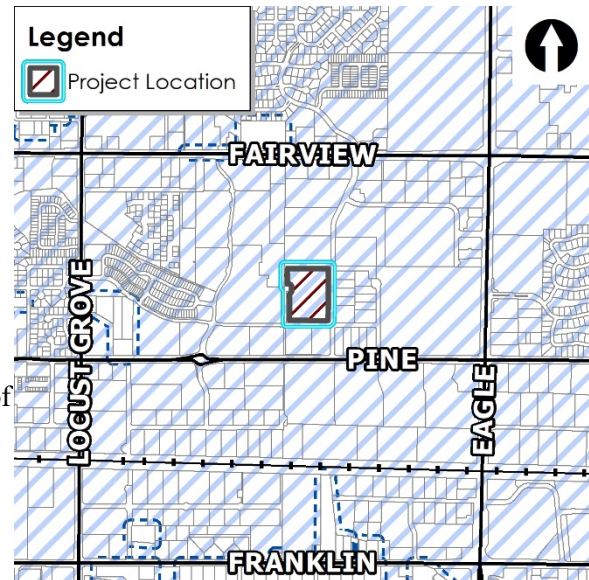
HEARING DATE: November 18, 2021

TO: Planning & Zoning Commission

FROM: Joe Dodson, Associate Planner  
208-884-5533

SUBJECT: H-2021-0077  
K1 Speed – CUP

LOCATION: 1075 N. Hickory Avenue, in the SW ¼ of the NE ¼ of Section 8, T.3N., R.1E. (Parcel # R3073790250)



### I. PROJECT DESCRIPTION

Conditional Use Permit to operate a 50,000 square foot indoor arts, entertainment and recreation facility within an existing 204,000 square foot industrial building. The proposed use includes an indoor electric go-kart track, concession area, meeting rooms, and associated spaces for K1 Speed on 9.88 acres of land in the I-L zoning district.

### II. SUMMARY OF REPORT

#### A. Project Summary

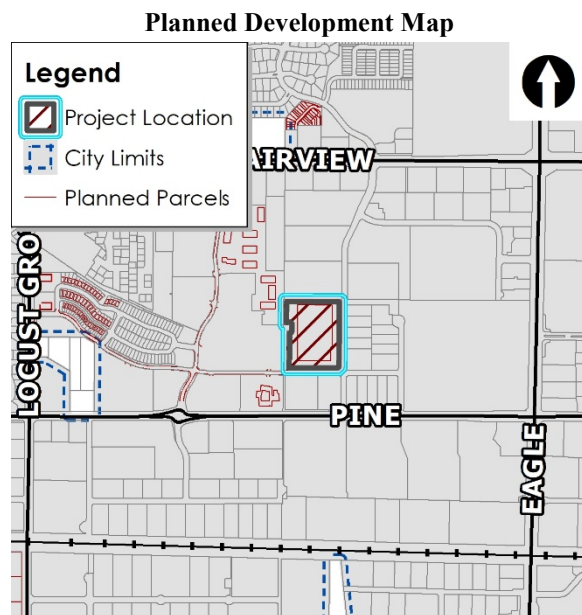
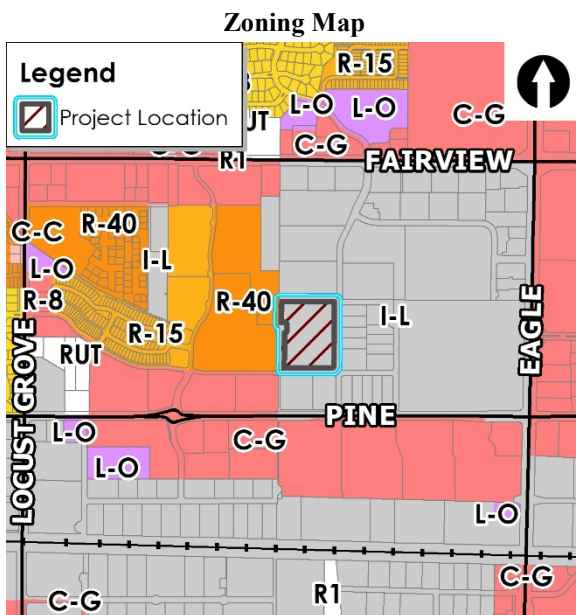
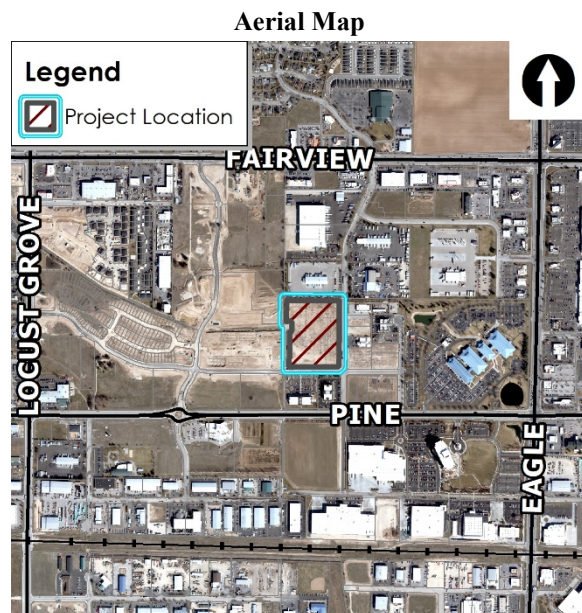
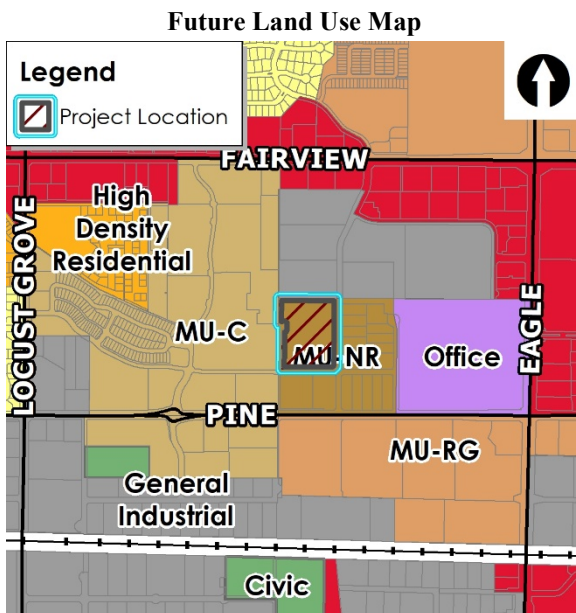
Description	Details	Page
Acreage	9.88 acre site	
Future Land Use Designation	Mixed Use – Non-Residential (MU-NR)	
Existing Land Use(s)	204,000 square foot warehouse building (under construction)	
Proposed Land Use(s)	Indoor recreation facility/go-kart track	
Neighborhood meeting date; # of attendees:	Sept. 20, 2021; no attendees	
History (previous approvals)	A CUP was approved in 1991 for a PUD – General (Gemtone Inc.). Platted as Lots 1-4, Block 4, Gemtone Center No. 3; H-2020-0094 (Vacation); A-2020-0165 (Hickory Warehouse CZC).	

#### B. Community Metrics

Description	Details	Page
Ada County Highway District		

Description	Details	Page
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses via E. State Avenue (local street) and two (2) accesses via N. Hickory Avenue (industrial collector). All access points are existing and approved from previous approvals (A-2020-0165) for the overall warehouse building.	
Existing Road Network	Yes	

### C. Project Area Maps



### III. APPLICANT INFORMATION

A. Applicant:

Josh Shiverick, Cushing Terrell – 800 W. Main Street, Suite 800, Boise, ID 83702

B. Owner:

H.O.T. 2, LLLP – PO Box 1335, Meridian, ID 83680

C. Representative:

Same as Applicant

### IV. NOTICING

	Planning & Zoning Posting Date	
Newspaper Notification	11/2/2021	
Radius notification mailed to properties within 300 feet	10/27/2021	
Site Posting Date	11/3/2021	
NextDoor posting	10/28/2021	

### V. COMPREHENSIVE PLAN ([Comp. Plan](#))

This property is designated Mixed Use – Non-Residential (MU-NR) on the Future Land Use Map (FLUM) in the Comprehensive Plan.

The purpose of the MU-NR designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted in Figure 3E in the Comprehensive Plan (see page 3-18).

The Applicant proposes to develop the site with an indoor recreation facility (i.e. an indoor electric go-kart business) within a portion of an existing warehouse building. The warehouse was approved under an administrative application (A-2020-0165) due to the existing industrial zoning and planned unit development in 1991 (through Gemtone CUP). The planned unit development approved in 1991 allowed a myriad of uses beyond just those typically allowed in the I-L zoning district.

Across both adjacent streets there is a church, offices, flex space, other warehousing uses, and an indoor recreation facility for a swim school was recently approved—within the subject warehouse where this use is proposed only one other tenant is known at this time and that is a cabinet maker in the northwest corner of the building utilizing approximately 30,000 square feet of the 204,000 square foot building. Therefore, this industrial zoned area is already providing a number of varying uses in the vicinity of the proposed go-kart use. In addition, directly to the west of the subject warehouse is an area of Mixed-Use Community and multi-family housing in the R-15 zoning district that is partially constructed (Pine 43 project). A number of residential units are occupied at this time with additional units under construction; a mix of commercial buildings are also under construction further to the north and along Fairview Avenue. Staff finds the proposal to place an indoor recreation facility adjacent to multi-family residential as a benefit to both uses for the following reasons: the residential would activate the recreation component of the proposed use; an

indoor go-kart facility would offer an additional recreation opportunity for residences nearby and for those throughout the City; existing conditions of landscaping, physical separation, ingress/egress, and the use being indoors offers adequate mitigation of any noxious outcomes.

Therefore, because the use is adjacent to residential, office, flex space, and other recreation facilities uses, it should be an appropriate use in the MU-NR FLUM designation for the reasons noted above.

In reviewing development applications, the following items will be considered in MU-NR areas: *(Staff's analysis in italics.)*

- No new residential uses will be permitted (existing residential may remain). *No residential uses are proposed.*
- All developments should have a mix of at least two types of land uses. *Because the use is proposed within an existing building, it is too small of an area to allow the development of multiple land use types. However, the overall MU-NR designated area does have a mix of uses; offices, flex space, and a church exist to east of this site within the MU-NR area.*
- Development is not required to comply with the minimum number of uses in the general mixed-use standards. *Noted.*
- Street sections consistent with the Ada County Highway District Master Street Map are required within the Unified Development Code. *No new streets are proposed.*
- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, food service/restaurants, industry, or warehouse uses. *Noted.*
- A transitional use is encouraged on the perimeter of the MU-NR areas between any existing or planned residential development. *As discussed above, Staff finds an indoor recreation facility as a transitional use between the existing multi-family to the west and the western boundary of the MU-NR area where this use is proposed.*

The following goals and policies in the Comprehensive Plan are supported by the proposed development:

- “Plan for an appropriate mix of land uses that ensures connectivity, livability, and economic vitality.” (3.06.02)  
*The proposed use will contribute to the mix of uses in this area and should add to the livability and economic vitality of the community.*
- “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)  
*The subject mixed-use area currently contains office, church uses, and a swim school. The proposed use will provide a recreational opportunity in close proximity to residential neighbors to the west thereby reducing vehicle trips and enhancing livability of the area.*
- “Provide, partner, and preserve public and private indoor and outdoor recreation amenities for a diverse range of physical activities.” (5.01.01C)  
*The proposed private recreation facility offers opportunities for recreation through electric go-karts to the public and will contribute to the range of physical activities offered in the City.*



## VI. UNIFIED DEVELOPMENT CODE ([UDC](#))

The proposed use, an indoor recreation facility, is listed as a conditional use in the I-L (Light Industrial) zoning district per UDC Table [11-2C-2](#). Compliance with the dimensional standards listed in UDC Table [11-2C-3](#) is required and are met because the proposed use is internal to an approved structure.

## VII. STAFF ANALYSIS

As discussed above in Section V, the proposed indoor go-kart facility is considered an appropriate use and meets the development guidelines listed for the MU-NR designation. The use is also consistent with the Planned Unit Development approved in 1991 for Gemtone Inc., which approved a mix of commercial and light industrial uses in the I-L zoning district.

This use is proposed to be contained within an existing warehouse, as noted above. The tenant space for the go-kart facility will be approximately 50,000 square feet within the warehouse with no exterior spaces or modifications proposed. The Applicant submitted a conceptual floor plan showing internal spaces that include a reception area, concession and seating area, and a few meeting rooms—these areas constitute a few of the accessory uses within the proposed space and are allowed per the specific use standards outlined below. In addition, the hours of operation are a key component of analysis when determining the compatibility of adjacent uses. The Applicant's narrative states the planned hours of operation for the proposed use vary throughout the week but do not exceed 10am to 11pm. Because of the nature of the proposed use and the existing multi-family residential to the west, Staff is recommending a condition of approval consistent with these hours of operation.

The proposed use is subject to the following Specific Use Standards ([UDC 11-4-3-2](#)) - Arts, Entertainment or Recreation Facility, Indoors and Outdoors: (*Staff analysis in italics*)

### A. General Standards:

1. All outdoor recreation areas and structures that are not fully enclosed shall maintain a minimum setback of one hundred feet (100') from any abutting residential districts. The playing areas of golf courses, including golf tees, fairways, and greens, are an exception to this standard. (Ord. 07-1325, 7-10-2007). *No outdoor recreation areas are proposed; all activities will take place within the building.*
2. No outdoor event or activity center shall be located within fifty feet (50') of any property line and shall operate only between the hours of six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. *No outdoor events or activities are proposed.*
3. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only. *Noted.*
4. Outdoor speaker systems shall comply with section 11-3A-13, "Outdoor Speaker Systems", of this title. *No outdoor speakers are proposed.*

B. Additional Standards for Swimming Pools: Any outdoor swimming pool shall be completely enclosed within a six foot (6') non-scalable fence that meets the requirements of the building code in accord with title 10, chapter 1, of this code. *Not applicable.*

C. Additional Standards for Outdoor Stage or Musical Venue: Any use with a capacity of one hundred (100) seats or more or within one thousand feet (1,000') of a residence or a residential district shall be subject to approval of a conditional use permit. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005). *No outdoor stage or musical venue is proposed.*

**Access (UDC [11-3A-3](#)):**

Four (4) driveway accesses are depicted and approved on the overall site plan – two (2) accesses via E. State Avenue (local street) to the south and two (2) accesses via N. Hickory Avenue (industrial collector) to the east. ACHD has approved the location of all access driveways with the administrative approvals for the overall warehouse (A-2020-0165).

The proposed use is located at the south end of the warehouse with the public entrance at the southeast corner of the building, closest to the “corner” accesses of State and Hickory. Staff anticipates these two access points will be the main points of ingress and egress for the facility due to their proximity to the business entrance. Should warehouse uses be introduced in the remaining area of the warehouse that require large truck traffic, Staff anticipates the other access points to the site located in close proximity to the west and north property boundaries will be used for ease of access to the roll-up doors on the west side of the building. Staff has no concerns with the ingress and egress to the proposed business.

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

Based on a proposed tenant space of approximately 50,000 s.f. of gross floor area, a minimum of 100 off-street parking spaces are required. As noted throughout the staff report, the building and other site improvements are existing and include the off-street parking for the entire warehouse building. According to the submitted site plan showing the existing site conditions, a total of 106 parking spaces are outlined in blue directly adjacent to the area proposed for K1 Speed, exceeding UDC standards. Based on 106 parking spaces provided for this use, a minimum of four (4) bicycle parking spaces are required to be provided. **Bicycle parking facilities were approved at the time of CZC submittal but the submitted plans do not appear to clearly depict where they are located. At the time of Certificate of Zoning Compliance Change of Use (CZCU) application, the Applicant should provide plans that clarify the bicycle parking location(s) for this use.**

*Because a vast majority of the area proposed for K1 Speed is the actual track that has limited capacity of karts, Staff does not have concern on the number of parking spaces available for the proposed use.*

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

There are existing 5-foot wide attached sidewalks along E. State Avenue and N. Hickory Avenue that meet UDC standards. Any damaged curb, gutter or sidewalk is required to be replaced.

**A 5-foot wide continuous internal pedestrian walkway is required to be provided from the perimeter sidewalk to the main building entrance(s); the walkway should be distinguished from the vehicular driving surfaces as set forth in UDC [11-3A-19B.4](#).**

**Landscaping (UDC [11-3B](#)):**

A 10-foot wide street buffer is required to be provided along E. State Avenue, a local street, and a 20-foot wide street buffer is required along N. Hickory Avenue, a collector street, landscaped per the standards listed in UDC [11-3B-7C](#). Parking lot landscaping is required per the standards listed in UDC [11-3B-8C](#). A 25-foot landscape buffer to the existing multi-family residential to the east is also required.

*All required landscaping has been proposed and approved with previous approvals. Staff’s analysis of the approved landscape plan show compliance with all applicable landscaping code sections. Staff anticipates the proposed use to be less noxious or detrimental to the existing residential so no additional landscaping is recommended by Staff at this time.*

**Outdoor Lighting (UDC [11-3A-11](#)):**

All outdoor lighting is required to comply with the standards listed in UDC 11-3A-11C unless otherwise approved through alternative compliance. Light fixtures that have a maximum output of

1,800 lumens or more are required to have an opaque top to prevent up-lighting; the bulb shall not be visible and shall have a full cutoff shield in accord with Figure 1 in UDC 11-3A-11C.

*All outdoor lighting was approved with the CZC approval in 2020. However, any future business signage must comply with all standards outlined in UDC 11-3D.*

**Fencing (UDC [11-3A-7](#)):**

According to the approved landscape plans, it is unclear if any fencing is existing or proposed along the west boundary between the building and the multi-family residential. ***Code does not require perimeter fencing but if any fencing is proposed in the future, a detail of the proposed fencing should be included on with the CZCU application that demonstrates compliance with the standards in UDC 11-3A-7.***

**Building Elevations:**

The approved building elevations and perspectives were submitted for the warehouse structure as shown in Section IX.D. *As stated throughout this report, these elevations have already been approved through the administrative process and the building is already existing. The submitted elevations are for supplementary purposes only.*

**Certificate of Zoning Compliance (UDC [11-5B-1](#)):**

**A Certificate of Zoning Compliance Change of Use (CZCU) is required to be submitted for the proposed use prior to submittal of a building permit application to ensure compliance with UDC standards and the conditions listed in Section X.**

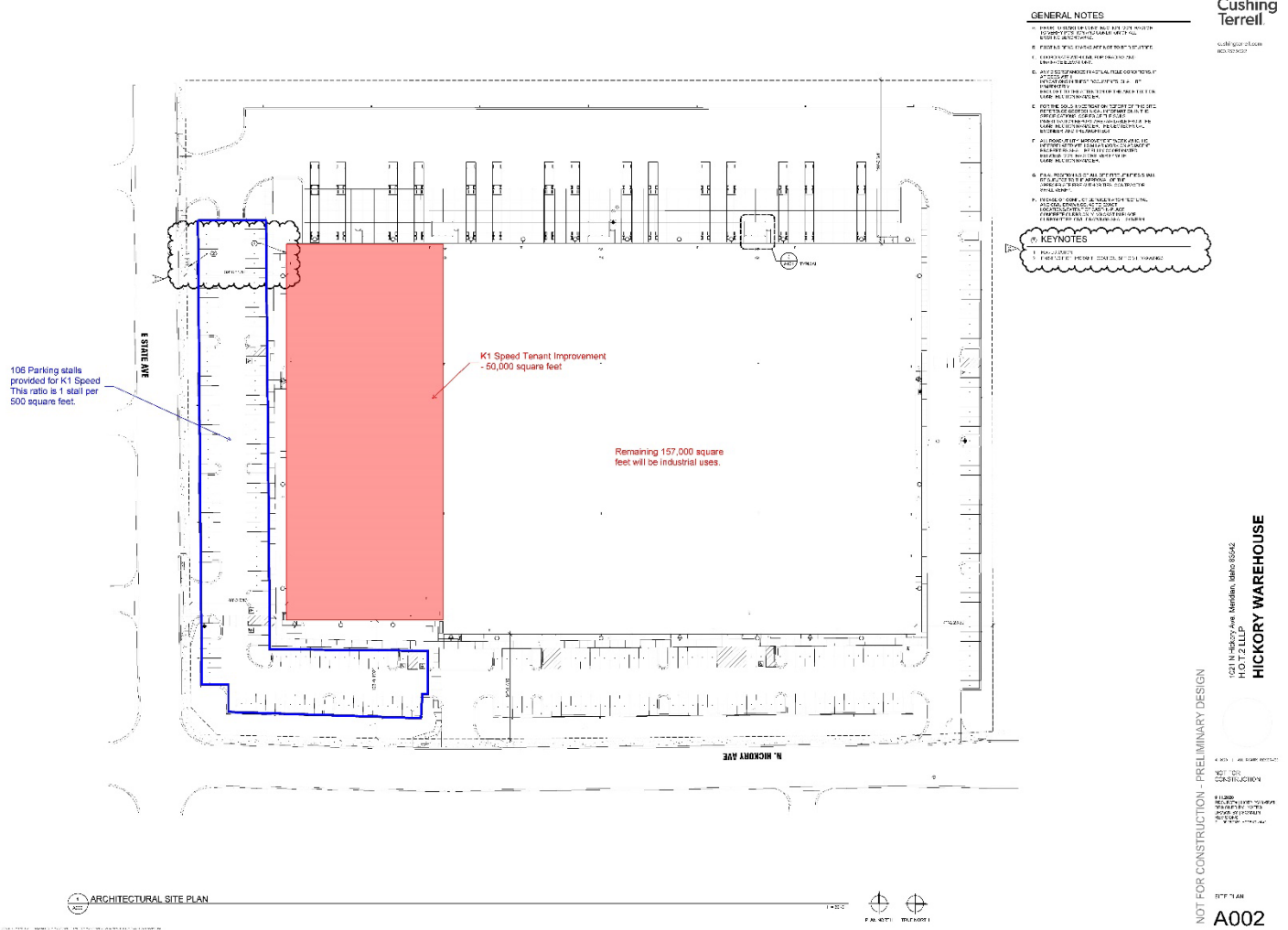
## **VIII. DECISION**

**A. Staff:**

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

## IX. EXHIBITS

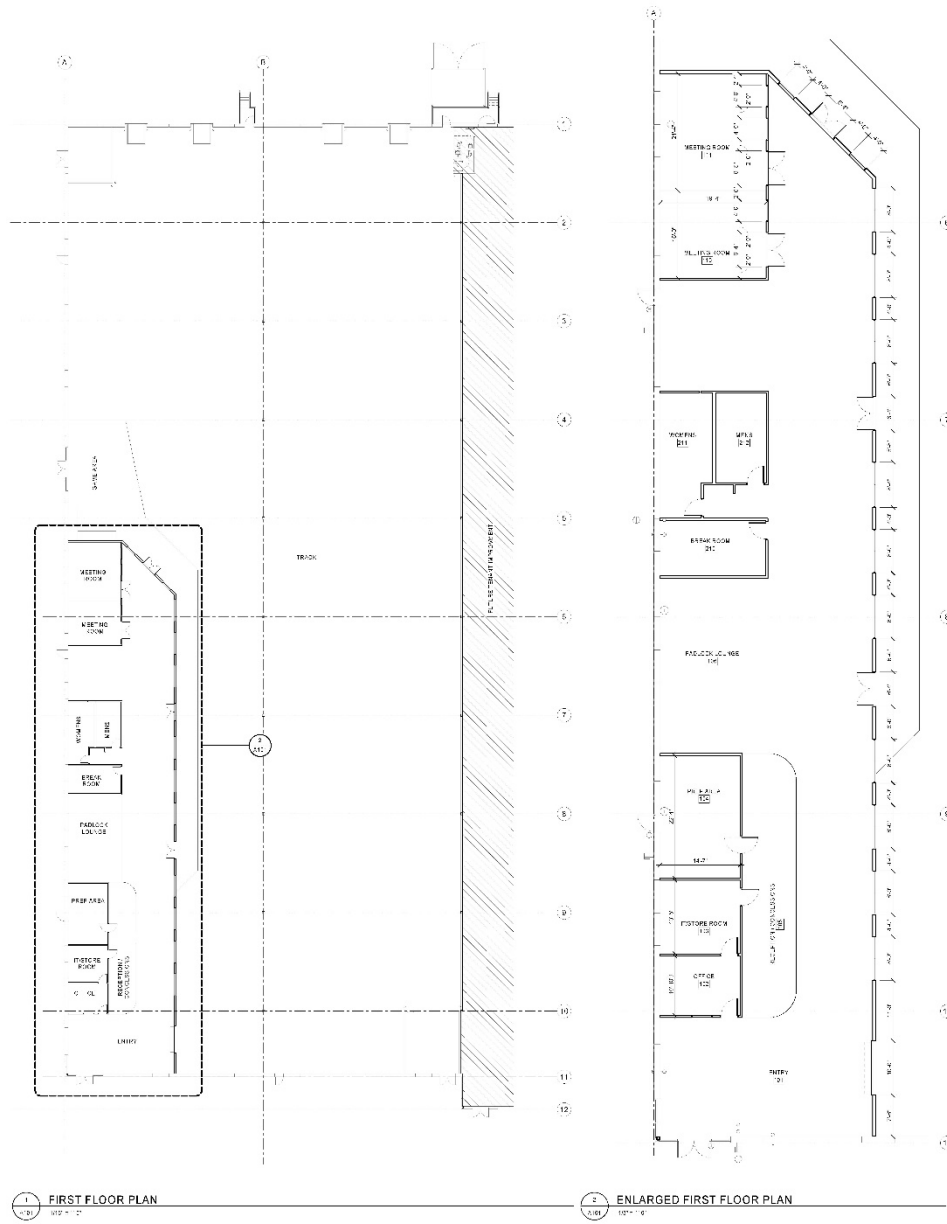
A. Approved Site Plan (date: 9/11/2021)







C. Conceptual Floor Plan (dated: October 2021)



**Cushing Terrell**  
cush@terrell.com  
603.301.1677

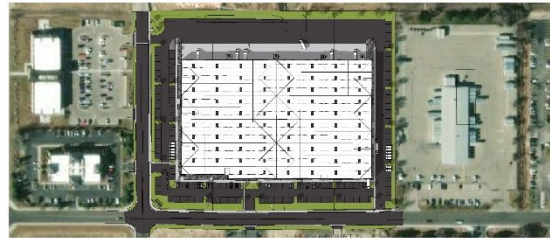
NOT FOR CONSTRUCTION - PRELIMINARY DESIGN  
K1 SPEED  
TENANT IMPROVEMENT  
PLOOR PLAN  
A101

D. Approved Building Elevations (dated: 8/7/2020)

# HICKORY WAREHOUSE



**A**  
1 SOUTH EAST AERIAL



**A**  
2 CONTEXT SITE PLAN



**A**  
3 NORTH EAST AERIAL



**A**  
4 NORTH WEST AERIAL



**A**  
5 SOUTH WEST AERIAL



**A**  
6 SOUTH EAST AERIAL

**Cushing  
Terrell**

CUSHING TERRELL  
10000 W. 10TH AVE.  
DENVER, CO 80231

CLIENT  
HOLLAND

DATE  
8/7/2020

PROJECT NO.  
200-0000

PROJECT  
HICKORY WAREHOUSE

DRAWN BY  
J. J. J.

DESCRIPTION  
ARCHITECTURAL

**A**  
03



## **X. CITY/AGENCY COMMENTS & CONDITIONS**

### **A. Planning**

1. The applicant shall comply with the site plan, landscape plan, and building elevations approved with A-2020-0165.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-2 – Arts, Entertainment or Recreation Facility, Indoors and Outdoors, including but not limited to the following:
  - a. Accessory uses including, but not limited to, retail, equipment rental, restaurant, and drinking establishments may be allowed if designed to serve patrons of the use only, and not the general public.
3. Hours of operation for the indoor recreation facility shall be limited to 12:00pm – 10:00pm Monday-Thursday, 10:00am – 10:00pm on Sundays, and 10:00am – 11:00pm Fridays and Saturdays as proposed.
4. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance Change of Use approval to establish the use and provide staff with any revised plans.
5. The site/landscape plans submitted with the Certificate of Zoning Compliance Change of Use application shall depict the following:
  - a. A detail of any proposed fencing that demonstrates compliance with the standards listed in UDC [11-3A-7](#).
  - b. A detail of the location of the required bicycle parking.
6. 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. Ada County Highway District (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242188&dbid=0&repo=MeridianCity>

*A Traffic Impact Study (TIS) was not required for this project.*

### **C. Nampa & Meridian Irrigation District (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242001&dbid=0&repo=MeridianCity>

### **D. Department of Environmental Quality (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242183&dbid=0&repo=MeridianCity>

## **XI. 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 meets all the dimensional and development regulations of the I-L zoning district for the proposed use. Therefore, Staff 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.

*Staff finds the proposed use will be harmonious with the Comprehensive Plan in that it will provide an indoor recreation use which will contribute to the mix of uses desired in the MU-NR designation and should act as a transitional use to the existing residential to the west as desired.*

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.

*Staff finds the design, construction, operation, and maintenance of the proposed use with the conditions imposed, should be compatible with other uses in the general vicinity and shouldn't adversely change the 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.

*If the proposed use complies with the conditions of approval in Section X as required, Staff 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.

*Staff finds the proposed use will be serviced adequately by all of the essential public facilities and services listed.*

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.

*Staff 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 will increase in this area due to the proposed use, it should not be excessive and would be less impactful than a warehouse use requiring additional truck traffic. The proposed use should not involve any other activities that would be detrimental to any persons, property or 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)

*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.*