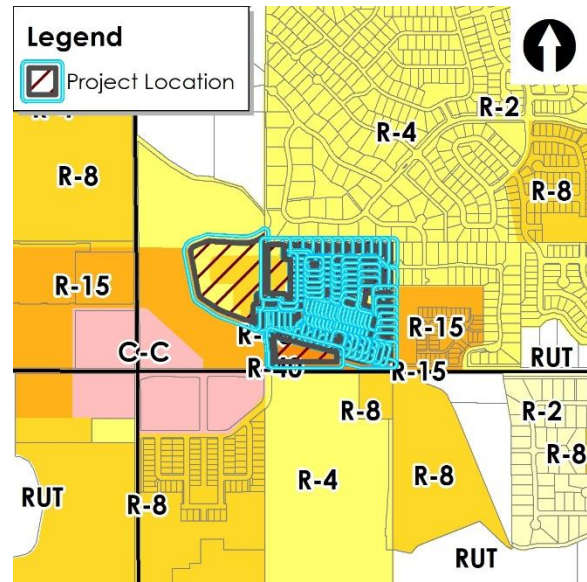


STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 5/3/2022
TO: Mayor & City Council
FROM: Joseph Dodson, Associate Planner
208-884-5533
SUBJECT: H-2022-0017
Lavender Heights MDA
LOCATION: Site is located at 2160 E. Lake Hazel Road, at the northeast corner of E. Lake Hazel Road and S. Bloomerang Avenue, in the SE 1/4 of the SW 1/4 of Section 32, Township 3N, Range 1E.



I. PROJECT DESCRIPTION

Request to modify the existing Development Agreement of the Lavender Heights Subdivision (Inst. # 2020-106343) for the purpose of updating the concept plan and relevant provisions associated with the development of phase 4.

II. APPLICANT INFORMATION

A. Applicant:

Mary Wall, Breckon Land Design – PO Box 44465, Boise, ID 83711

B. Owner:

Taylor Merrill, LH Development, LLC – PO Box 344, Meridian, ID 83646

C. Representative:

Same as Applicant

III. NOTICING

	City Council Posting Date
Legal notice published in newspaper	4/17/2022
Radius notice mailed to properties within 500 feet	4/18/2022

Public hearing notice sign posted
NextDoor Posting

4/13/2022
4/18/2022

IV. STAFF ANALYSIS

History

In 2020, the property received annexation and subdivision approval to develop a mixed-use residential development in four (4) phases known as Lavender Heights (H-2020-0009). The first three phases of development depicted detached single family and the fourth phase depicted a basic concept for a multi-family project. The subject modification is specific to phase 4 and the multi-family portion of the development located along the E. Lake Hazel Road frontage. Since the approvals in 2020, the project has received final plat approval for the entire development but no conditional use permit has not been proposed for the approved multi-family lot.

Development Agreement Modification

The approved Development Agreement (DA) (Inst. #2020-106343) does not include a provision that ties the DA to the submitted multi-family concept plan but does include specific provisions for the subject property (Exhibit VI.A below). The existing multi-family concept plan depicts a drive aisle along the northern property boundary adjacent to the Farr Lateral with multiple apartment buildings along the southern boundary adjacent to Lake Hazel. The Applicant is proposing a new concept plan for the subject R-40 property that does not comport with the proposed multi-family use nor the minimum number of units outlined in the DA.

The new concept plan (Exhibit VI.B below) depicts a townhome development and a private street/drive aisle instead of a traditional garden style apartment complex. Further, the submitted concept plan contemplates 30 residential units instead of the anticipated minimum of 36 units outlined in DA provision 5.1e. For the overall Lavender Heights development, a loss of six (6) units does not affect its overall density in any measurable way but this area of the plat was intended to be the densest area of the development as it is along Lake Hazel and Staff anticipated higher density along this planned mobility corridor and because it is across from Discovery Park. According to the Applicant's narrative, the owner has not yet decided if the property will still be a multi-family project or be subdivided to allow the sale of each unit or groups of units. If the development is a multi-family or townhome project, a future conditional use permit (CUP) is required in the R-40 district. If the units are to be sold off individually or in groups, it also requires the applicant to further subdivide the property.

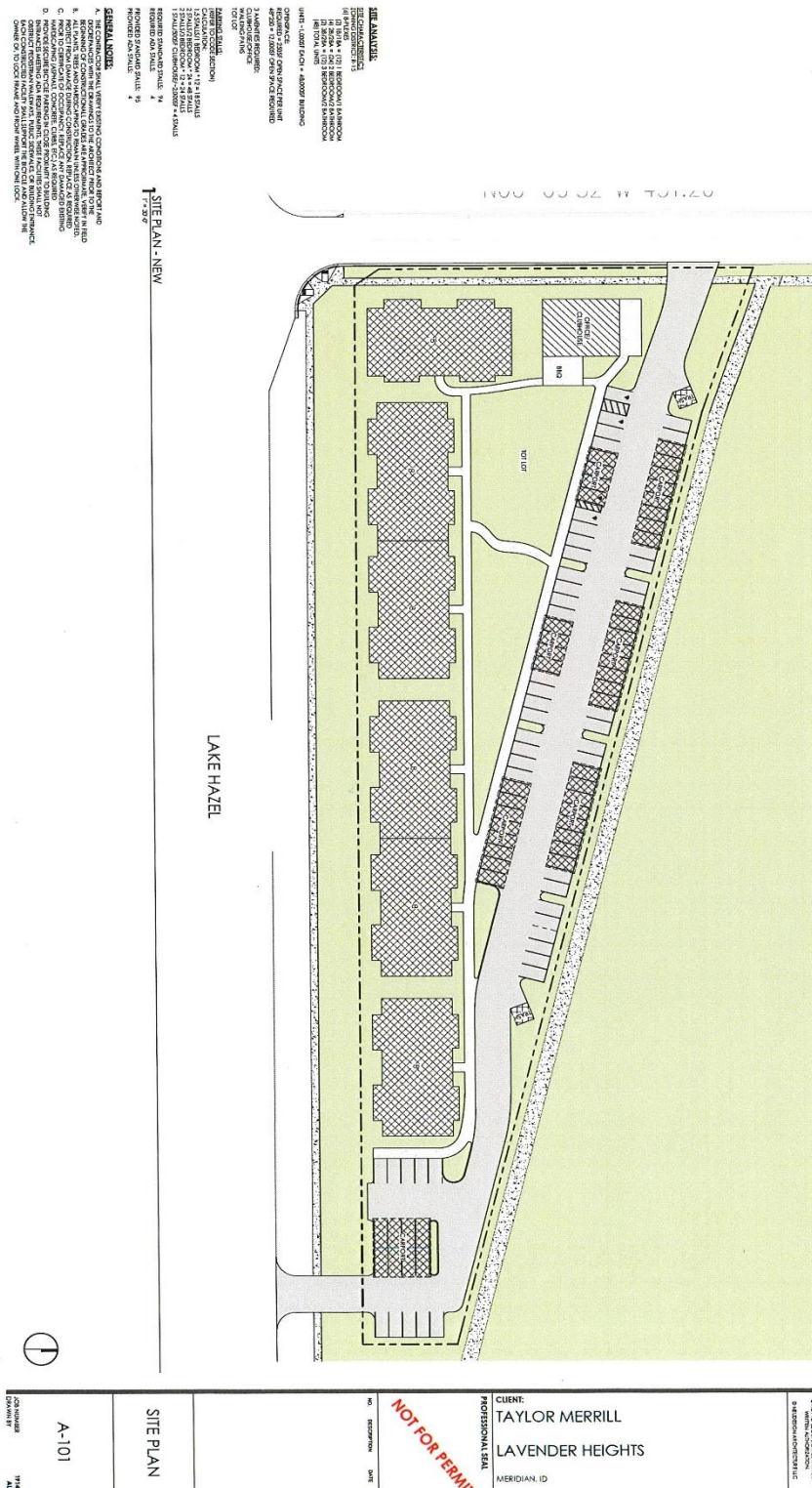
In summary, Staff supports either option as they would contribute to the housing diversity offered within this development and the surrounding area. Based on the process outlined above, Staff will ensure the future multi-family or townhome development complies with the most current UDC standards in effect at the time of application submittal.

V. DECISION

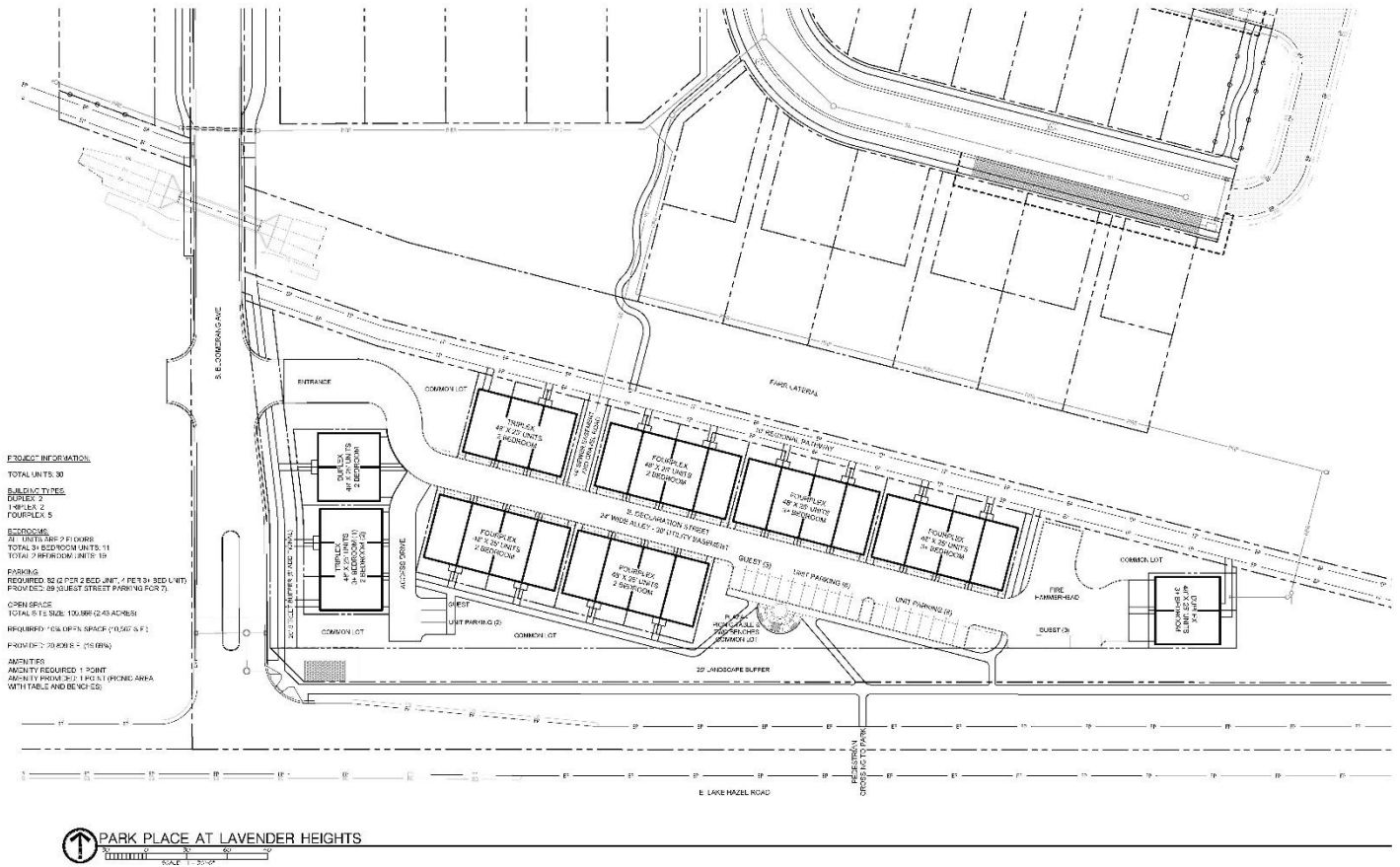
A. Staff:

Staff recommends approval of the proposed MDA per the modified provisions in Section VI.C.

A. Existing Conceptual Development Plan (not specifically tied to the DA)



B. Proposed Conceptual Development Plan –



C. Proposed Revisions to the existing Development Agreement Provisions

1. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, updated phase 4 concept plan, and conceptual building elevations ~~for the single-family dwellings~~ included in Section VII and the provisions contained herein.
2. The 10-foot multi-use pathway shall be constructed with Phase 1 of the development, except for that area located in the proposed future multi-family or Townhome development along the southern edge of the Farr Lateral, shown as Phase 4.
3. The required secondary access via extension of E. Brace Dr. shall be constructed with Phase 1 of the development.
4. Direct lot access to Lake Hazel Road shall be prohibited.
5. No more than 54 and no less than ~~36~~ 30 units shall be allowed on the R-40 zoned property. Detailed Conditional Use Permit approval is required prior to any development on the R-40 zoned area if a multi-family project is proposed consistent with the approved phase 4 concept plan—if a townhome development is proposed in this area, plat approval is required prior to any development in the R-40 area.
6. With the sale of all future homes in the Lavender Heights Subdivision, all sales information shall have language regarding the future multi-family or Townhome project that will be a part of this development.
7. Per City Council waiver, the Farr Lateral waterway shall remain open in accord with the standards in UDC 11-3A-6.
8. The required street frontage improvements (sidewalk and landscaping) along E. Lake Hazel Road shall be constructed with Phase 1 of the development.