

# COMMUNITY DEVELOPMENT DEPARTMENT REPORT

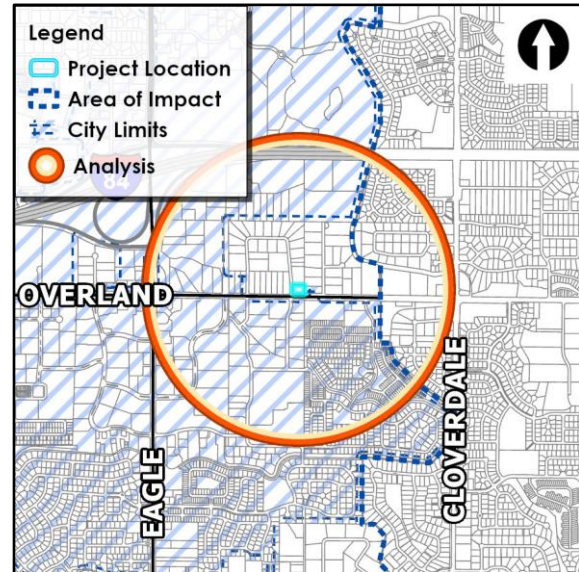


HEARING DATE: 12/5/2024  
TO: Planning & Zoning Commission  
FROM: Linda Ritter, Associate Planner  
208-884-5533  
lritter@merifiandcity.org

APPLICANT: Dominic Pera, JGT Architecture

SUBJECT: H-2024-0053  
3970 E. Overland Road - AZ

**LOCATION:** 3970 E. Overland Road, located in a portion of the SE ¼ of the SW ¼ of Section 16, Township 3N, Range 1E, parcel: S1116347191



## I. PROJECT OVERVIEW

### A. Summary

Annexation and zoning of 1.120-acres of land from the R-1 zone in Ada County to the General Retail and Service Commercial District (C-G) zoning district to construct a 4,800 square foot multi-tenant building with a portion being used for a restaurant.

### B. Issues/Waivers

- Applicant is requesting a reduction of the 25-foot landscape buffer adjacent to the residential properties to the north and east. Property is in probate therefore staff cannot verify the letter received authorizing the landscape buffer reduction. The applicant is seeking a Council waiver to reduce the required landscape buffer as allowed under the UDC.

### C. Recommendation

Staff recommends approval of the requested annexation per the conditions of approval included in Section IV in accord accordance with Findings in Section V.

### D. Decision

## II. COMMUNITY METRICS

**Table 1: Land Use**

Description	Details	Map Ref.
Existing Land Use(s)	Residential	-
Proposed Land Use(s)	Commercial	-
Existing Zoning	R-1 Ada County	VII.A.2
Proposed Zoning	General Retail and Service Commercial District (C-G)	
Adopted FLUM Designation	Mixed-Use Regional (MU-RG)	VII.A.3
Proposed FLUM Designation	Mixed-Use Regional (MU-RG)	

**Table 2: Process Facts**

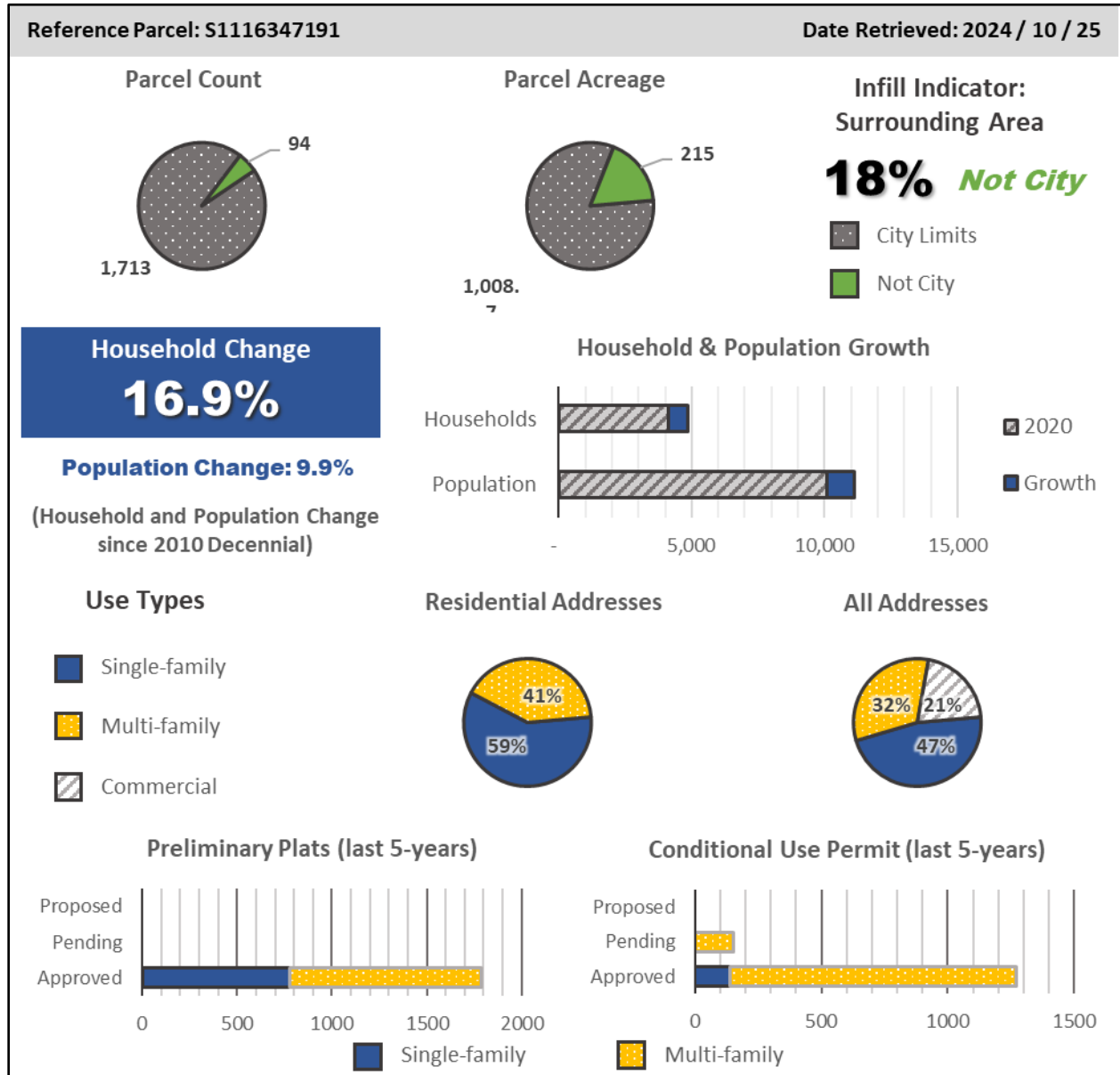
Description	Details
Preapplication Meeting date	9/24/2024
Neighborhood Meeting	7/23/2024
Site posting date	11/15/2024

**Table 3: Community Metrics**

Agency / Element	Description / Issue	Reference
Ada County Highway District		IV.F
• Comments Received	Yes/Staff Report	-
• Commission Action Required	No	-
• Access	Topaz Avenue via E. Overland Road	-
• Traffic Level of Service	Overland Road – Better than “E”	-
ITD Comments Received	Yes/ Email stating no comments for this project	IV.G
Meridian Public Works Wastewater		IV.B
• Distance to Mainline	Sewer main is available in Topaz Ave	
• Impacts or Concerns	See plat conditions	
Meridian Public Works Water		IV.B
• Distance to Mainline	Water available at the site	
• Impacts or Concerns	<ul style="list-style-type: none"> <li>Applicant will be required to extend water main down Topaz Ave. to their North boundary.</li> <li>Engineer to verify if there is a well onsite. If a well is located on the site it must be abandoned per regulatory requirements and proof of abandonment must be provided to the City.</li> <li>Water meter should come off the line in Topaz Avenue.</li> </ul>	

Note: See City/Agency Comments and Conditions Section and public record for all department/agency comments received. [3970 E. Overland Rd. H-2024-0053](#) (copy this link into a separate browser).

**Figure 1: One-Mile Radius Existing Condition Metrics**



Notes: See 0.

**Figure 2: ACHD Summary Metrics**

## Level of Service Planning Thresholds

### 1. Condition of Area Roadways

Traffic Count is based on Vehicles per hour (VPH)

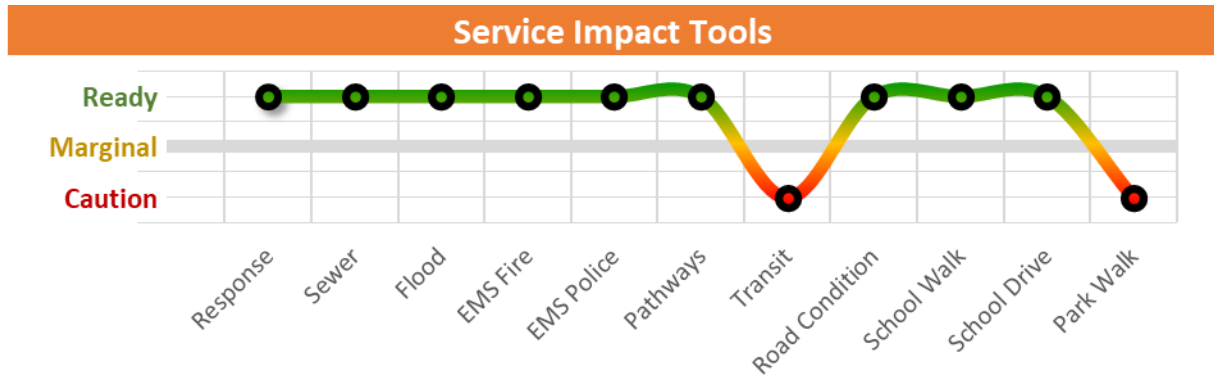
Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service
Overland Road	208-feet	Principal Arterial	927	Better than "E"
Topaz Avenue	162-feet	Collector	N/A	N/A

\* Acceptable level of service for a five-lane principal arterial is "E" (1,780 VPH).

\* Acceptable level of service for a two-lane collector is "D" (425 VPH).

Notes: See 0.

**Figure 3: Service Impact Summary**



Notes: See 0.

Additional Notes & Details for Staff Report Maps, Tables, and Charts.

### III. STAFF ANALYSIS

#### Comprehensive Plan and Unified Development Code (UDC)

##### A. General Overview

The Future Land Use Map (FLUM) designates the area proposed to be annexed as "Mixed-Use Regional," which is intended to encourage a balanced blend of employment opportunities, retail, residential dwellings, and public uses, particularly in areas near major arterial intersections. This designation supports a diverse and integrated community where residents can live, work, and shop without needing to travel far.

The applicant is proposing a 4,800 square foot multi-tenant building with a restaurant. This site is part of a larger Mixed-use Regional area, and the developable area is less than an acre therefore, staff has not provided a full analysis on how the project meets the design concepts of the plan.

**Table 4: Project Overview**

Description	Details
History	Located within Ada County and zoned R1
Physical Features	Within the floodplain
Acreage	1.21 acres

##### B. History

Located within Ada County and zoned R1.

##### C. Site Development and Use Analysis

###### 1. Existing Structures/Site Improvements (UDC 11-1):

*The current use of the property is residential with several existing buildings on the property. The property consists of one home and two outbuildings. All structures will be removed, and the existing well and septic system will be abandoned as required. The applicant will need to submit a Certificate of Zoning Compliance (CZC) and Design Review (DES) application for review and approval prior to building submittal.*

###### 2. Proposed Use Analysis (UDC 11-2):

*The proposed use "restaurant" is a principally permitted use in the C-G zoning district.*

###### 3. Dimensional Standards (UDC 11-2):

*The proposal will be required to meet the dimensional standards for setbacks, parking requirements, maximum building height, landscape buffers and landscape requirements and for the C-G zoning district.*

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

*The proposal shall meet the requirement of the specific use standards for a restaurant per UDC 11-4-3-49. At a minimum, one (1) parking space shall be provided for every two hundred fifty (250) square feet of gross floor area.*

*Upon any change of use for an existing building or tenant space, a detailed parking plan shall be submitted that identifies the available parking for the overall site that complies with the requirements of this title.*

##### D. Design Standards Analysis

###### 1. Existing structure and Site Design Standards (Comp Plan 3.07.02A, Comp Plan 5.01.02D UDC 11-3A-19):

*Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.*

*Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.*

*Buildings shall be designed in accord with the "City of Meridian Architectural Standards Manual."*

*Per UDC 11-3A-19 pedestrian walkways shall provide a continuous walkway that is a minimum of five (5) feet in width from the perimeter sidewalk to the main building entrance(s) for nonresidential uses. The internal pedestrian walkway shall 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

Per UDC 11-3B-8, the intent of these requirements is to ensure the long term and consistent maintenance of landscape buffers along streets that improve the visual quality of the streetscape, unify diverse architecture, and carry out the comprehensive plan policies related to promoting attractive street(s) and street beautification.

*The applicant is proposing water conserving design to reduce the required buffer along Overland Road by fifty (50%) percent as allowed per UDC 11-3B-5O.*

### ii. Parking lot landscaping

Per UDC 11-3B-8, the purpose of perimeter and internal parking lot landscaping is to soften and mitigate the visual and heat island effect of a large expanse of asphalt in parking lots, and to improve the safety and comfort of pedestrians.

*The applicant needs to add an additional landscape island along the north side of the building as no linear grouping of parking spaces shall exceed twelve (12) in a row, without an internal planter island. The planter island shall run the length of the parking space and may be reduced by two (2) feet to allow for improved vehicular maneuvering.*

### iii. Landscape buffers to adjoining uses

Per UDC 11-3B-9, a landscape buffer is required in the C-N, C-C, C-G, L-O, M-E, H-E, and I-L districts on any parcel sharing a contiguous lot line with a residential land use. The landscape buffer is required in the I-H district on any property sharing a contiguous lot line with a nonindustrial use.

*The single-family residence to the north and the east will be required to be screened with a twenty-five (25) foot landscape buffer and a six (6) foot privacy fence. The applicant is requesting a reduction of the 25-foot landscape buffer adjacent to the residential properties to the north and east. The property is currently in probate therefore staff cannot verify the letter received authorizing the landscape buffer reduction. The applicant has the option of requesting permission from the probate court or requesting a waiver to reduce their landscape buffers. The applicant is requesting a Council waiver to reduce the landscape buffer to the residential use down to fifteen (15) feet.*

### iv. Tree preservation

*The applicant will be required to submit tree protection and mitigation plans to City Arborist. Per UDC 11-3B-10, the applicant shall preserve existing trees four-inch caliper or greater from destruction during the development.*

### v. Storm integration

*An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.*



3. Parking (UDC 11-3C):

i. Nonresidential parking analysis

*Per UDC 11-3C commercial buildings require one (1) parking space for every two hundred (200) square feet of gross floor area for restaurants. The total number of parking spaces required is nineteen (19). The applicant is proposing thirty-seven (37) parking spaces which exceeds the required number parking spaces for this proposal.*

*NOTE: The parking for the site will be reduced by one stall due to the requirement for the applicant to provide another planter island along the north side of the building as mentioned above.*

ii. Bicycle parking analysis

*Per UDC 11-3C-6.G One (1) bicycle parking space shall be provided for every twenty-five (25) proposed vehicle parking spaces or portion thereof, except for single-family residences, two-family duplexes, and townhouses. Based on the thirty-seven (37) parking spaces provided, a total of two (2) bicycle parking spaces is required.*

4. Building Elevations (Comp Plan 5.01.02D, Architectural Standards Manual):

*Conceptual building elevations were submitted for the proposed structure as shown in Section VII.F. Building materials consist of stucco, stone, wood and metal accent. Final design is required to comply with the design standards in the Architectural Standards Manual and recorded development agreement.*

*The Comprehensive Plan's goal is to require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.*

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

*The applicant is proposing to install a six (6) foot high vinyl fence along the northern property line. The applicant will need to provide fencing on the residential portion on the east side of the property. Fencing shall comply with the requirements outlined in UDC 11-3A-7.*

**E. Transportation Analysis**

1. Access (Comp Plan 6.01.02C, UDC 11-3A-3, UDC 11-3H-4):

*Access to the property is from S. Topez Avenue via E. Overland Road in accord with UDC 11-3A-3. The applicant shall be required to grant cross-access/ingress-egress to adjoining properties by a recorded easement per UDC 11-3A-3A.2. **NOTE: The property to the east was only required to provide cross access if the existing storage yard is ever converted to parking in the future.***

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

*All sidewalks constructed as part of this proposal are required to comply with the standards listed in UDC 11-3A-17.*

*The applicant is proposing sidewalks along the west side of the property along S. Topez Avenue.*

**F. Services Analysis**

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

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

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

*An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.*

3. Utilities (Comp Plan 3.03.03A, UDC 11-3A-21):

*Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development. All utilities are available to the site. Water main, fire hydrant and water service require a twenty-foot (20) wide easement that extends ten (10) feet past the end of main, hydrant, or water meter. No permanent structures, including trees are allowed inside the easement.*

*Comprehensive Plan policy 3.03.03G require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.*

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

##### **A. Meridian Planning Division**

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer.

Currently, a fee of \$303.00 shall be paid by the Applicant to the Planning Division prior to commencement of the DA. The DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the concept plan and conceptual building elevations included in Section IV and the provisions contained herein.
- b. Direct access to E. Overland Road is prohibited.
- c. Provide a 25-foot landscape buffer to the north and east along the north side of the property along with a six (6) foot privacy fence to block headlines from the residential property unless waived by Council.
- d. The applicant shall be required to grant cross-access/ingress-egress to adjoining property to the east by a recorded easement. A copy of the easement shall be submitted with the certificate of zoning compliance application.
- e. A Certificate of Zoning Compliance (CZC) and Design Review application shall be submitted and approved for the proposed commercial building prior to submittal of a building permit application. The design of the site and structures shall comply with the standards listed in UDC 11-3A-49; the design standards listed in the Architectural Standards Manual.
- f. Future development of the site shall comply with the ordinances in effect at the time of development.
- g. Development of the subject property shall comply with the C -G standards listed in UDC 11- 2B- 3. The only uses allowed on the subject property are as follows:

- Restaurant - excluding drive-through
- Flex Space;
- Retail Sales;
- Professional and personal service; and
- Office.

h. Business hours of operation within the C-G District shall be limited from 6:00 a.m. to 11:00 p.m. when the property abuts a residential use or district.

#### **B. Meridian Public Works**

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365356&dbid=0&repo=MeridianCity>

#### **C. Meridian Park's Department**

1. Submit tree protection and mitigation plans to City Arborist.

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

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365356&dbid=0&repo=MeridianCity>

#### **E. Ada County Development**

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365356&dbid=0&repo=MeridianCity>

#### **F. Ada County Highway District (ACHD)**

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365356&dbid=0&repo=MeridianCity>

#### **G. Idaho Transportation Department (ITD)**

See public record (copy the link into a separate browser)

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365356&dbid=0&repo=MeridianCity>

### **V. FINDINGS**

#### **A. Annexation and/or Rezone (UDC 11-5B-3E)**

Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;  
*Staff finds annexation of the subject site with C-G zoning designation is consistent with the Comprehensive Plan Mixed-Used Regional FLUM designation for this property, if the Applicant complies with the provisions in Section IV.*

2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;  
*Staff finds the layout proposed will be consistent with the purpose statement of the commercial district in that business opportunities provided consistent with the Comprehensive Plan.*
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;  
*Staff finds that the map amendment will not be detrimental to the public health, safety and welfare.*
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and  
*Staff finds that the map amendment will not result in an adverse impact upon the delivery of services.*
5. The annexation (as applicable) is in the best interest of city.  
*Staff finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section IV.*

## **VI. ACTION**

### **A. Staff:**

Staff recommends approval of the requested annexation per the conditions of approval included in Section IV in accord accordance with Findings in Section V.

### **B. Commission:**

Pending

### **C. City Council:**

Pending

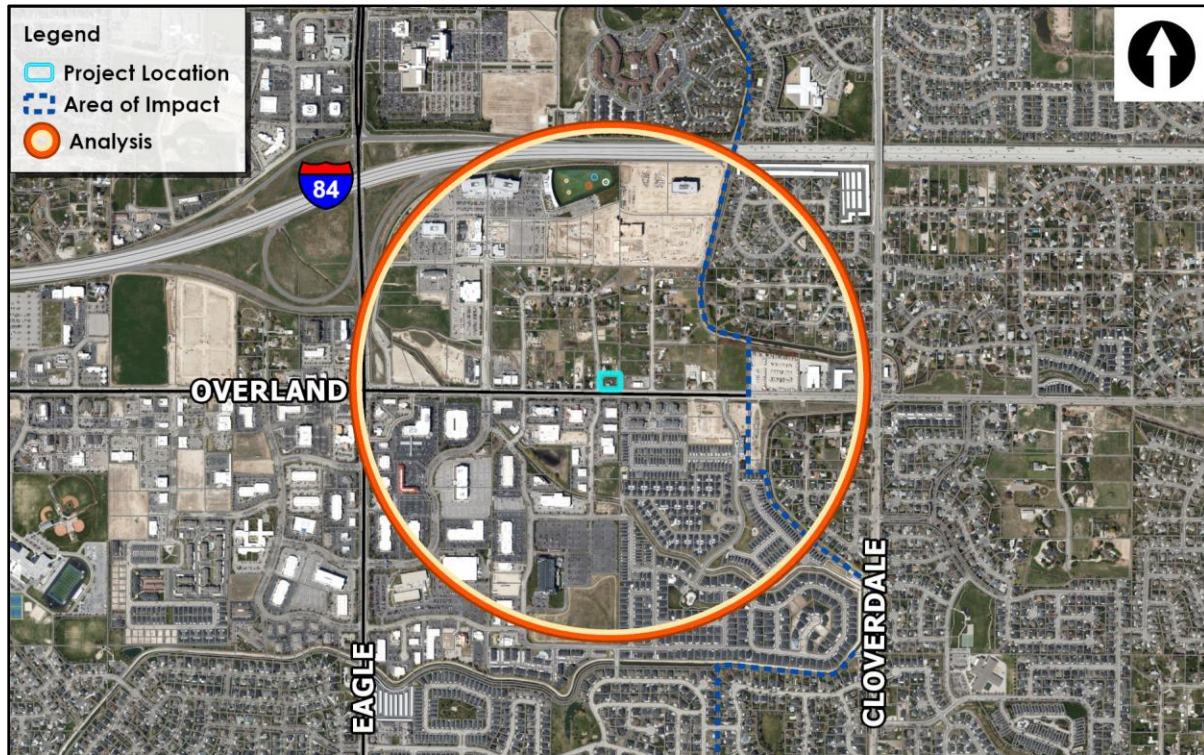


## VII. EXHIBITS

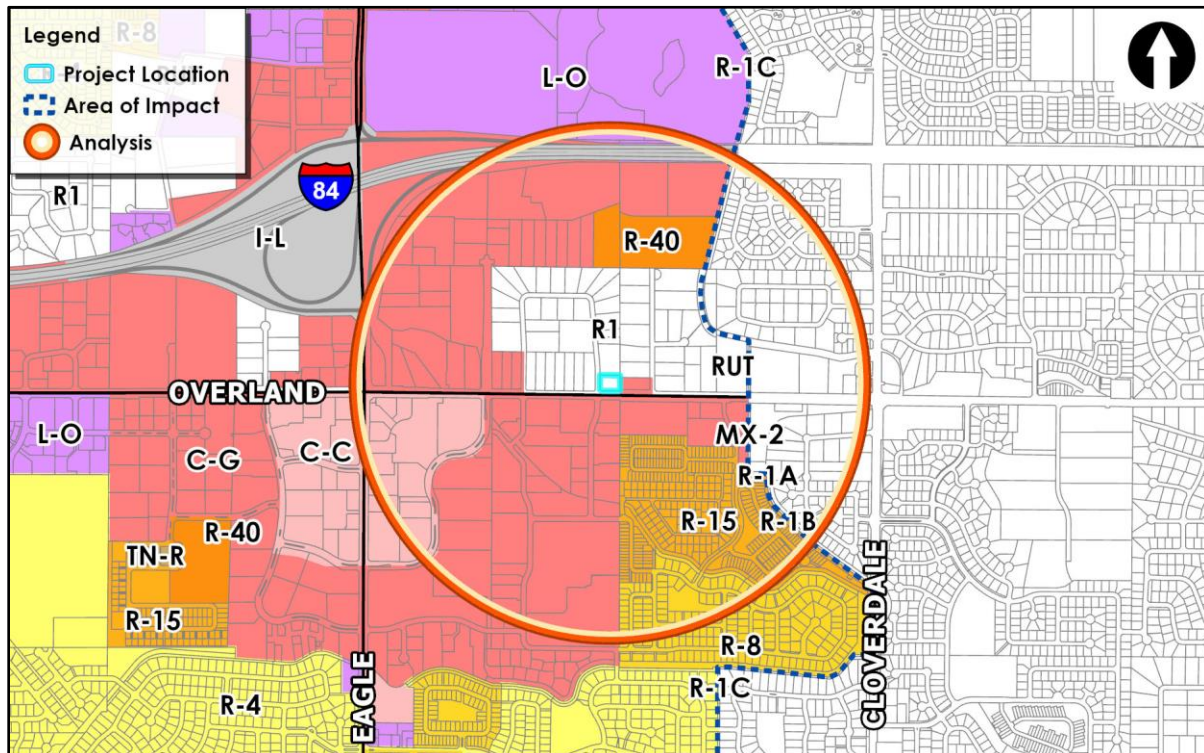
### A. Project Area Maps

(link to [Project Overview](#))

#### 1. Aerial

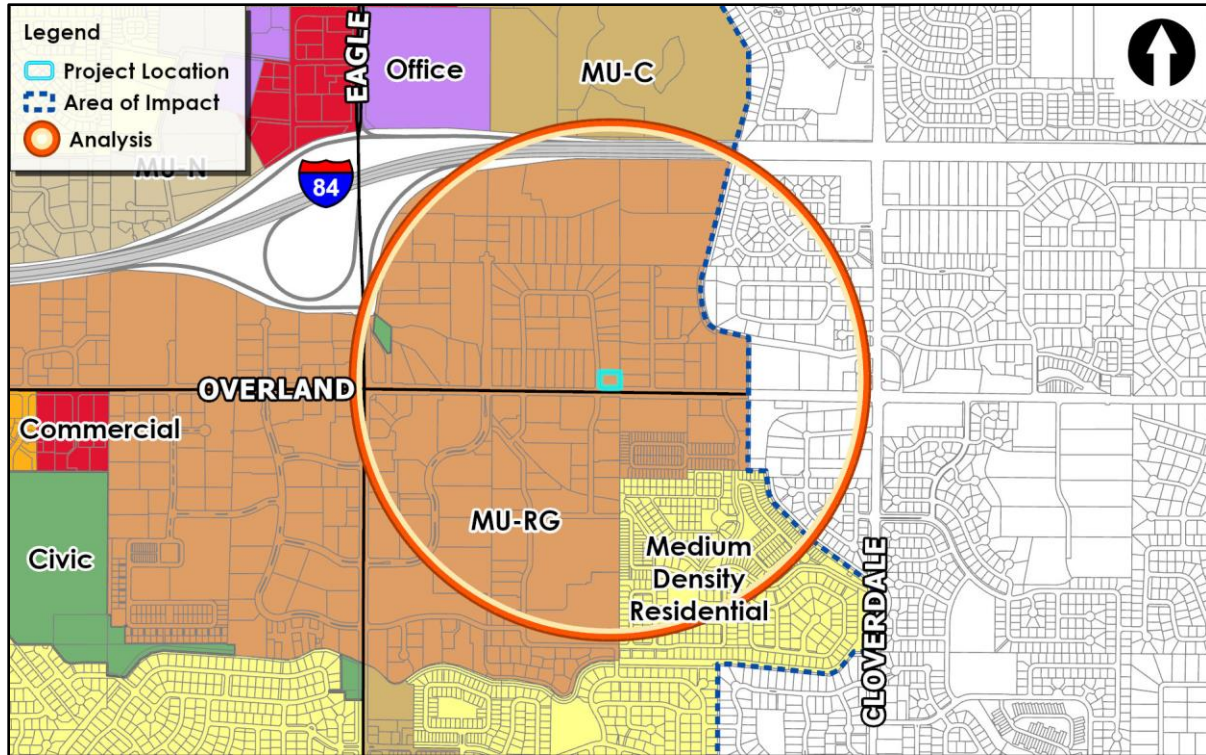


#### 2. Zoning Map

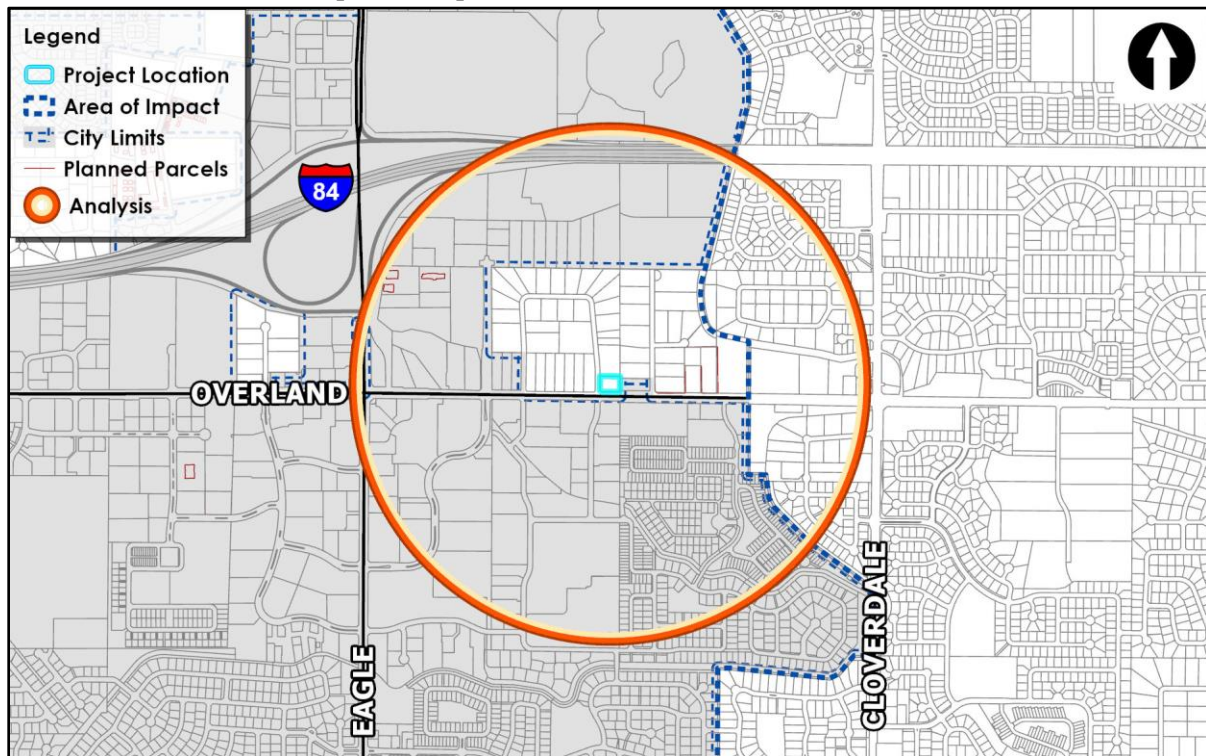




### 3. Future Land Use



### 4. Planned Development Map



5. Map Notes

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**Nearby Recent Preliminary Plats (2018+)**

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H-2016-0112 H-2017-0104

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**Nearby Recent Conditional Use Permits (2018+)**

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H-2020-0123



## B. Subject Site Photos





### C. Service Accessibility Report

## PARCEL S1116347191 SERVICE ACCESSIBILITY

<b>Overall Score: 29</b>	<b>32nd Percentile</b>
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Criteria	Description	Indicator
Location	Within 1/2 mile of City Limits	YELLOW
Extension Sewer	Trunkshed mains < 500 ft. from parcel	GREEN
Floodplain	Within 100 yr floodplain & < 2 acres	RED
Emergency Services Fire	Response time < 5 min.	GREEN
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 current transit route	GREEN
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	Either a High School or College within 2 miles OR a Middle or Elementary School within 1 mile driving (existing or future)	GREEN
Park Walkability	No park within walking distance by park type	RED

[illegible]

## E. Building Elevations (date: 9/30/2024)



## F. Annexation Legal Description & Exhibit Map

PORTSIDE LAND  
SURVEYING, LLC

### EXHIBIT A

#### ANNEXATION LEGAL DESCRIPTION

A parcel of land that includes Ada County Highway District right-of-way, to be annexed into the City of Meridian, said parcel being located in a portion of the Southeast Quarter of the Southwest Quarter of Section 16, Township 3 North, Range 1 East, Boise Meridian, said area of land being more particularly described as follows:

Commencing at a found brass cap monument at the South Quarter corner of said Section 16, the True Point of Beginning;

Thence along the South line of said Section 16, North 89°15'33" West a distance of 233.71 feet to a point of intersection of the centerline of S. Topaz Avenue and said South line;

Thence along said centerline, North 00°05'20" West a distance of 208.90 feet;

Thence South 89°12'37" East a distance of 25.00 feet to the Southwest corner of Lot 17, Block 1, Plat of Jewel Subdivision, Book 34, 2056, records of Ada County;

Thence along said Lot line, South 89°12'37" East a distance of 208.71 feet to a point on the East line of Rolling Hill Subdivision, Book 18, 1202, records of Ada County;

Thence along said East line South 00°05'30" East a distance of 160.70 feet to a point on the North right-of-way line of East Overland Road;

Thence South 00°05'30" East a distance of 48.00 feet to the True Point of Beginning.

Said parcel containing 1.120 acres (48,793 Sq. Ft., more or less.)

End Description  
Project No. 24-138  
Prepared August 28, 2024



3626 W. Hill Rd. Boise, ID 83703

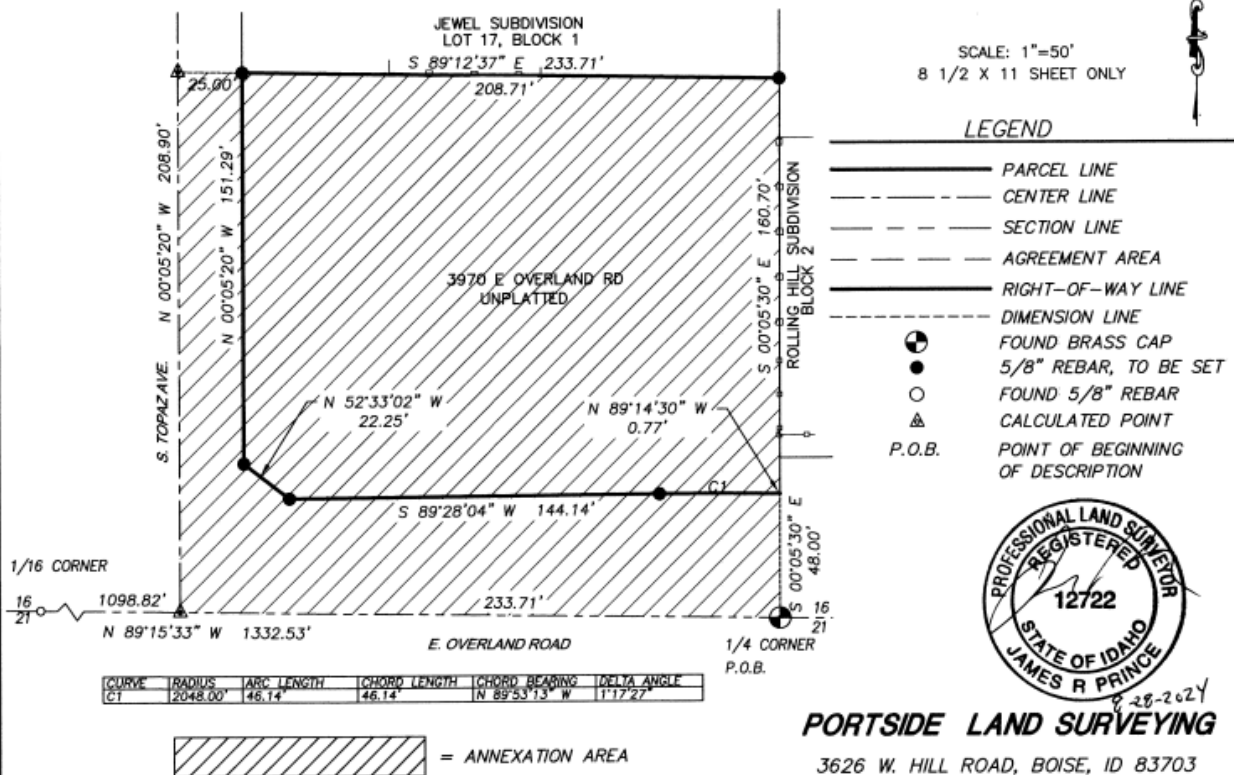
(208) 484-6666

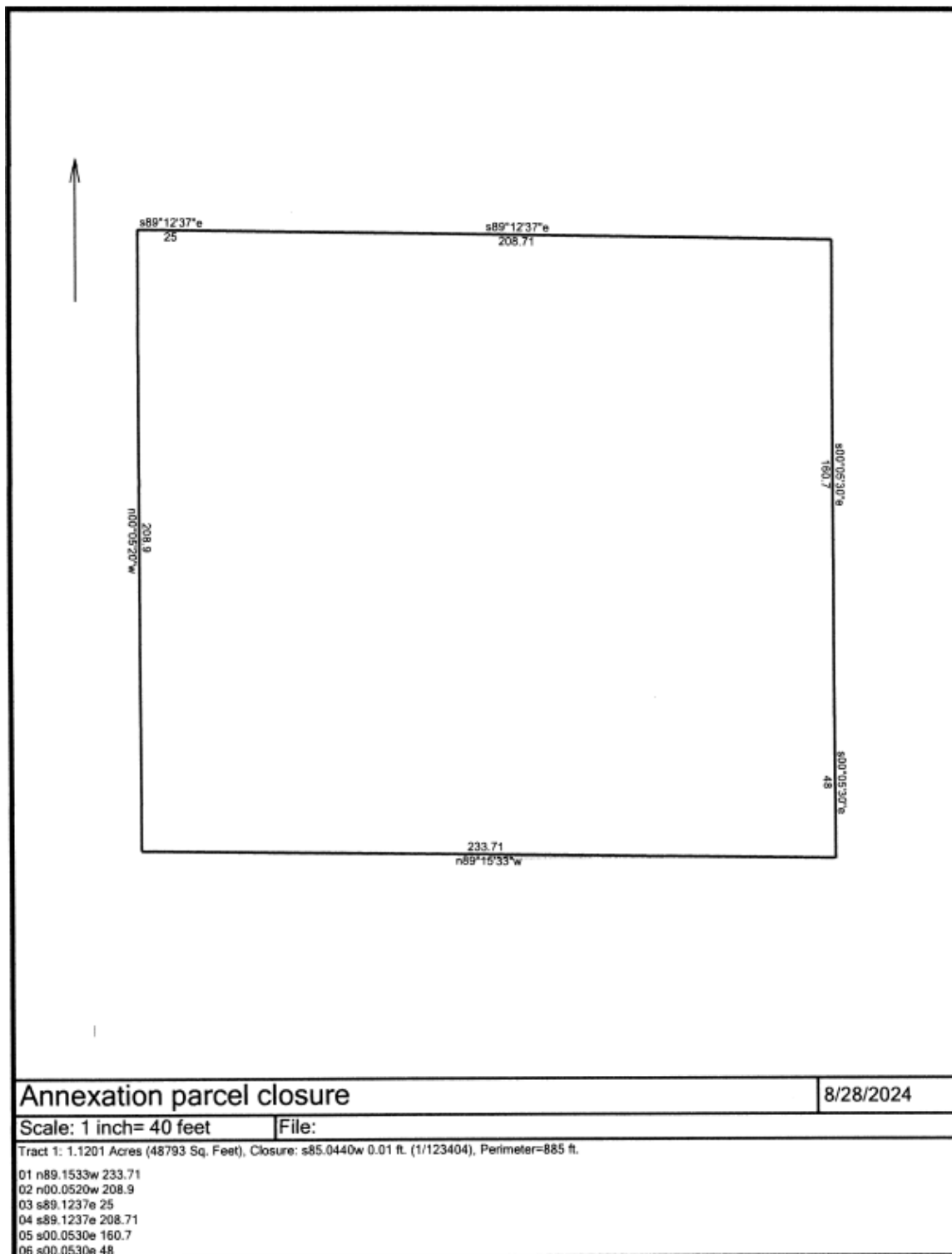
jim@portsidesurvey.com

# EXHIBIT B

## ANNEXATION MAP

A PARCEL OF LAND INCLUDING ACHD RIGHT-OF-WAY, SAID PARCEL BEING LOCATED IN THE SE 1/4 OF THE SW 1/4 OF SECTION 16 TOWNSHIP 3 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO





## VIII. ADDITIONAL NOTES & DETAILS FOR STAFF REPORT MAPS, TABLES, AND CHARTS

(link to [Community Metrics](#))

### A. One-Mile Radius Existing Condition Notes

This data is automatically derived from enterprise application and GIS databases, and exported dynamically. Date retrieved notes generally reflect data acquired or processed within the last 30-days. Analysis is based on a one-mile radius from the centroid of the identified parcel. Parcel based data excludes certain properties and represents land as it exists now. Properties considered are only those with a total assessed value greater than 0 (i.e. excludes most HOA area, transitional development, government, and quasi government facilities). The following values also constrain included property acreage to reduce outliers and non-conforming instances from distorting averages: R-2 < 5.0; R-4 < 2.0; R-8 < 1.0; R-15 < 0.5; R-40 < 0.25.

Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals. Some approved entitlements, and particularly older ones, may be constructed.

Decennial population counts and household counts are based on the most recent Decennial Census. Current population and current household values are COMPASS estimates, usually for the year previous, and are based on traffic analysis zone boundaries (TAZ's).

### B. Mixed Use Analysis Notes

This data is derived from enterprise application and GIS databases, and exported dynamically. Data considered for analysis are only those areas overlapping the overall Mixed Use boundary area. Mixed Use areas across arterial roadways are distinct, separate, and not considered as they do not meet the mixed use principles in the Comprehensive Plan (e.g. pedestrian safety, transportation efficiency, etc.). Mixed Use parcel areas may be greater or smaller than the future land use area designation boundary due parcel size, configuration, right-of-way, and other factors. Conditional Use Permits and Preliminary plat data likely include duplicate project submittals as they may be for the same project, approved at different times through multiple application types. Consider each independently or review prior application approvals.

### C. Service Assessment Notes

This data represents existing conditions derived from our enterprise application and GIS database, exported through dynamic reporting. The system references the most recent available data from various sources, including sewer main lines, sewer trunksheds, floodplain, fire service areas and response times, police crime reporting, pathway information, existing and planned transit, roadway improvements, school and park proximity, and other resources.

The tool provides context for project review, using multiple indicators consistently. Data from similar topics may vary based on different levels of review.

The overall score is based on weighted criteria (not a ranked order), and the percentile score compares the parcel to others in the city (higher is better). This tool was developed as a City Council priority and outcome of the 2019 Comprehensive Plan. Scores, whether high or low, are just one data point and should not be the sole basis for decisions.

### D. ACHD Roadway Infographic Notes

The Ada County Highway District utilizes a number of planning and analysis tools to understand existing and future roadway conditions.

- **Existing Level of service (LOS).** LOS indicator is a common metric to consider a driver's experience with a letter ranking from A to F. Letter A represents free flow conditions, and on the other end Level F represents forced flow with stop and go

conditions. These conditions usually represent peak hour driver experience. ACHD considers Level D, stable flow, to be acceptable. The LOS does not represent conditions for bikes or pedestrians, nor indicate whether improvements: are possible; if there are acceptable tradeoffs; or if there is a reasonable cost-benefit.

- **Integrated Five Year Work Plan (IFYWP).** The IFYWP marker (yes/no) indicates whether the specified roadway is listed in the next 5-years. This work may vary, from concept design to construction.
- **Capital Improvement Plan (CIP).** The CIP marker (yes/no) indicates whether the specified roadway is programmed for improvement in the next 20-years.