

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 14, 2022

TO: Mayor & City Council

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

SUBJECT: H-2021-0099
I-84 + Meridian Road – CPAM, AZ

LOCATION: Generally located at the northwest corner of S. Meridian Rd. and I-84 in the southeast ¼ of Section 13, T.3N., R.1W.



I. PROJECT DESCRIPTION

Amendment to the Comprehensive Plan Future Land Use Map (FLUM) to change the future land use designation on 33.13-acres of land from Mixed Use – Community (MU-C) to Mixed Use – Regional (MU-R); and annexation of 18.30-acres of land with a C-G (General Retail and Service Commercial) zoning district.

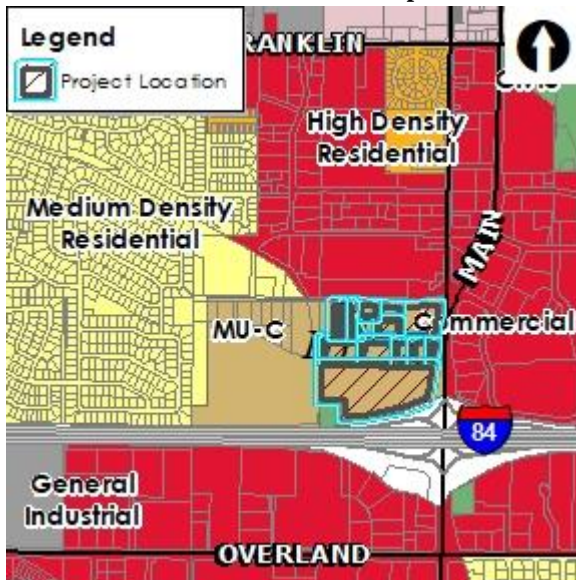
II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	33.13 acres (CPAM); 18.30 acres (AZ)	
Future Land Use Designation	MU-C (Mixed Use – Community)	
Existing Land Use	Single-family residential and vacant/undeveloped land	
Proposed Land Use(s)	Commercial retail and office uses	
Current Zoning	R1 and RUT in Ada County; and C-G (General Retail and Service Commercial)	
Proposed Zoning	C-G (General Retail and Service Commercial)	
Physical Features (waterways, hazards, flood plain, hillside)	The Ten Mile Creek runs along the west boundary of the site.	
Neighborhood Meeting Date	12/9/2021	
History (previous approvals)	Annexation Ordinance #435 (High Country of Idaho) & 02-987 (Urban Renewal MDC)	

B. Project Maps

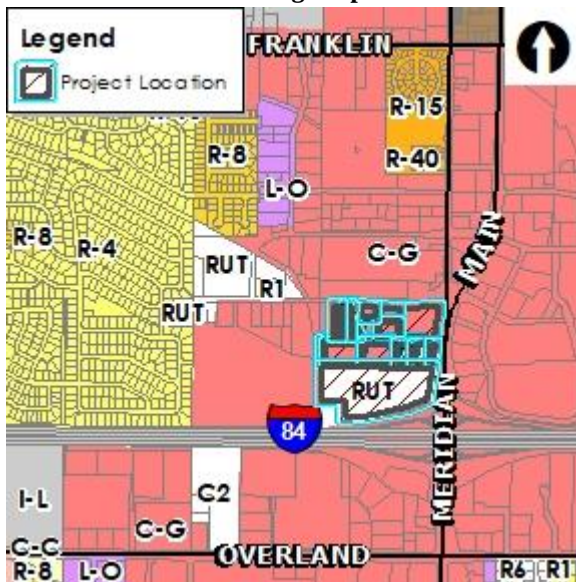
Future Land Use Map



Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Ethan Mansfield, Hawkins Companies – 855 W. Broad Street, Boise, ID 83702

B. Owner:

Hawkins Companies – 855 W. Broad Street, Boise, ID 83702

- C. Representative:
Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	4/5/2022	5/29/2022
Radius notification mailed to property owners within 300 feet	4/4/2022	5/26/2022
Public hearing notice sign posted on site	4/7/2022	6/3/2022
Nextdoor posting	4/5/2022	5/25/2022

V. COMPREHENSIVE PLAN ANALYSIS

EXISTING LAND USE DESIGNATION: This property is currently designated as Mixed Use – Community (MU-C) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#) (see map in Section VIII.A). *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. 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 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C. (See pgs. 3-11 through 3-16 for more information.)*

PROPOSED LAND USE DESIGNATION: The proposed FLUM designation for this property is Mixed Use – Regional (see map in Section VIII.A). *The purpose of the MU-R designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D. (See pgs. 3-16 & 3-17 for more information.)*

LAND USE FOCUS – ADHERENCE TO PROPOSED COMPREHENSIVE PLAN LAND USE POLICY:

The following analysis is specific to the request for a Mixed Use Regional (MU-R) designation, and not the merits or benefits of the project or proposed uses. Analysis for either compliance with the adopted future land use designation of MU-C, or another one, may result in very different analysis. A property designated MU-R must comply with both the general mixed used polices and the MU-R policies below.

The purpose and intent of Mixed Use (General) is: *In general, the purpose of this designation is to provide for a combination of compatible land uses within a close geographic area that allows for easily accessible and convenient services for residents and workers. The intent is to promote developments that offer functional and physical integration of land uses, to create and enhance neighborhood sense of place, and to allow developers a greater degree of design and use flexibility.*

The proposed project is comprised entirely of commercial uses, primarily high traffic generating retail (i.e. two big box retail and junior anchor retail spaces along with drive-through restaurants), along with a single

dedicated office site. There are no residential or public uses proposed. The subject proposal is for a commercial project without any mixed-use elements. There are no community supportive services such as locations for day cares, flex space, or small locations for doctors, dentists, or other typical community serving uses. There is also no integrated residential with or consideration for the planned project to the west. *Note: A Development Agreement modification was previously proposed to change the development plan on the adjacent property to the west from commercial to residential but was denied (i.e. [Tanner Creek](#)). The current entitlements for that property are approximately 400,000 square feet of professional office, hotel, and retail uses (for more information, see existing Development Agreement AZ-06-063 Inst. #[108131100](#)). Although a subsequent application for a residential development is planned to be submitted for that property, it has not yet been submitted as an updated Traffic Impact Study is under review by ACHD. In the pre-application meeting, Staff recommended to the Applicant that they wait and submit their application for this development at the same time as the adjacent development to the west so that the projects could be reviewed together for overall consistency with the requested map amendment but the Applicant decided to proceed forward on their own against Staff's recommendation.*

Staff finds the integration of land uses in the proposed concept is not consistent with many of the MU-R and existing MU-C policies. The proposed concept plan is more indicative of a commercial development and minimal effort have been made to address mixed use requirements. The following items are additional requirements of the general mixed-use designation, the majority of which are not met with the proposed site plan.

In reviewing development applications, the following items will be considered in all Mixed-Use areas, per the Comprehensive Plan (pg. 3-13): *(Staff's analysis in italics)*

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”

This is a 33+/- acre site with only commercial and office uses proposed. This is not a “small” site and additional land use types should be included. Open space areas shown on the project site are disconnected, difficult to access, unsafe (i.e. located in or adjacent to vehicular use areas), and do not support the purpose or intent of a mixed-use designation.

- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

The subject project proposes no residential uses. The requested future land use designation does not address the land to the west, which currently contains the same MU-C designation. If approved there would be adjacent properties with different FLUM designations, design standards, and lack of integration.

- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed-Use designation.”

No master plan was submitted and the property to the west is not considered or integrated into the subject application and concept plan. The property to the west, is walled off, adjacent to loading and mechanical areas of the large and mid-box sites, and is connected only by a drive aisle that inadequately addresses safety or connectivity for bikes and pedestrians between the two sites.

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”

No such arrangement is made for any of the commercial or office sites on the submitted site plan. There is no shared space for restaurants, business gatherings, or destination-oriented retail (creating third place and encouraging visitors and customers to spend time), and there is no clustering of office or commercial pad sites to make use of quiet and easily accessible open space. Open space and common area in the proposed site plan are disjointed and pedestrian connectivity is circuitous and y indirect.

- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”

No transition or transitional uses are provided. The smaller users are located along Meridian Road and the largest proposed users and pad sites with the greatest impacts are located adjacent to multi-family residential planned to the west. The site plan does not integrate other community serving uses close to existing or proposed residential, such as doctors’ offices, flex spaces, a daycare, or smaller office pad sites that do not need as much visibility from the interstate, interchange or Meridian Road.

- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”

The site plan does not contemplate any community-serving uses, or designate space for them to occur in the future.

- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”

The proposed site plan includes several areas of open space. However, these areas are in remnant locations or in the middle of a parking area with no integration and difficult/unsafe pedestrian access. No other public or quasi-public spaces are provided in alignment with the purpose and intent of the mixed-use designation.

- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”

See above. Uses are commercial islands separated by parking with no central feature or activity area.

- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”

The site plan depicts a vehicular link to the project to the west, however the properties appear to no longer be working together to make this a safe and integrated connection. (Staff did a concurrent pre-application meeting with representatives from both projects and was under the impression they would be submitting plans that were coordinated in accordance with City policy. They have talked and coordinated, but the projects have not been master planned together despite both seeking entitlements for development). The connection to the west is a commercial drive aisle, with no pedestrian accommodation, through the middle of a multi-family project that is not suitable for traffic, which will not benefit existing or proposed single-family to the west without creating an attractive nuisance.

- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”

The proposed site plan does include a drive aisle located behind the large retail anchor, that in combination with a landscape buffer provides “a” transition to future residential to the west. This however is not the point of the mixed-use transition standards. As shown in the mixed use general and mixed use regional comprehensive plan figures (3A and 3D, below), roads are generally used to transition with fronting uses. These roads are intended to both integrate and to transition, and not to simply create a visual or physical barrier which is the antithesis of the purpose and intent of the mixed-use designation.

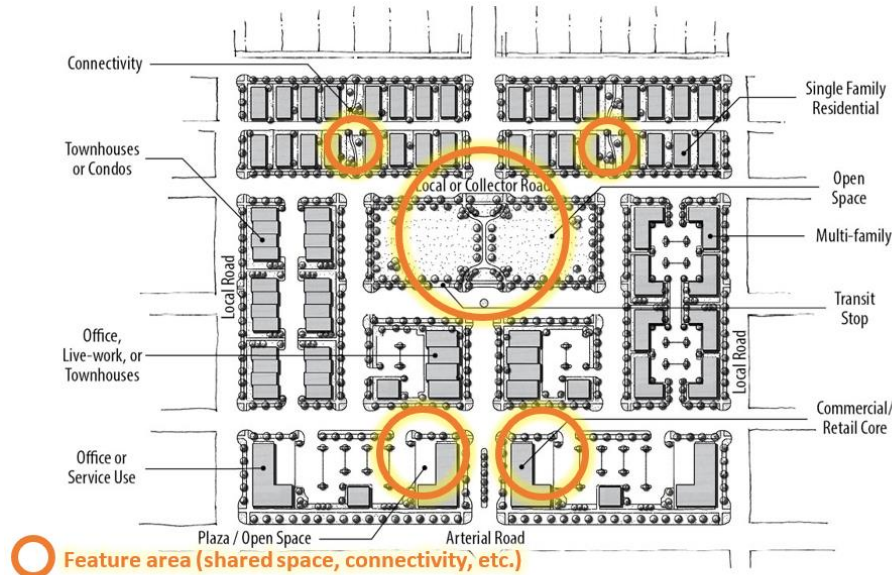


Figure 3A from City of Meridian Comprehensive Plan. Note the focus on roadway frontage that transitions and integrates uses, and the open space amenities both integrated and shared.

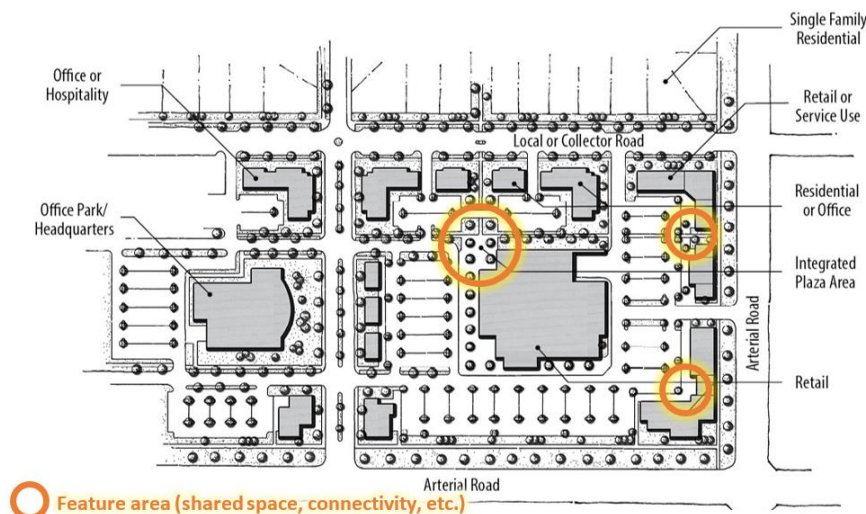


Figure 3D from City of Meridian Comprehensive Plan. Note the special focus on uses with roadway frontage, the unimpeded and direct pedestrian access without traversing frequent parking aisles, the opportunities for a variety of community serving uses (not just high visibility pad sites) and the shared amenity spaces and open space for both the large anchor and smaller pad sites and uses.

In reviewing development applications, the following items will be considered in MU-R areas, per the Comprehensive Plan (pgs. 3-16 thru 3-17):

- Development should generally comply with the general guidelines for development in all Mixed-Use areas.

The project does not comply with the provisions of the general mixed-use areas, either the purpose and intent, or with the most of the specific standards. The subject application requests Mixed Use Regional for a project entirely commercial and without any of the integration required in mixed use areas. This site and the one to the west are not integrated simply because an access point is provided; secondary access to the west would be required by staff for any modern project in the City. These connections reduce congestion, provide alternatives and redundancy, and to improve quality of life. NOTE: Staff recognizes that the Ten Mile Creek separates these two projects. However, both projects are turning their back to the Creek and not proposing to embrace it as an amenity that ties the project together. While it may be cost prohibitive to have several crossings of the Creek, it is critical that both pedestrian and vehicular crossings exist.

- Residential uses should comprise a minimum of 10% of the development area at gross densities ranging from 6 to 40 units/acre. There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

No residential is proposed on this site, nor is it entitled on the adjacent property to the west. Staff would not be supportive of residential given the commercial nature and focus (site design and connectivity) of the proposed site plan, now with the lack of integration, access, and safety. Residential planned to the west is not included in the request for a mixed-use regional land use designation; that area would follow different guidelines (likely making it impossible to meet them), and neither of the proposed projects are integrated into a cohesive design.

- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

The site is predominately retail with a single office pad. No attempts are made to include or integrate other non-commercial uses.

- Retail commercial uses should comprise a maximum of 50% of the development area.

The proposed concept is almost entirely retail with no other community serving uses. At previous hearings for the application to the west (i.e. Tanner Creek), the applicant specifically told the City Council that community type services should occur on Waltman to the east; neither application is proposing community-serving uses.

Where the development proposes public and quasi-public uses to support the development, the developer may be eligible for additional area for retail development (beyond the allowed 50%), based on the ratios below:

- For land that is designated for a public use, such as a library or school, the developer is eligible for a 2:1 bonus. That is to say, if there is a one-acre library site planned and dedicated, the project would be eligible for two additional acres of retail development.
- For active open space or passive recreation areas, such as a park, tot-lot, or playfield, the developer is eligible for a 2:1 bonus. That is to say, if the park is 10 acres in area, the site would be eligible for 20 additional acres of retail development.
- For plazas that are integrated into a retail project, the developer would be eligible for a 6:1 bonus. Such plazas should provide a focal point (such as a fountain, statue, and water feature), seating areas,

and some weather protection. That would mean that by providing a half-acre plaza, the developer would be eligible for three additional acres of retail development.

This guideline is not applicable as no such public/quasi-public uses are proposed.

Additional Analysis:

As outlined, the proposed project is a commercial development, not mixed use. There are no significant attempts to integrate any of the on-site uses or with any proposed adjacent uses.

Internal Circulation and Pedestrian Access: Some effort has been made to elevate the site plan to support pedestrian safety. Increased sidewalks throughout the parking areas have been provided, unlike commercial strip malls and power centers of decades past. These improvements however really only support and benefit users that arrive to the site via automobile.

The maze of parking spaces and drive aisle crossings is unsafe for users not arriving on the site via car. Pad sites have all been located on the outer edges of the site with pedestrian crossings occurring frequently throughout the interior parking areas. The uses likely most attractive to adjacent residents for repeat trips, are the pad sites along Meridian Road. These have no direct pedestrian access and require meandering through the larger parking area. The primary east-west drive aisle has a nice pedestrian spine, until it abruptly ends at no particular destination (the small retail Pad 2 site). These outer pad sites with drive throughs are not even connected to each other, and there is no perimeter circulation system around the outside of the site instead. Adding more sidewalks to a large parking area and creating token open space that is surrounded by parking with no direct access or unattractive areas (near dumpsters and loading areas) does not further mixed-use principles. Increased pedestrian access for auto users arriving to the site is positive, but that would be a standard requirement for any modern commercial project.

Besides circulation and access, the proposed uses are the primary concern. This especially when considering the planned residential development to the west, also features no community serving uses and has no integration with this site. A single drive aisle connection between the two is not integration, and is a baseline requirement for all projects in the City for access, circulation, and safety. Mixed use areas are intended to serve neighboring communities. There are no smaller community serving uses proposed in either project. The project is laid out to attract regional automotive users and generate quick trips, without also providing locations and uses for residents to benefit. These community services are intended and essential to reduce local trips.

Uses from the subject site require new residents to get into their cars for virtually all trips, and most of that would be funneled down Waltman and through an already problematic and congested intersection. There are no secondary areas for flex uses, arts, daycare, live/work, small office sites for therapists, doctors, dentist, attorneys, or other community services. The 4-story class A office space, is not likely to support most of these uses at an affordable price point given the scale, location, and interstate visibility. The smaller Retail 2 pad site (in the middle) may support some multi-tenant uses, but none of the listed examples are typically attracted to these types of locations given access, circulation, physical building design, and general location.

Site Design: To be considered a mixed-use project, an entire site redesign is very likely required. No small number of changes will resolve the underlying design issues. A large retail anchor could easily be integrated into a mixed-use project, but for this site in this location, it would likely need to be located along the interstate or Meridian Road. This is normal and typical both for sites such as this, and for major retailers, in other suburban areas of the Country. The location as designed prohibits any integration with the adjacent uses to the west, and disallows the potential for any lesser community serving commercial uses from occupying space along Waltman Lane. Waltman is the ideal location for community serving uses that do not need and cannot afford the visibility of the interstate and Meridian Road. The site needs to realize better clustering of non-residential uses to frame and benefit relocated open space, and there needs to be significantly re-thought connectivity that prioritizes pedestrians and bicyclists from the adjacent future and

existing residential areas. Destination uses, both retail and community services for local residents should be efficient and safe.

The secondary mid-box (larger retail 2 along the interstate) may be difficult to integrate, and likely instead needs the square footage rededicated for better integration of community serving uses. While office space is also desired, there is a considerable amount of it being constructed elsewhere in the community and could also be rededicated. The large Retail 1 anchor could be easily provided with a central spine access from Waltman if it was relocated with the back facing the interstate. It would have greater visibility, be no less accessible, and allow much better integration for a variety of other uses. The planned residential to the west would also then not be literally walled off by the unattractive side of a large big box, and could make better use of views across the Ten Mile creek. None of the pad sites on Meridian Road need to be lost, though direct access for local bicycle and pedestrian trips should be improved.

Open space provided in the subject layout is wasteful and without significant benefit to future, potential users. Provision of open space is not a checkbox requirement that can be provided and just make a project comply with mixed use standards. The purpose and intent of mixed-use designations is the context for all specific policy. The space behind the loading docks is unattractive and likely to be a nuisance and CPTED issue. The area surrounded by parking near office pads is a heat island, unsafe, and difficult to access, both for nearby employees and for residents. While the central open space could serve as something of an outdoor market, it does not meet the intent of the mixed-use principles and is poorly located (see above).

Finally, and as previously stated, the site lacks integrated design features for users to leisure and remain. There are no elements of destination regional, no places designed for business visits and outdoor meetings to happen, or for users to visitors to simply 'stay' and enjoy services with synergies. The site plan is standard highway commercial, designed to usher in as many vehicles as possible, and then to get them out as quickly out after.

TRANSPORTATION FOCUS – EXISTING TRANSPORTATION NETWORK CONCERNS

Staff has some concerns with the ability of the existing transportation network to support the proposed development. It should be noted that a Traffic Impact Study (TIS) was not prepared or submitted for the subject project. There is already a struggle to balance the green light time at the Waltman and Meridian intersection. The dominant movements are north-south on Meridian Road. Any additional green time given to the Waltman movements for these high intensity and high traffic-generating uses will negatively impact these movements. Several turning movements at Meridian and Waltman are very likely to create additional complexity.

- Northbound Left Turn from Meridian Road: There is inadequate storage for northbound left turns into the project site, onto Waltman. A dual left-turn is likely needed in this location, even with community uses occurring here, let alone regional serving uses. Further, a single left-turn lane requires longer green light time to provide the needed access for major big box retailer, mid box, and several drive throughs, ironically each rivaling the stacking capacity of this turn lane.
- Southbound Right Turn from Waltman Lane onto Meridian Road: There is inadequate southbound right turn lane capacity for all return trips originating from either the interstate or south side of the interstate. While not a direct correlation to signal timing and capacity, each retail pad site can accommodate more cars than this lane without blocking the proposed full turn access on Waltman, nearest to Meridian Road. There are multiple proposed high traffic generating pad sites, never mind the large retail anchor and variety of other pad sites.

The existing Meridian/Waltman intersection is made of concrete and rebar, and exceptionally complex in design. Reconfiguring the intersection to add additional travel lanes would not only eat into the proposed concept plan, which is not shown (but may support some transportation expansion), but would also need to contend with improvements that will affect intersection alignment, grading, and drainage. The southbound turn lane north of McDonalds for example, already has an exceptionally wide, partially obscured, and very

awkward turning arc. Additional northbound left turn lanes onto Waltman from this light will compound existing deficiencies. Islands and signals may also need to be reset, but this project should not seek to benefit at the expense of the community identity without making equivalent or better improvements to wayfinding and community identity. This all remains unknown, and is without commitments. The very large intersection is softened substantially by the existing landscaping, and that should continue with development of this site. Anything can be engineered, but understanding the impacts of the entire area developed and operating at the worst part of the day, where traffic flow is already compromised through several intersection lights, is essential. The Meridian/Waltman intersection was not designed to accommodate the proposed impacts, in the existing conditions and with the single point urban interchange (SPUI). Timing will be further complicated by the proximity of the existing lights at Meridian and the SPUI, of existing conditions where vehicles already stack through these adjacent signals and block other directions of travel, and which is further complicated by the proximity of the Overland intersection which imposes significant restrictions on traffic operations through this area.

Other Transportation Concerns: No frontage roads are provided to integrate the parcels in this area. All traffic, local and regional, is focused onto Waltman. A robust local network should integrate with a planned north-south Corporate Drive extension and not require east-west travel on Waltman exclusively. The east-west drive-aisle proposed with this project, crossing through the middle of a planned private multi-family development, is not designed to safely accommodate higher-volume through traffic. Further, if this connection exists, the planned multi-family project on the west should not have back out parking, should have wide detached sidewalk to accommodate bicyclists and pedestrians, and the buildings should include greater buffers from the roadway.

Speculative Entitlement: Staff believes that amending the Future Land Use Map as proposed, given the existing status of speculative development is unwise. It is not clear if one or both of the projects tentatively proposed for the “Waltman area” can reasonably afford or engineer improvements that adequately compensate for their impacts. Projects for the entire adopted Mixed-Use Community area need to have completed traffic impact studies, have been fully reviewed, and have considered improvements that adequately address the aggregated impacts of projects for the larger area. This is not possible when neither project has a solid and cohesive master plan, when both may still change dramatically, and when they are being reviewed and considered independently. The subject site is exceptionally unique in the Treasure Valley, not just for opportunity, but also impacts.

It is essential that analysis by both the Idaho Transportation Department and the Ada County Highway District be fully and thoroughly reviewed, and that Commission and City Council be able to consider the full array of both land use and transportation impacts before making a decision. **Considering approvals in silos, either iteratively through subsequent requests by different projects, or by multiple agencies in different stages of review, may cause irreparable harm to the City’s flagship and namesake interchange and entryway into the City. There should be lingering or unanswered questions, and nothing left to chance or change later given the importance of this area.**

Master Street Map (MSM): The MSM depicts W. Waltman Ln. and W. Corporate Dr. to the north, which is planned to be extended across the Ten Mile Creek to Waltman, as commercial collector streets but does not depict any collector streets across this property.

Note: ACHD has submitted [comments](#) based on their preliminary review of the TIS, which may be considered with the future development application (see Section IX.I for more information).

VI. STAFF ANALYSIS

A. COMPREHENSIVE PLAN MAP AMENDMENT (CPAM)

See above analysis in Section V.

B. ANNEXATION (AZ)

The Applicant proposes to annex 18.30-acres of land with a C-G (General Retail and Service Commercial) zoning district consistent with the proposed FLUM amendment to MU-R. The subject property is part of an enclave area surrounded by City annexed property. A legal description and exhibit map for the annexation area is included in Section VIII.B.

The proposed C-G zoning district is consistent with both the existing FLUM designation of MU-C and the proposed FLUM designation of MU-R.

A conceptual development plan was submitted as shown in Section VIII.C that depicts how the property proposed to be annexed, as well as the area currently zoned C-G, is planned to develop with two (2) big box retail stores and a junior anchor retail space [Retail 1 (130,000-150,000 square feet (s.f.)), Retail 2 (80,000+/- s.f.), Retail 3/Lot 2 (20,000-30,000 s.f.)], 3 out-pads, and a 4-story 80,000 square foot office building. The area shown on the concept plan on the bottom (south) portion of the development area (delineated by a red line) is the portion of the site currently in Ada County proposed to be annexed; the area on the top (north) portion of the development area is the portion of the site currently in the City. The portion of the site currently in the City is entitled to develop subject to UDC [Table 11-2B-2](#) Allowed Uses in the Commercial Districts, regardless of whether or not the proposed annexation is approved, as there is not a Development Agreement in effect for that property.

A vehicular connection/stub is depicted on the concept plan to the property to the west for future extension across the Ten Mile creek and interconnectivity. The Applicant has submitted an emergency access easement agreement with the property owner to the west for access to Ruddy Dr. and Waltman Ln.

As noted above in Section V, mixed use designated areas should include at least three (3) types of land uses. The proposed conceptual development plan for the annexation area (and larger area) only includes two (2) land use types – commercial retail and office. Although residential land uses are *planned* to develop on the adjacent property to the west, the property is currently entitled to develop solely with commercial uses; the previous residential development proposed for that property was denied (i.e. Tanner Creek). Reasons for denial included Council's determination that the sole residential use of the property was not consistent with the MU-C designation because a mix of uses wasn't proposed and they didn't want to burden this property with providing only the non-residential component of the mix of uses desired for this area. Hence, Staff's recommendation for this property and the adjacent property to the west to come in for review concurrently in order to ensure the overall development is consistent with the development guidelines in the Comprehensive Plan for the mixed-use designation.

In accord with Staff's analysis above, the proposed development is *not* consistent with the general mixed-use development guidelines, the existing MU-C or the proposed MU-R guidelines. Therefore, Staff is *not* in support of the requested annexation with the conceptual development plan proposed due to its inconsistency with the Comprehensive Plan.

As recommended in the pre-application meetings for this property and the adjacent property to the west, Staff recommends development applications are submitted concurrently for these properties with a master plan for the overall area that demonstrates consistency with the guidelines in the Comprehensive Plan for mixed use developments and specifically the MU-C designation or an alternate designation if proposed. Alternatively, if submitted separately, the development plan for each property should demonstrate consistency with the Plan on its own merits. The TIS should also be updated to take into

consideration the development impacts of both properties and the necessary road and intersection improvements needed in this area in order for the street network to function sufficiently with the intensity of development proposed.

VII. DECISION

A. Staff:

Staff recommends denial of the proposed amendment to the Future Land Use Map and the proposed annexation per the analysis above in Sections V and VI and the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on April 28, 2022. At the public hearing, the Commission moved to recommend denial of the subject CPAM and AZ requests.

1. Summary of Commission public hearing:

- a. In favor: Ethan Mansfield, Hawkins Companies; Matt Schultz, Representative for Tanner Creek (to the west)
- b. In opposition: Kelsi Lorcher, Joe Lorcher
- c. Commenting: Clair Manning, Nona Haddock
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. Public testimony in agreement with Staff's recommendation of denial due to not having a Master Plan with the Tanner Creek development to the west;
- b. Concern pertaining to impacts on traffic in the area from the proposed development;
- c. Testimony from the Tanner Creek developer's representative that they're in favor of the proposed development and intend to re-submit a residential development plan for the property to the west once ACHD has accepted their Traffic Impact Study (TIS).

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

- a. Concern pertaining to the impact on traffic in this area if the proposed development plan is approved;
- b. Desire to have the TIS reviewed & accepted by ACHD for the overall development area in order to know the impacts and transportation improvement requirements for the development;
- c. Consistency of the proposed development plan with the Comprehensive Plan.

4. Commission change(s) to Staff recommendation:

- a. None (Commission recommended denial based on their belief the requested use is not consistent with the general mixed use development guidelines, the existing MU-C guidelines or the proposed MU-R guidelines; also need a Traffic Impact Study.)

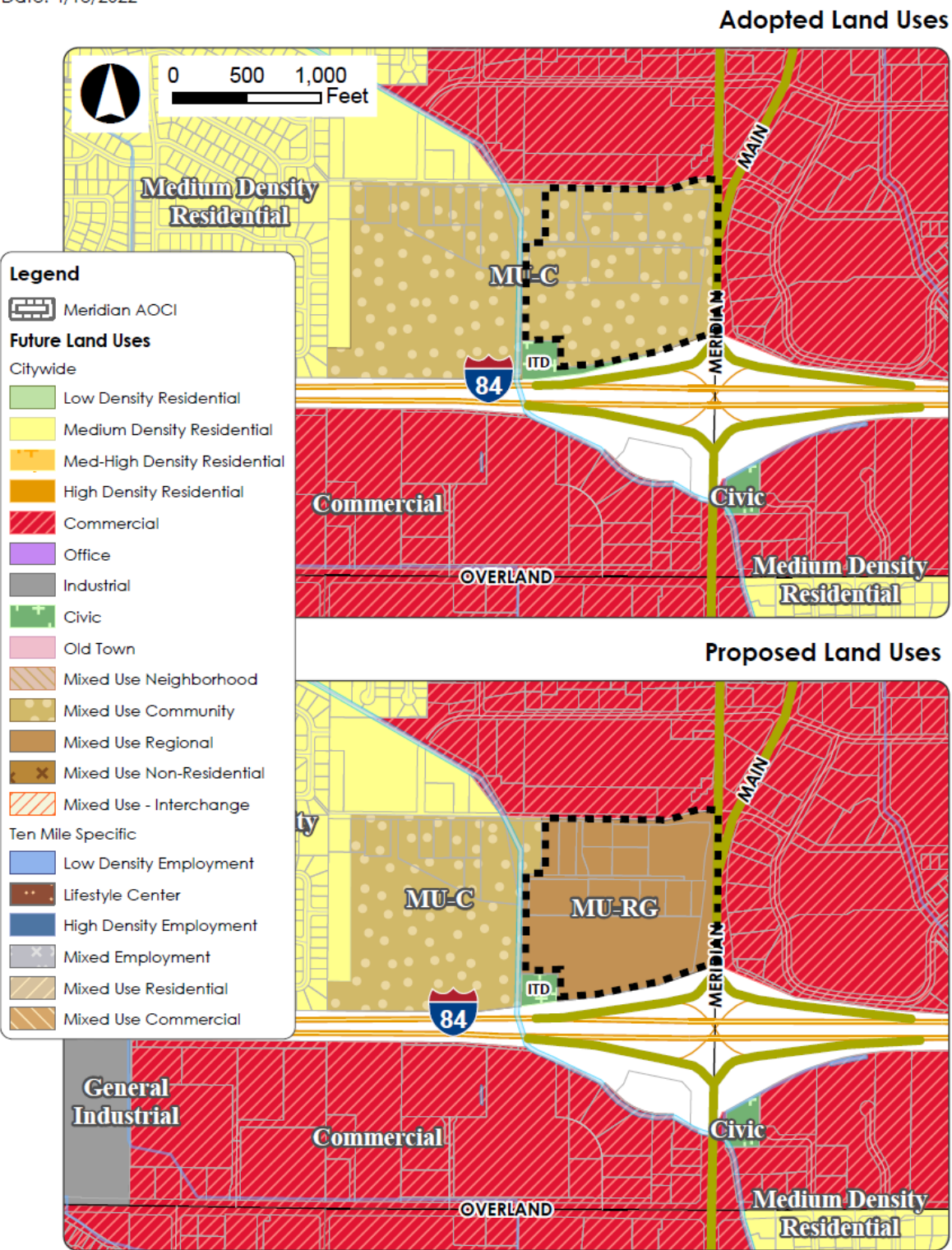
5. Outstanding issue(s) for City Council:

- a. None

VIII. EXHIBITS

A. Future Land Use Map – Adopted & Proposed Land Uses

Date: 4/18/2022



B. Annexation Legal Description and Exhibit Map



February 4, 2022
Project No.: 20-176
I-84/Meridian Road

Exhibit A
Legal Description for Annexation and Rezone to C-G

A parcel of land being a portion of the Northeast 1/4 of the Southeast 1/4 of Section 13, Township 3 North, Range 1 West, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at a brass cap marking the East 1/4 corner of said Section 13, which bears S89°26'10"E a distance of 2,642.64 feet from a 5/8-inch rebar marking the Center 1/4 corner of said Section 13, thence following the easterly line of the Southeast 1/4 of said Section 13, S01°01'43"W a distance of 420.62 feet to the **POINT OF BEGINNING**.

Thence following said easterly line, S01°01'43"W a distance of 614.71 feet to the boundary of the City of Meridian per ordinance number 341, also known as South Gate Annexation, dated May 7, 1979;

1. Thence leaving said easterly line and following said boundary the following five (5) courses:
N88°58'17"W a distance of 96.37 feet;
2. S71°02'14"W a distance of 373.86 feet;
3. S74°40'17"W a distance of 471.15 feet;
4. S83°28'13"W a distance of 332.84 feet;
5. N89°34'12"W a distance of 85.20 feet to the westerly line of said Northeast 1/4 of the Southeast 1/4;

Thence leaving said boundary and following said westerly line, N00°43'22"E a distance of 664.99 feet to a 5/8-inch rebar;

Thence leaving said westerly line, S89°32'05"E a distance of 968.55 feet to a 5/8-inch rebar;

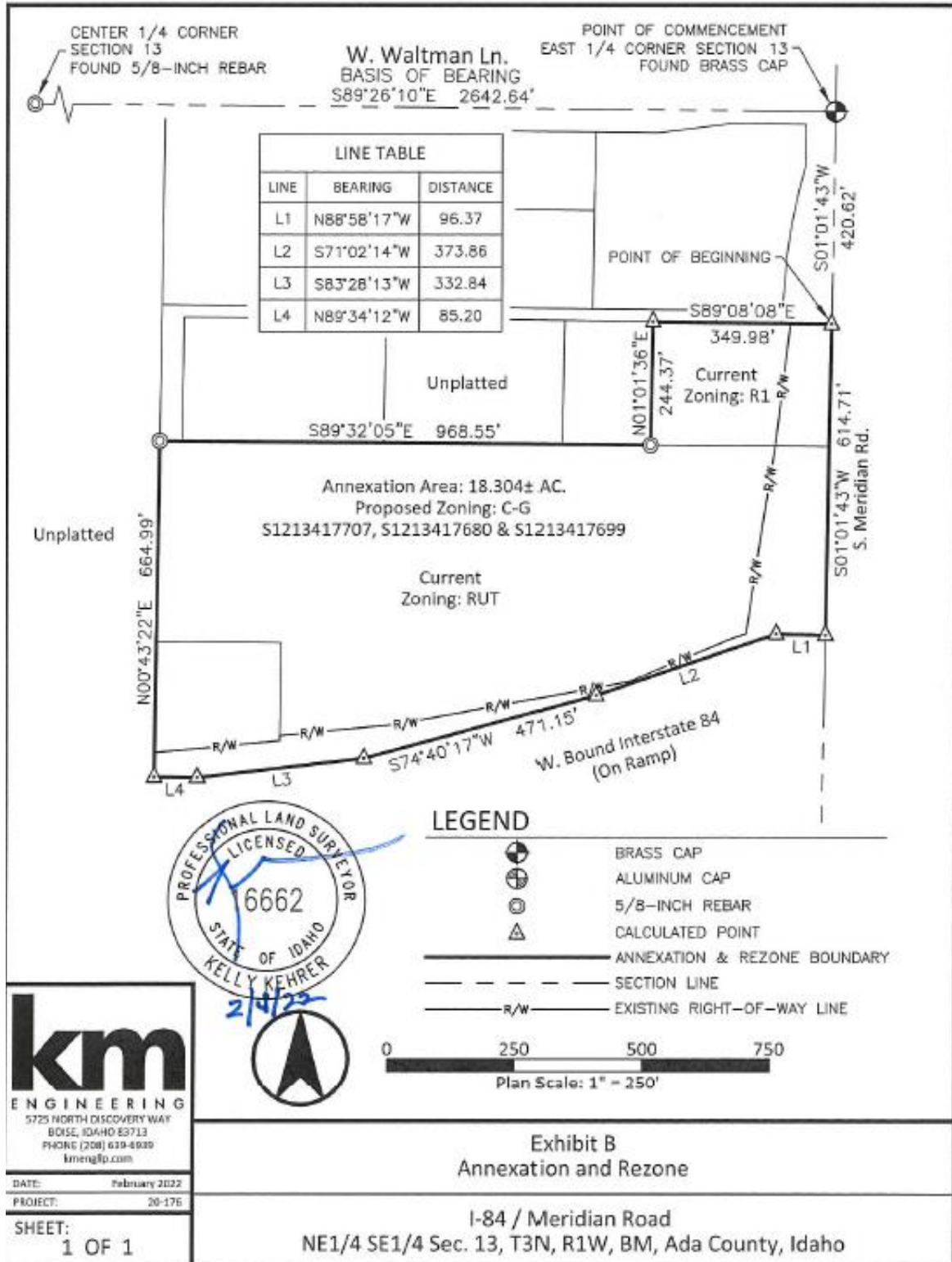
Thence N01°01'36"E a distance of 244.37 feet;

Thence S89°08'08"E a distance of 349.98 feet to the **POINT OF BEGINNING**.

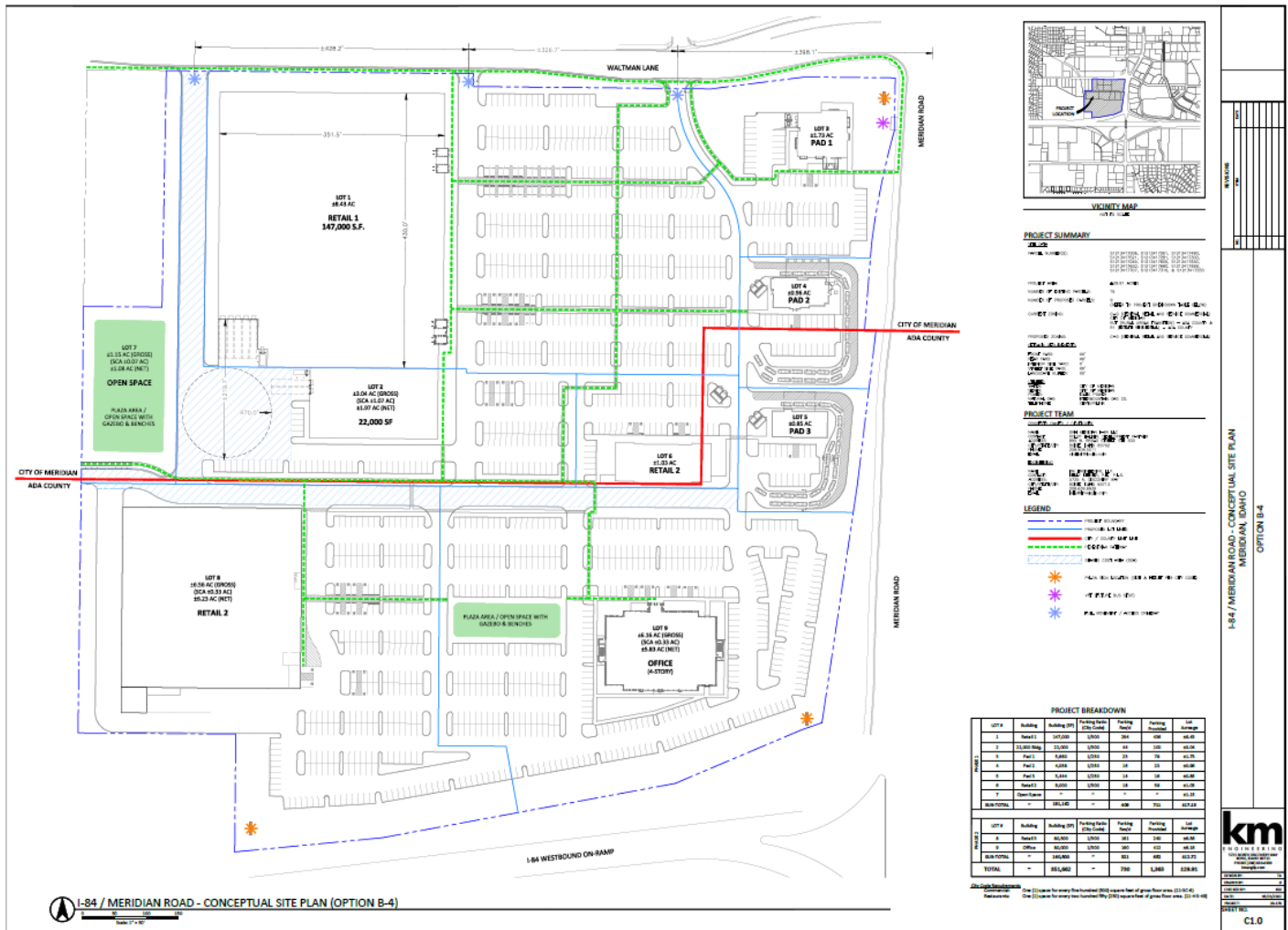
Said parcel contains a total of 18.304 acres, more or less.

Attached hereto is Exhibit B and by this reference is made a part hereof.





C. Conceptual Development Plan



IX. CITY/AGENCY COMMENTS

A. PLANNING DIVISION

The Planning Division has no conditions on this application because the recommendation is for denial. If the Commission and/or City Council deems the application appropriate for approval, the project should be continued to a subsequent hearing in order for Staff to prepare conditions and Findings for approval.

B. PUBLIC WORKS

Site Specific Comments

1. No Public Works infrastructure was provided as part of this submittal, any changes must be approved by Public Works.
2. Water main must connect to the existing main in Waltman Lane at two locations.
3. Provide a water main connection to the west.
4. Ensure no permanent structures are built within a utility easement including but not limited to tree, shrubs, buildings, carports, trash enclosures, infiltration trenches, light poles, etc.).
5. Ensure no sewer services pass through infiltration trenches.

General Comments

6. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
7. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
8. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
9. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
10. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
11. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

12. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
13. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
14. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
15. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
16. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
17. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
18. Developer shall coordinate mailbox locations with the Meridian Post Office.
19. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
20. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
21. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
22. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
23. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
24. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=257681&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=258727&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=257725&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=258617&dbid=0&repo=MeridianCity>

G. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=257906&dbid=0&repo=MeridianCity>

H. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=259278&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=259453&dbid=0&repo=MeridianCity>

X. FINDINGS

A. Comprehensive Plan Map Amendment

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 amendment to the Comprehensive Plan, the Council shall make the following findings:

1. The proposed amendment is consistent with the other elements of the Comprehensive Plan.

The Commission finds the proposed amendment to Mixed Use – Regional (MU-R) and conceptual development plan is not consistent with the intent of the MU-R designation in the Comprehensive Plan in that it's predominantly a single-use development (retail) and does not include any residential uses as desired, as noted in Section V.

2. The proposed amendment provides an improved guide to future growth and development of the city.

The Commission finds that the proposal to change the FLUM designation from Mixed Use – Community (MU-C) to Mixed Use - Regional (MU-R) does not provide an improved guide to future growth and development of the City as the proposed development plan does not include the appropriate mix of uses as desired in the MU-R designation as discussed in Section V above.

3. The proposed amendment is internally consistent with the Goals, Objectives and Policies of the Comprehensive Plan.

The Commission finds that the proposed amendment is not consistent with the Goals, Objectives, and Policies of the Comprehensive Plan for the proposed MU-R designation as noted above in Section V.

4. The proposed amendment is consistent with the Unified Development Code.

The Commission finds that the proposed amendment is consistent with the Unified Development Code.

5. The amendment will be compatible with existing and planned surrounding land uses.

The Commission finds the proposed amendment and conceptual development plan will not be compatible with existing and planned surrounding land uses for the reasons noted in Section V above.

6. The proposed amendment will not burden existing and planned service capabilities.

The Commission finds that the proposed amendment will likely burden transportation capabilities in this portion of the city without significant improvements to Waltman, the extension of Corporate, and the Meridian/Waltman intersection. Sewer and water services are available to be extended to this site.

7. The proposed map amendment (as applicable) provides a logical juxtaposition of uses that allows sufficient area to mitigate any anticipated impact associated with the development of the area.

The Commission finds the proposed map amendment provides a logical juxtaposition of uses but doesn't meet many of the mixed-use guidelines for development as discussed in Section V above; there should be sufficient area to mitigate any development impacts to adjacent properties.

8. The proposed amendment is in the best interest of the City of Meridian.

For the reasons stated in Section V and the subject findings above, the Commission finds that the proposed amendment is not in the best interest of the City.

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

Required Findings: 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;

The Commission finds the proposed map amendment to the C-G zoning district and plan to develop solely commercial retail and office uses on the property per the proposed conceptual development plan does not demonstrate consistency with the general mixed use or the MU-R guidelines in the Plan as noted above in Section V. (See section V above for more information.)

2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;

The Commission finds the proposed map amendment to C-G and conceptual development plan generally complies with the purpose statement of the C-G district in that it will provide for the retail and service needs of the community.

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;

The Commission finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed commercial uses should be conducted entirely within a structure.

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

The Commission finds City services are available to be provided to this development. No residential development is proposed; therefore, enrollment at area schools shouldn't be affected.

5. The annexation (as applicable) is in the best interest of city.

The Commission finds the proposed annexation with the conceptual development plan proposed is not in the best interest of the City per the analysis in Sections V and VI above.