

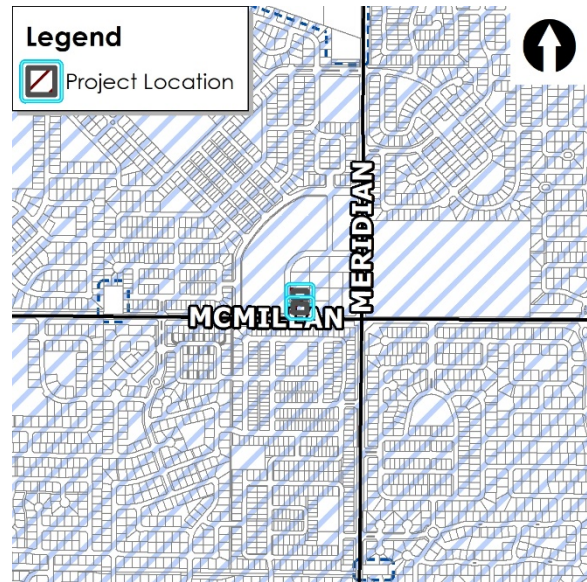
STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/21/2021
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533

SUBJECT: H-2021-0061
 Elsinore Child Care Facility

LOCATION: 4818 & 4858 N. Elsinore Avenue,
 generally located at the northwest corner
 of Meridian Road and McMillan Road.



I. PROJECT DESCRIPTION

Conditional Use Permit request to construct a new 13,535 square foot, single-story daycare facility on approximately 1.3 acres of land on Lots 12 & 13 of the Paramount Square Subdivision in the C-G zoning district, by 814 Development, LLC.

II. SUMMARY OF REPORT

A. Project Summary

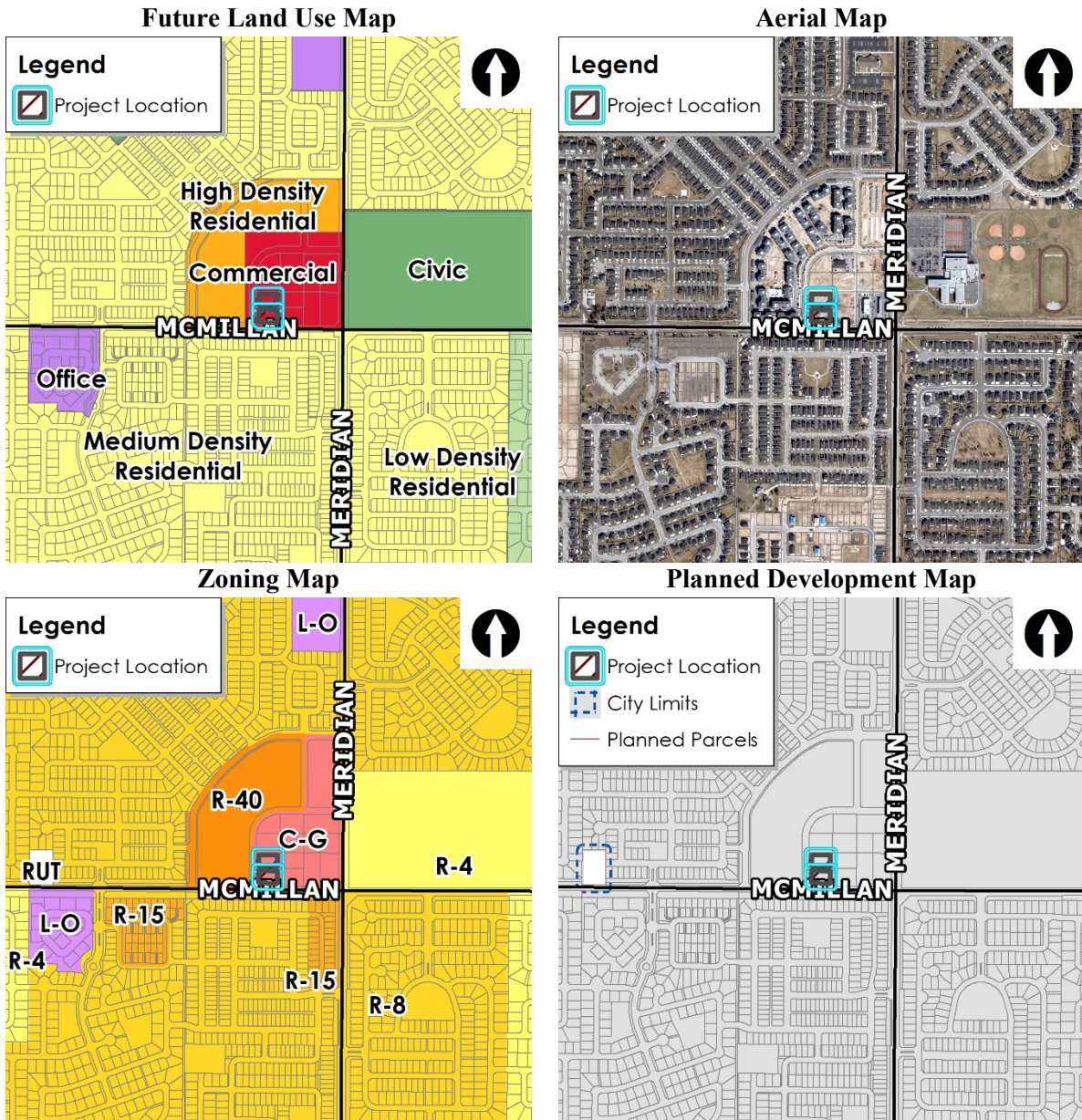
Description	Details	Page
Acreage	1.3 acres	
Future Land Use Designation	Commercial	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Commercial – Daycare Center	
Lots (# and type; bldg./common)	Two (2) existing building lots (tentative approval for a Property Boundary Adjustment to consolidate lots)	
Neighborhood meeting date; # of attendees:	August 12, 2021; no attendees	
History (previous approvals)	MDA-13-010 (DA Inst.# 113083665); RZ-15-001; PP-15-002; FP-15-020; PBA-2021-0015	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	

Description	Details	Page
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access to N. Elsinore Avenue along west boundary via a new driveway connection; additional access to shared drive aisle along north boundary via new driveway connection. Elsinore Avenue and shared drive aisle are existing facilities.	
Stub Street/Interconnectivity/Cross Access	Cross-access to adjacent parcels is already in place with the commercial subdivision via the shared drive aisles.	
Existing Road Network	Yes	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	0.6 miles from Fire Station #4	
<ul style="list-style-type: none"> Fire Response Time 	Within 5-minute response time goal	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Samantha Kozlowski, 814 Development, LLC – 1695 Twelve Mile Road, Ste. 100, Berkley, MI 48072

B. Owner:

Brighton Development Inc. – 2929 W. Navigator Drive, Ste. 400, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	
Newspaper Notification	10/5/2021	
Radius notification mailed to properties within 500 feet	10/5/2021	
Site Posting Date	10/6/2021	
NextDoor posting	10/5/2021	

V. STAFF ANALYSIS

A. Future Land Use Map Designation (<https://www.meridiancity.org/compplan>)

The future land use designation for this property is Commercial – This designation will provide a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in some cases, but should be careful to promote a high quality of life through thoughtful site design, connectivity, and amenities. Sample zoning include: C-N, C-C, and C-G.

*The proposed use of a Daycare Center (more than 12 children) is a community-serving commercial use that fits within the future land use designation of Commercial. The proposed use can serve both the immediate area the nearby community at-large. The proposed location is at the western edge of a commercial subdivision and directly across the street from multi-family residential which functionally creates a mixed-use development despite the future land use designation not being such. The daycare use is a needed use throughout the City and providing it nearby higher density residential meets many of the City's desired outcomes for commercial development. **Specific policies are noted and analyzed below but Staff finds the proposed use to be consistent with the Commercial future land use designation. In addition, Staff's transportation analysis is below in section V.E & V.G.***

B. Comprehensive Plan Policies (<https://www.meridiancity.org/compplan>):

- “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). *As noted, the subject area is not part of a mixed-use designation on our future land use map but this area has developed as a mixed-use area with high-density multi-family residential adjacent to a commercial subdivision with ample pedestrian connectivity. Staff finds adding a daycare use in this location introduces an additional use to immediate area and a use that is commonly used by those who reside within multi-family. In addition, this property has easy pedestrian access to the adjacent apartment complex to the west, therefore promoting overall sustainability and the benefits of having a supportive commercial use nearby high-density residential.*
- “Encourage the development of supportive commercial near employment areas” (3.06.02C). *The proposed daycare is not near an employment center but is part of a medium-sized commercial subdivision and nearby several schools. Furthermore, the remaining undeveloped properties within this commercial subdivision should contain additional employment opportunities making the location of this daycare to those future employers equally important.*

- “Locate smaller-scale, neighborhood-serving commercial and office use clusters so they complement and provide convenient access from nearby residential areas, limiting access to arterial roadways and multimodal corridors.” (3.07.02B). *The subject use is proposed adjacent to commercial and higher density residential. This property has pedestrian access to the apartment complex to its west via existing facilities that should help reduce vehicle trips and provide convenient access overall. In addition, the Applicant is not proposing any direct access to the adjacent arterial street, McMillan Road and is instead proposing internal access from existing facilities.*
- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). *With the landscaping and landscape buffers to McMillan and Elsinore Avenue being existing, the proposed use should be both buffered and integrated into the existing neighborhoods.*

C. Existing Structures/Site Improvements:

The subject site has some partial improvements from its original approvals in 2015 including a drive aisle along the northern project boundary that connects to Elsinore Avenue, the public road directly to the west of the site to accommodate existing cross-access agreements. There are no other existing structures or site improvements on this site.

D. Proposed Use Analysis:

A Daycare Center (more than 12 children) is listed in UDC Table 11-2A-2 as a conditional use in the C-G zoning district, subject to the specific use standards noted below. *See narrative included in the application for more specific details on the proposed use from the Applicant's perspective. Staff's specific analysis is in the next section.*

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

A. General standards for all child daycare and adult care uses, including the classifications of daycare center; daycare, family; and daycare, group:

1. In determining the type of daycare facility, the total number of children at the facility at one time, including the operator's children, is the determining factor. *Discussion with the Applicant have yielded that 165 children are proposed to be served by this daycare center with approximately 10-12 staff members; the number of staff members will be determined by state required student/staff ratios. Therefore, the type of daycare facility proposed is a Daycare Center because it is providing care to more than 12 children (UDC 11-1A-1).*

2. On site vehicle pick up, parking and turnaround areas shall be provided to ensure safe discharge and pick up of clients.

The submitted site plan shows a two-way, 25-foot wide drive aisle along the west side of the building with parking on both sides to equal 36 total parking spaces. The building is shown as approximately 13,500 square feet requiring a minimum of 27 parking spaces per code requirements for nonresidential uses (1 space/500 square feet). Therefore, the Applicant is proposing parking in excess of code requirements. However, the site plan does not show any dedicated pick-up/drop-off location other than the parking spaces. The Applicant is proposing two points of ingress/egress for the subject site; one access to Elsinore Avenue to the west and one access to the north to the existing shared drive aisle that runs east-west through the commercial development. The inclusion of two access points for the parking area provides more than one avenue for parents to access the site.

In addition, ACHD is requiring a dedicated westbound right-turn lane and a dedicated eastbound left-turn lane to Elsinore Avenue from McMillan Road. With these dedicated turn lanes and multiple ways to access the subject site, some of Staff's concerns regarding access are mitigated. However, Staff does have concerns the proposed parking drive aisle could be overrun at peak pick-up/drop-off hours in the morning and afternoon with the current site design. During discussions with the Applicant, it has been noted the daycare operator prefers parents to park to discharge and pick-up their children instead of simply a quick stop-and-go drop-off. To help mitigate this concern, Staff recommends a reduction in building size to allow for additional parking along the north end of the site, similar to what exists within this commercial development to the east. See below:



If a similar sized parking area is included on this site, approximately an additional 10 parking spaces should be able to be added to the site to total 46 with this recommendation. Staff does not anticipate the play area along the north boundary being reduced with the inclusion of additional parking because the building itself should be reduced in size, nothing else. Staff has recommended a condition of approval commensurate with this option.

Despite recommending a change in the size of the building, Staff believes the maximum number of children discussed below is still relevant and should not be reduced. With Staff's recommendation to add parking, Staff finds the proposed use and site design shall provide for safe discharge and pick-up of children.

3. The decision making body shall specify the maximum number of allowable clients and hours of operation as conditions of approval. *The submitted narrative states the daycare will serve children from as young as 6 weeks in age to as old as 12 years of age. The building will have multiple rooms for different age groups. As noted, the Applicant has stated to Staff an anticipated number of children being cared for at this site to be 165 children. Staff recommends a condition of approval that a maximum of 165 children shall be allowed at any one time within the proposed building because of the proposed business operations and the fact there is no dedicated pick-up and drop-off location beyond that of the drive aisle and parking spaces for the building. Staff has written a condition of approval commensurate with this recommendation.*
4. The applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code. Said proof shall be provided prior

to issuance of certificate of occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities. *The Applicant shall comply with this requirement.*

5. In residential districts or uses adjoining an adjacent residence, the hours of operation shall be between six o'clock (6:00) A.M. and eleven o'clock (11:00) P.M. This standard may be modified through approval of a conditional use permit. *The subject property is zoned C-G and is not directly adjacent to a residence. However, the only separation between the subject property and existing multi-family residential and residential zoning is a commercial local street, Elsinore Avenue. Therefore, the hours of operation shall be limited to 6am to 11pm per zoning district standards in UDC 11-2B-3B. The Applicant has stated in their narrative that they intend to operate from 6am to 6pm; this lies within the allowed hours and the Applicant is not seeking to go outside of the allowed hours of operation with this CUP. **Staff does not recommend the inclusion of a specific provision limiting hours of operation due to the existing limitation of code for the C-G zoning district adjacent to a residential district.** Staff finds it prudent to allow the daycare operator flexibility in future hours of operation should they decide to operate later in the evening for residents who do not work standard business hours (8am-5pm).*
6. Prior to submittal of an application for an accessory daycare facility in a residential district, the applicant or owner shall hold a neighborhood meeting in accord with subsection 11-5A-4B of this title. Notice of the neighborhood meeting shall be provided to all property owners of record within one hundred feet (100') of the exterior boundary of the subject property. *This standard is not applicable to this project.*

B. Additional standards for daycare facilities that serve children:

1. All outdoor play areas shall be completely enclosed by minimum six foot (6') non-scalable fences to secure against exit/entry by small children and to screen abutting properties. *The submitted landscape plans show a 6' vinyl coated chainlink fence along the perimeter of the play areas which surround the building on the north, east, and south sides. Chainlink fencing does not qualify as non-scalable fencing so the Applicant is required to revise the fencing material. Staff is recommending a condition of approval to provide fencing consistent with code requirements (i.e. wrought iron fencing or vertical steel tube fencing).*
The outdoor play area may be reduced in size as a secondary consequence of requiring more parking or a discharge/pick-up area along the north boundary of the site. However, Staff is also recommending the building size be reduced which should not inherently require the outdoor play areas also be reduced.
2. Outdoor play equipment over six feet (6') high shall not be located in a front yard or within any required yard. *The play equipment specifications being proposed are not known at this time; Applicant will comply with this requirement with future applications.*
3. Outdoor play areas in residential districts adjacent to an existing residence shall not be used after dusk. *Not applicable, C-G zoning district.*

F. Dimensional Standards ([UDC 11-2](#)):

The daycare center will be in a new building that requires Certificate of Zoning Compliance (CZC) and Design Review approval prior to building permit submittal. All UDC dimensional standards appear to be met with the submitted site plan but the Applicant shall comply with the required dimensional standards at the time of CZC submittal.

G. Access ([UDC 11-3A-3](#), [11-3H-4](#)):

Direct lot access is proposed along the west boundary via a driveway connection to N. Elsinore Avenue, an existing local street that separates this commercial area from the apartment development to the west. An additional driveway connection is proposed to the north property boundary where an existing shared drive aisle exists. Therefore, cross-access is provided to the east and north through the rest of the commercial subdivision which provides multiple accesses to Meridian Road and McMillan Road. Because the shared drive aisle is not public and connects to a local street, the access to N. Elsinore Avenue meets ACHD policy.

As part of this application, the Applicant performed a turn lane analysis for the Elsinore and McMillan intersection to obtain data on existing traffic movements at this location for the purpose of determining if any turn lanes are warranted. ACHD reviewed this analysis and agrees with its findings – two dedicated turn lanes onto Elsinore Avenue are warranted with construction of this development. According to the turn lane analysis and ACHD, the Applicant should construct a dedicated westbound right-turn lane on McMillan and an eastbound center left-turn lane on McMillan as well. Staff recommends the Applicant adhere to all ACHD conditions of approval but is also including a specific condition of approval for this to ensure appropriate timing.

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

The proposed building is shown as 13,535 square feet, requiring a minimum of 27 parking stalls. 36 parking stalls are proposed to meet this requirement. In the specific use standards section above, Staff has discussed adding two additional spaces at the south end of the parking area and potentially adding more along the north while reducing the overall building size. Staff intends to increase the availability of parking regardless of the proposed building size so Staff's recommendations of reducing the building size should not be reflected in a change in the number of parking spaces provided. Please see that section for those specific recommendations (Section V.E). All parking and parking lot landscaping appears to meet minimum UDC standards.

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

There is an existing five-foot (5) detached sidewalk along the south boundary adjacent to McMillan Road and along the west boundary adjacent to Elsinore Avenue; no additional sidewalk is required along the adjacent public roads. There is no existing sidewalk along the shared drive aisle at the north boundary nor is there any along this drive aisle further to the east with already developed parcels. The sidewalk along Elsinore and McMillan create a loop around the commercial development which provides safe pedestrian access from the perimeter to the commercial lots.

UDC requires that new commercial buildings provide 5-foot wide sidewalks from all public entrances to the arterial sidewalks. The submitted plans show one such connection via striping across the drive aisle and a small segment of sidewalk to the sidewalk along Elsinore; no other sidewalk connections to the existing sidewalk network are proposed. Per [UDC 11-3A-19B.4b](#), pedestrian facilities that traverse vehicle use areas (including drive aisles and parking lots) shall be constructed in a material different from the driving surface to clearly separate the pedestrian facility from the driving surface—painted striping does not satisfy this requirement. Therefore, Staff is recommending a condition of approval to revise the site plan to show any pedestrian facility that crosses a driving surface be constructed with stamped or colored concrete, brick pavers, or similar to meet this code requirement.

Code requires an additional connection to the sidewalk along McMillan Road, an arterial street, and the most logical and feasible place for this to occur is by continuing the sidewalk south along the front of the building and connect to the McMillan sidewalk within the existing landscape buffer. In addition, with Staff's recommended changes to the north end of the site to add parking

or create a pick-up/drop-off area, additional 5-foot sidewalk should be added adjacent to the new vehicle use area to connect to the sidewalk at the front of the building for safe access to the building.

Staff is recommending the site plan and landscape plan are corrected at the time of CZC submittal to show the required sidewalk connections and any revisions to the site plan.

J. Landscaping (*UDC 11-3B*):

The project requires a 25-foot landscape buffer to McMillan Road, an arterial street, and a 10-foot buffer to Elsinore Avenue, a local street, per C-G dimensional standards in UDC Table 11-2B-3. Both of these required buffers are already existing and contain the detached sidewalk. However, the submitted landscape plans do not show the existing buffers and landscaping and this should be corrected with future plan revisions to ensure the adequate buffer width is maintained. Staff's recommendations to revise the site plan to accommodate more parking should not alter any landscaping requirements. In addition, the requirement to construct a right turn lane onto Elsinore Avenue should also not affect the existing buffer because there is adequate space for this. Should this not be true, the Applicant is required to maintain the minimum 25-foot buffer width. All other landscaping proposed is for the parking lot landscaping and appears to meet UDC standards.

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

Fencing is discussed in Section V.E with the specific use standards.

L. Building Elevations (*UDC 11-3A-19 | Architectural Standards Manual*):

All new non-residential buildings require Administrative Design Review (DES) approval prior to submitting for building permit. The Applicant has submitted conceptual elevations but did not submit for concurrent design review; the design review will be completed and reviewed with the CZC application. However, initial review of the submitted elevations show they do not appear to meet all applicable architectural standards. The southwest corner of the building is shown with a beautiful spire and architectural element that makes the entrance look like an old schoolhouse but beyond that element, there is no other roof variation. Additional fenestration and wall modulation should also occur, especially on the south and west elevations facing public streets to create additional visual interest and pedestrian focus. Staff will analyze the elevations in more detail with the future required DES submittal.

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard this item on October 21, 2021. At the public hearing, the Commission moved to approve the subject Conditional Use Permit request.

1. Summary of the Commission public hearing:

a. In favor: Samantha Kozlowski, Applicant Representative

b. In opposition: None

c. Commenting: Samantha Kozlowski.

d. Written testimony: None

e. Staff presenting application: Joseph Dodson, Associate Planner

f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

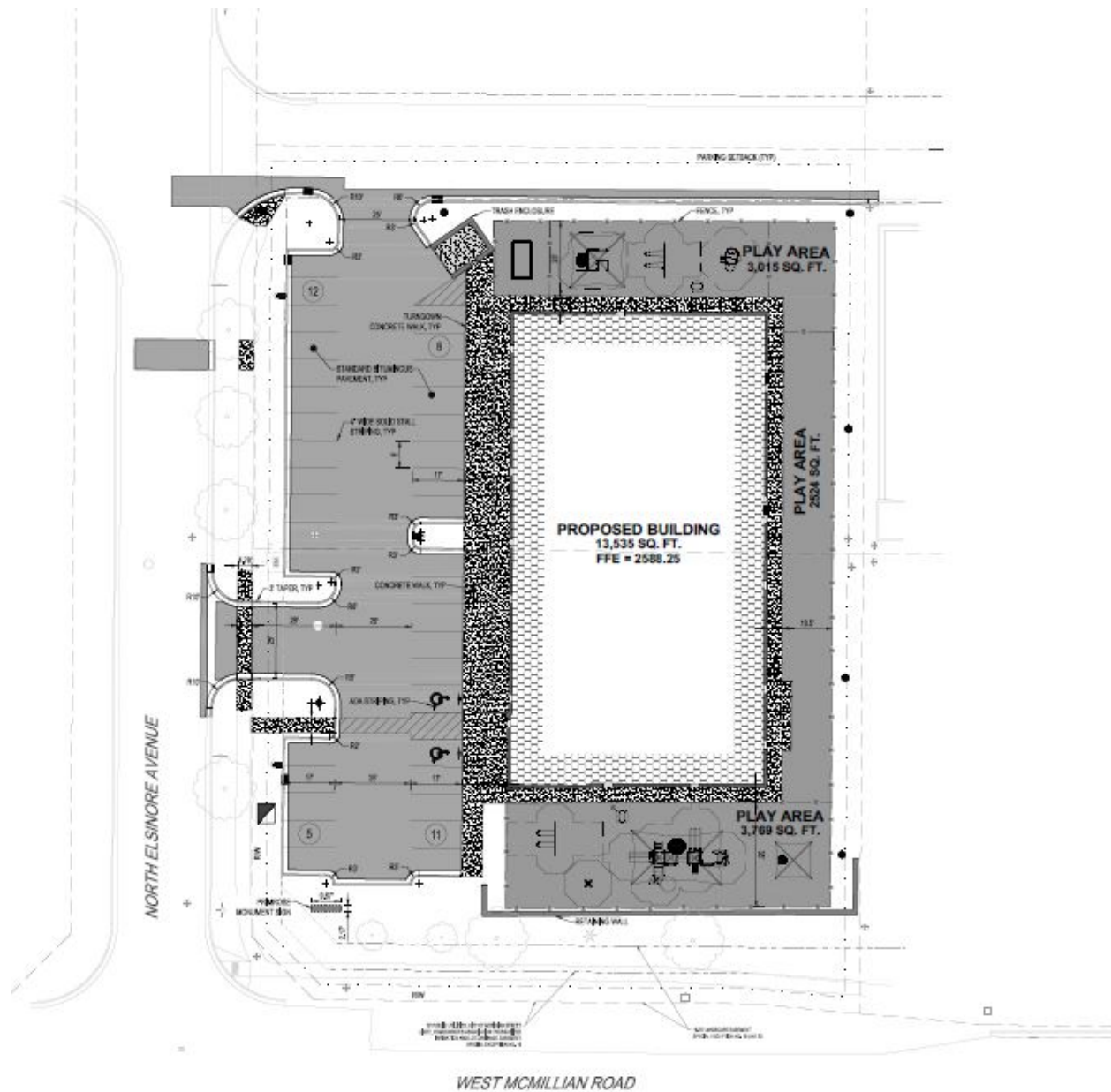
a. None

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

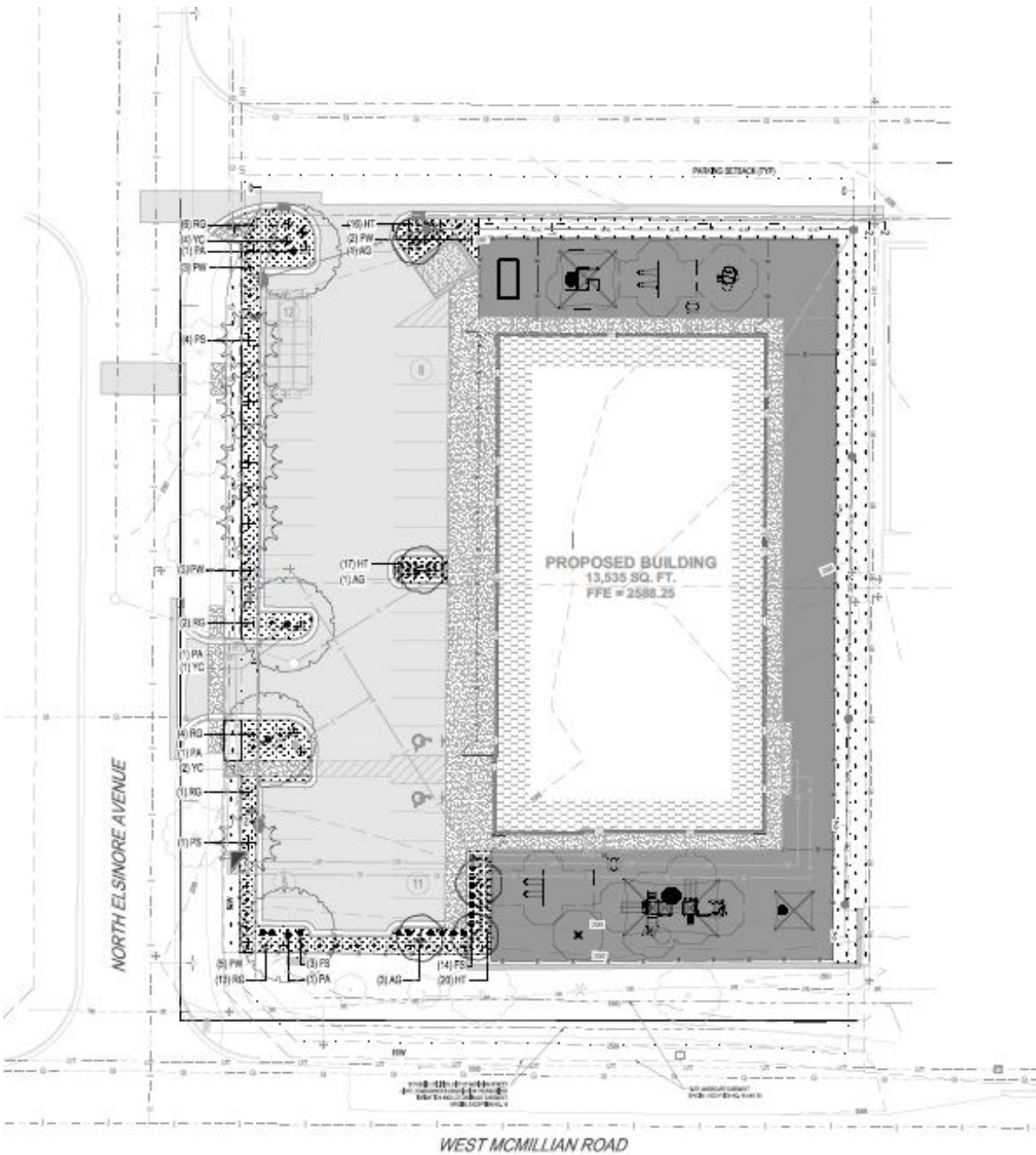
- a. Why Staff is recommending the site plan changes for additional parking;
 - b. Any examples in the City where lack of parking has been an issue for Daycare facilities and is there any additional parking available around this site;
- 4. Commission change(s) to Staff recommendation:
 - a. Per the Applicant's testimony and request, conditions 6.a and 6.c were stricken.

VII. EXHIBITS

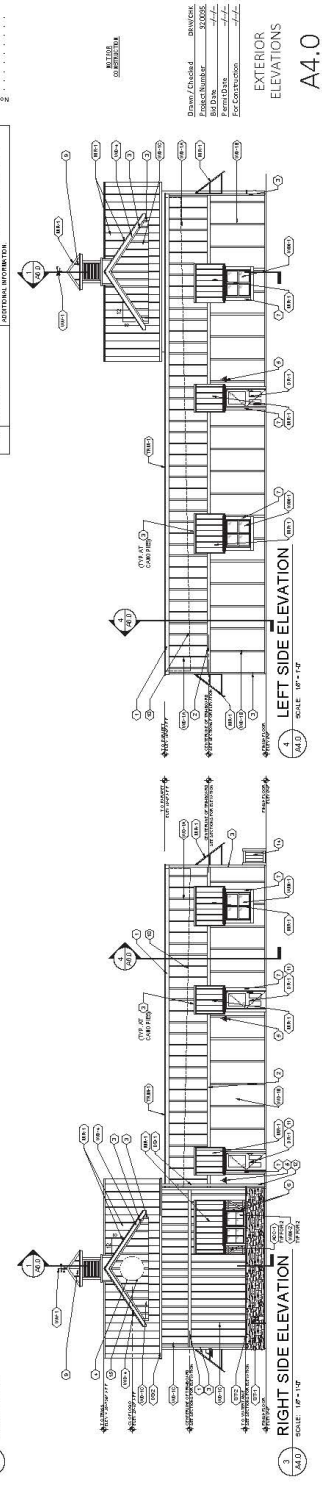
A. Site Plan (no date) **NOT APPROVED**



B. Landscape Plan (no date) **NOT APPROVED**



CASCO

[illegible]

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning

1. The Applicant shall comply with all existing conditions of approval and Development Agreement provisions including but not limited to: MDA-13-010 (DA Inst.# 113083665); RZ-15-001; PP-15-002; FP-15-020; PBA-2021-0015.
2. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-9 for Daycare Facilities.
3. The maximum number of allowable clients (children) at the facility at *one time* shall be limited to one hundred and sixty-five (165) unless building/fire code limits this further; the more restrictive number shall apply.
4. The daycare/pre-school shall operate between the hours of 6:00 am and 11:00 pm, per C-G zoning district regulations outlined in UDC 11-2B-3.
5. The Applicant or owner shall provide proof of criminal background checks and fire inspection certificates as required by title 39, chapter 11, Idaho Code prior to issuance of Certificate of Occupancy. The applicant or owner shall comply with all State of Idaho and Department of Health and Welfare requirements for daycare facilities.
6. The site plan and landscape plan shall be revised as follows prior to the Commission Hearing:
 - a. ~~Revise the site plan to show a reduced building size to accommodate additional parking at the north boundary of the site adjacent to the shared drive aisle similar to what exists to the east.~~
 - b. In accord with UDC 11-3A-19B.4, show any pedestrian facility that crosses a driving surface be constructed with stamped or colored concrete, brick pavers, or similar;
 - c. ~~Add a sidewalk connection from the site to the existing sidewalk along W. McMillan Road in accord with UDC 11-3A-19B.4;~~
 - d. Revise the type of fencing proposed around the perimeter of all play areas to be non-scalable per the specific use standards listed in UDC 11-4-3-9 (*i.e. wrought iron fencing or vertical steel tube fencing*);
 - e. Show the existing and required street buffers along N. Elsinore and W. McMillan. The existing landscaping shall be protected during construction in accord with UDC 11-3B-10;
 - f. Include the turn lanes required by ACHD from W. McMillan Road to N. Elsinore Avenue—an eastbound center left turn lane and a westbound right turn lane; prior to Certificate of Occupancy for the building, the Applicant shall provide proof to the Planning Division that these turn lanes have been constructed per ACHD requirements.
7. The Applicant or owner shall comply with all ACHD conditions of approval.
8. Prior to building permit submittal, the Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review approval from the Planning Department.
9. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district.
10. Comply with the outdoor service and equipment area standards as set forth in UDC 11-3A-12.

11. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
12. 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. Public Works Division

1. This project has two existing sewer services, one of which does not appear to be used. Any unused services must be abandoned at the main that is to remain in service.
2. A 20 foot wide easement is required for all water main and up to all fire hydrants with a 5 foot radius easement around the hydrant. No permanent structures can be within this main including but not limited to buildings, car ports, trash enclosures, trees, bushes, infiltration trenches, light poles, etc.
3. Minimum separation between the water main and building must be 10 feet, which is currently not met on the south end of the building.
4. Maintain a minimum of 4 feet separation from water main lines from the UE line.
5. On site water main should be minimized.
6. A street light plan will need to be included in the building permit application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272

C. Department of Environmental Quality (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237614&dbid=0&repo=MeridianCity&cr=1>

D. Nampa & Meridian Irrigation District (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=237904&dbid=0&repo=MeridianCity>

E. Ada County Highway District (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239713&dbid=0&repo=MeridianCity>

IX. 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 appears to meet all the dimensional and development regulations in the C-G zoning district for the proposed use and will be verified upon CZC submittal. ~~With the recommended revisions to the site plan,~~ Commission 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.

Commission finds the proposed daycare center will be harmonious with the Comprehensive Plan in that it will provide a much needed service for area residents with easy access to and from the site.

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.

Commission finds the operation of the proposed daycare should be compatible with the residential and commercial uses in the close vicinity and the existing and intended character of this mixed-use 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 daycare complies with the conditions of approval in Section VII as required, Commission 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.

Because the site is already annexed into the City and these services are already being provided to the surrounding buildings, Commission finds the proposed use will be served adequately by all public facilities and services.

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.

Commission 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 may increase in this area due to the proposed use and clients dropping off and picking up children, Staff finds the conditions of approval of the City and ACHD mitigate negative outcomes from the proposed use; therefore, Commission finds the proposed daycare should not be detrimental to 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)

Commission is unaware of any natural, scenic or historic features in this area and finds the proposed use should not result in damage of any such features.