

**COMMUNITY DEVELOPMENT
DEPARTMENT REPORT**

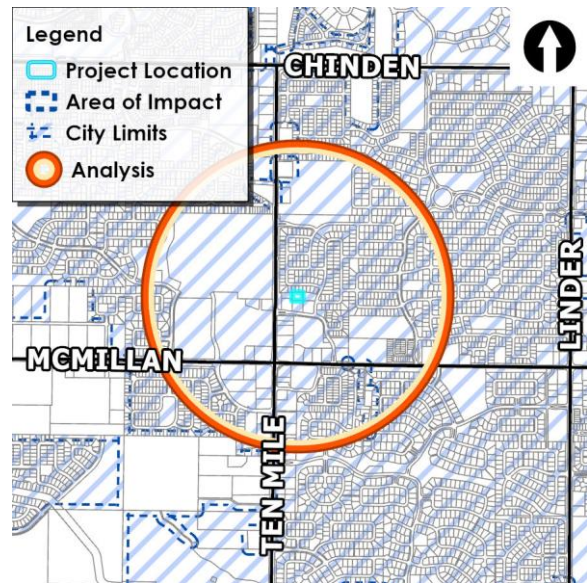


HEARING DATE: 11/7/2024
TO: Planning & Zoning Commission
FROM: Nick Napoli, Associate Planner
208-884-5533
nnapoli@meridianscity.org

APPLICANT: Taylor Clausen

SUBJECT: H-2024-0050
Tone Fitness Studio

LOCATION: Located at 3064 W. Milano Drive in the SW ¼ of Section 26, T.4N., R.1W.



I. PROJECT OVERVIEW

A. Summary

Conditional Use Permit request to operate an indoor recreation facility (Indoor Gym) in a suite from an existing 3,887 square foot multi-tenant building on 0.648 acre of land in the L-O zoning district.

B. Recommendation

Staff: Approval with conditions.

C. Decision

Commission: Pending

II. COMMUNITY METRICS

Table 1: Land Use

Description	Details	Map Ref.
Existing Land Use(s)	Vacant	-
Proposed Land Use(s)	Arts, Entertainment or Recreation Facility, Indoors.	-
Existing Zoning	L-O (Limited Office)	VII.A.2
Proposed Zoning	L-O (Limited Office)	
Adopted FLUM Designation	Office	VII.A.3
Proposed FLUM Designation	Office	

Table 2: Process Facts

Description	Details
Preapplication Meeting date	7/30/2024
Neighborhood Meeting	8/28/2024
Site posting date	10/28/2024

Table 3: Community Metrics

Agency / Element	Description / Issue	Reference
Ada County Highway District		
• Comments Received	Yes	
• Commission Action Required	No	
• Access	W. Milano Drive	
ITD Comments Received	No	
Meridian Public Works Wastewater		
• Distance to Mainline	Available at site	
• Impacts or Concerns	No	
Meridian Public Works Water		
• Distance to Mainline	Available at site	
• Impacts or Concerns	No	

Note: See section IV. City/Agency Comments & Conditions for comments received or see public record: (<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=365722&dbid=0&repo=MeridianCity>)

III. STAFF ANALYSIS

Comprehensive Plan and Unified Development Code (UDC)

A. General Overview

This property is designated Office on the Future Land Use Map (FLUM).

The subject site is among several office-zoned properties in the immediate area. The proposed use of an indoor recreation facility does not directly align with the desired uses within the Office designation but can be allowed through a conditional use permit. In conjunction with the surrounding offices, this use can provide additional neighborhood services.

An indoor recreation facility is a conditional use in the L-O zoning. The proposed indoor recreation facility is required to comply with UDC 11-4-3-2.

Table 4: Project Overview

Description	Details
History	AZ-03-005 (Annexation), RZ-05-006 (Rezone), DA Inst#103097612, FP-05-046, MI-08-006 (DA Mod #109061606) and A-2023-0165 (CZC and DES)
Acreage	0.648

B. History

The property was annexed and zoned in 2003 to the R-8 zoning district. In 2005, a rezone application was approved to change the zoning to the current L-O zoning district. Consistent with this rezone, a final plat was approved for six (6) office lots as part of Verona Subdivision No. 3. The DA from 2008 is the relevant agreement for this site but did not have a concept plan for these lots. In lieu of a concept plan, the DA references specific limitations to the allowed commercial area and included a provision that a minimum of three (3) office buildings in this office development. This provision has been satisfied with the existing development of three (3) office buildings. In addition, specific elevations were included as part of the DA that the current proposal generally complies with. Staff notes, despite no Development Agreement Modification being required, the DA allows the subject property to develop with all permitted and conditional uses in the L-O district.

C. Site Development and Use Analysis

1. Proposed Use Analysis (*UDC 11-2*):

The proposed use of an indoor recreation facility (indoor gym) is a conditional use in the L-O zoning. The L-O zoning and FLUM designation is meant to provide opportunities for low-impact business areas which typically includes professional offices, research and development, etc. This use adheres to Policy 3.07.02B, which promotes locating smaller scale, neighborhood serving commercial and offices in close proximity to residential for convenient access. While an indoor recreation facility can create a large impact on the area, this indoor recreation facility is more specialized allowing for only 12 clients at any one time. Additionally, there will be no outside activity. The proposed indoor recreation facility provides a unique neighborhood serving use that can be an essential use for residents in the area.

2. Dimensional Standards (*UDC 11-2*):

The proposal meets the dimensional standards for setbacks, landscape buffers, parking requirements, landscape requirements and maximum building height.

Business hours of operation within the L-O District shall be limited from 6:00 a.m. to 10:00 p.m. *The applicant is proposing to operate the business within the following hours: 6:30 am – 7:30 pm.*

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

A. General standards.

1. All outdoor recreation areas and structures that are not fully enclosed shall maintain a minimum setback of one hundred (100) feet from any abutting residential districts. The playing areas of golf courses, including golf tees, fairways, and greens, are an exception to this standard. *No outdoor recreation areas are proposed; all activities will take place within the building.*

2. No outdoor event or activity center shall be located within fifty (50) feet of any property line and shall operate only between the hours of 6:00 a.m. and 11:00 p.m. *No outdoor events or activities are proposed.*

3. Accessory uses including, but not limited to, retail, equipment rental, restaurant and drinking establishments, may be allowed if designed to serve patrons of the use only. *Noted.*

4. Outdoor speaker systems shall comply with section 11-3A-13, "outdoor speaker systems", of this title. *No outdoor speakers are proposed.*

B. Additional standards for swimming pools. Any outdoor swimming pool shall be completely enclosed within a six-foot nonscalable fence that meets the requirements of the building code in accord with title 10, chapter 1, of this Code. *Not applicable.*

C. Additional standards for outdoor stage or musical venue. Any use with a capacity of one hundred (100) seats or more or within one thousand (1,000) feet of a residence or a residential district shall be subject to approval of a conditional use permit. *No outdoor stage or musical venue is proposed.*

D. [Outdoor lighting.] Outdoor lighting, including lighted fields, designed for the site shall comply with Section 11-3A-11, "outdoor lighting," of this title. These standards may be modified through the approval of a conditional use permit. *Noted.*

D. Design Standards Analysis

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

i. Landscape buffers along streets

This property does not have street frontage that would require a landscape buffer. The site has already been approved under permit A-2023-0165 and no additional improvements will be required.

ii. Parking lot landscaping

The site has already been approved under permit A-2023-0165 and no additional improvements will be required.

iii. Landscape buffers to adjoining uses

The site has already been approved under permit A-2023-0165 and no additional improvements will be required.

iv. Tree preservation

The site has already been approved under permit A-2023-0165 and no additional improvements will be required.

- v. Storm integration
The site has already been approved under permit A-2023-0165 and no additional improvements will be required.
- 2. Parking (*UDC 11-3C*):
 - i. Nonresidential parking analysis
A minimum of one (1) off-street parking space is required per 500 square feet (s.f.) of gross floor area. Based on the 3,887-square-foot multi-tenant buildings, a minimum of 8 parking spaces are required. *A total of 31 parking spaces are proposed, exceeding UDC standards.*
 - ii. Bicycle parking analysis
A minimum of one (1) bicycle parking space must be provided for every 25 vehicle spaces or portion thereof per UDC 11-3C-6G; bicycle parking facilities are required to comply with the location and design standards listed in UDC 11-3C-5C. Bicycle parking is depicted on the plans submitted with this application that meet the requirements.
- 3. Building Elevations (*Comp Plan, Architectural Standards Manual*):
The subject building has already been approved under permit A-2023-0165 meeting the standards of the architectural standards manual.
- 4. Fencing (*UDC 11-3A-6, 11-3A-7*):
No fencing is proposed with this application. However, there is a 6-foot closed vision fence on the north boundary separating the commercial from the neighboring residential.

E. Transportation Analysis

- 1. Access (*Comp Plan, UDC 11-3A-3, UDC 11-3H-4*):
Access to the site was approved off of W. Milano Dr, a Collector Street via a private drive aisle shared by the commercial pad sites in Verona Subdivision No. 3. Cross access agreements are in place with the building to the west, south, and east.
- 2. Sidewalks (*UDC 11-3A-17*):
Due to previous development providing a lack of connection points to this site (internal), no pedestrian access is provided off of Milano. However, with the approval of this site, the applicant provided a stub to the property to the east which may grant the pedestrian connection required.

F. Services Analysis

- 1. Pressurized Irrigation (*UDC 11-3A-15*):
Underground pressurized irrigation water is required to be provided as set forth in UDC 11-3A-15.
- 2. Storm Drainage (*UDC 11-3A-18*):
Storm drainage is required to comply with the standards listed in UDC 11-3A-18.
- 3. Utilities (*Comp Plan, UDC 11-3A-21*):
Both the Plan and the UDC establish policy and regulations for extending and connecting to City utilities. Goal 3.03.03G of the Plan mandates urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities. All utilities for the proposed development are required to be installed in accord with the standards listed in UDC 11-3A-21.

IV. CITY/AGENCY COMMENTS & CONDITIONS

A. Meridian Planning Division

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement and the conditions contained herein [AZ-03-005, DA #103097612; RZ-05-006; FP-05-046; MI-08-006, DA Inst. # 109061606; H-2021-0080]; A-2023-0165.
2. The proposed project shall comply with the standards listed in UDC 11-4-3-2 for Art, Entertainment, or Indoor Recreation Facility.
3. The hours of operations shall be limited to 6:00 a.m. to 10:00 p.m. per UDC 11-2B-3B.
4. Protect the existing landscaping on the site during construction, per UDC 11-3B-10.
5. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC 11-5B-6 A time extension may be requested as set forth in UDC 11-5B-6F.
6. The applicant shall not be required to submit a Certificate of Zoning Compliance application to commence the proposed use on this site. Planning staff will review and approve the commencement of the use through the Tenant Improvement and/or Certificate of Occupancy submitted to the Community Development Department. All interior modifications (tenant improvements) associated with the use must receive all required permits and inspections from the Building Division of the Community Development Department prior to operation of the indoor recreation facility.

V. FINDINGS

A. Conditional Use (UDC 11-5B-6E)

The commission shall base its determination on the conditional use permit request upon the following:

1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located.

The site meets all the dimensional and development regulations of the L-O zoning district for the proposed use. Therefore, Staff finds the site is large enough to accommodate the proposed use.

2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title.

Staff finds the proposed use will be harmonious with the Comprehensive Plan in that it will provide an indoor recreation use which is not the direct vision for the L-O zoning but is allowed through a CUP.

3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.

Staff finds the design, construction, operation and maintenance of the proposed use with the conditions imposed, should be compatible with other uses in the general vicinity but may moderately change the character of the area due to the limited L-O zoning within the City.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.
Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area.
5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.
Staff finds the proposed use will be served by essential public facilities and services as required.
6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.
Staff finds the proposed use will not create 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.
Staff finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.
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.
Staff finds the proposed use will not result in the destruction, loss or damage of any such features.
9. Additional findings for the alteration or extension of a nonconforming use:
Not applicable.
10. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,
Not applicable.
11. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.
Not applicable.

VI. ACTION

A. Staff:

Staff recommends approval of the proposed Conditional Use Permit per the provisions included in Section IV in accord with the Findings in Section V.

B. Commission:

Pending

C. City Council:

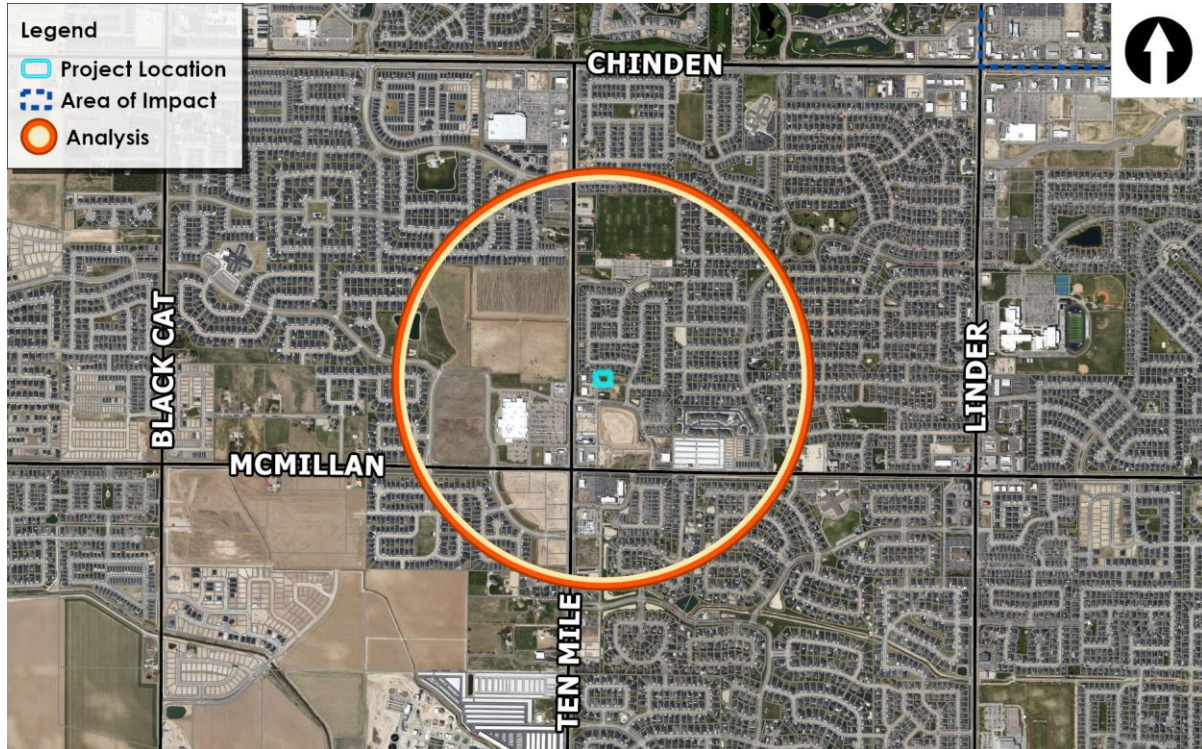
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VII. EXHIBITS

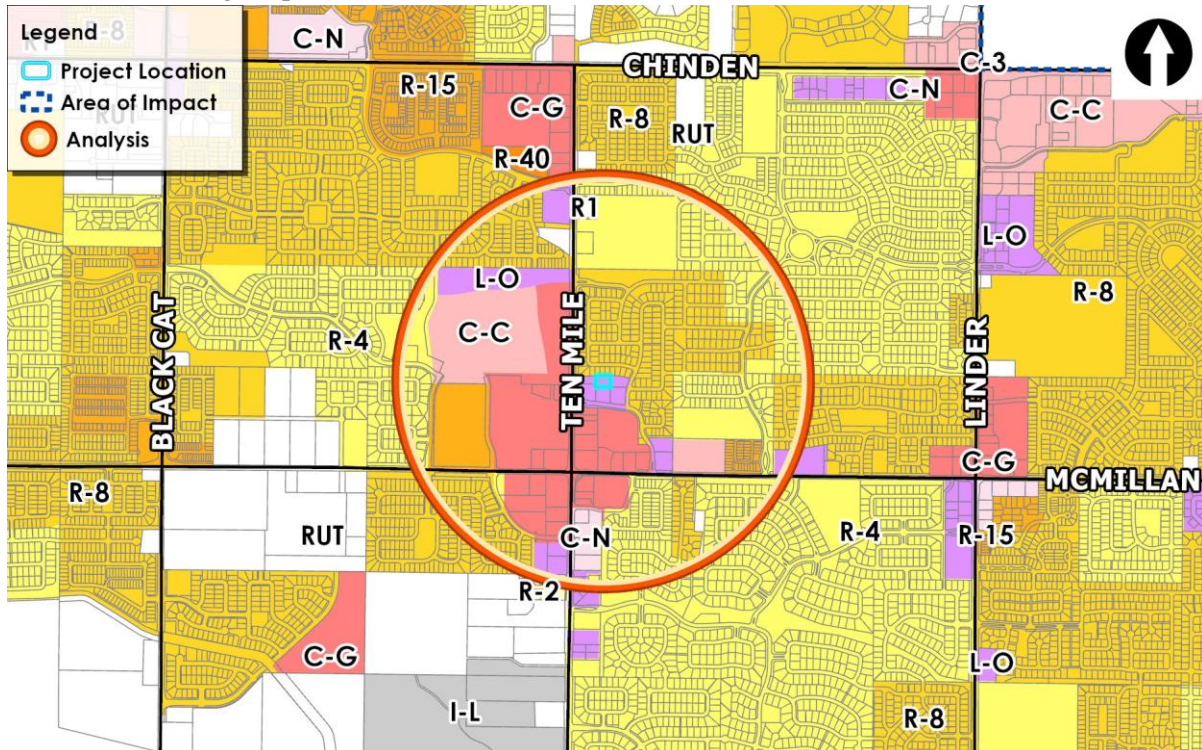
A. Project Area Maps

(link to [Project Overview](#))

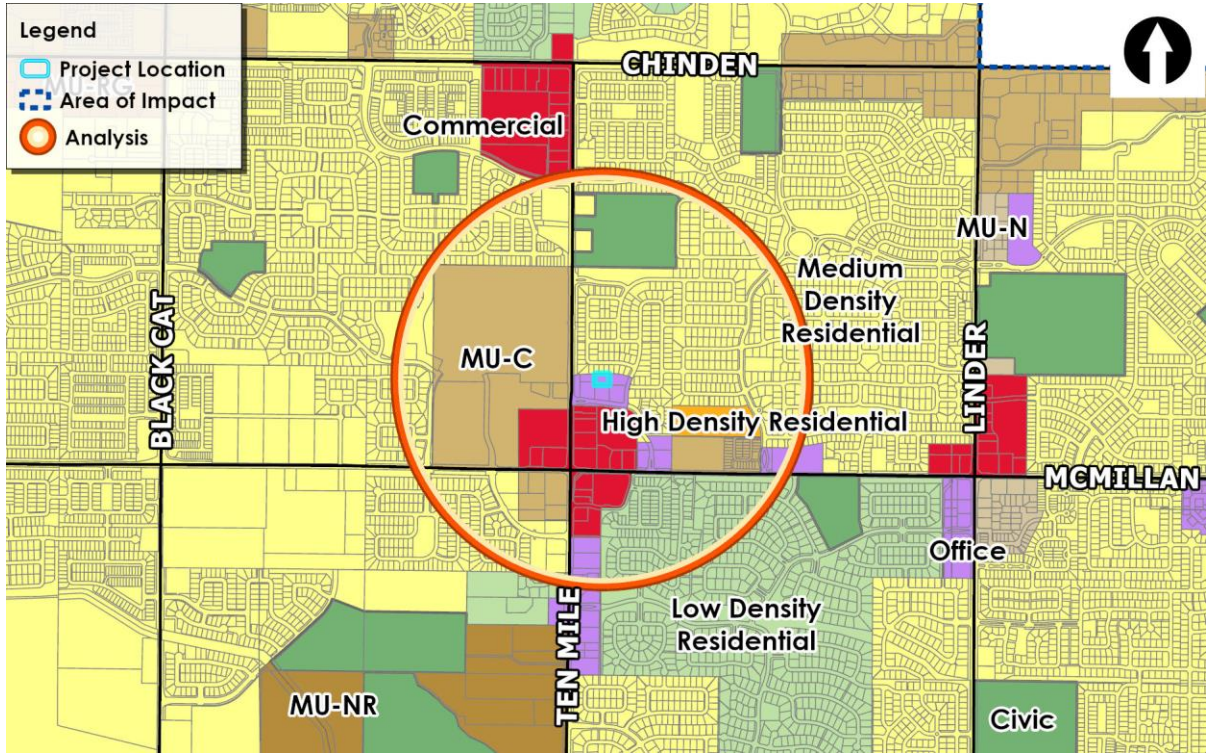
1. Aerial



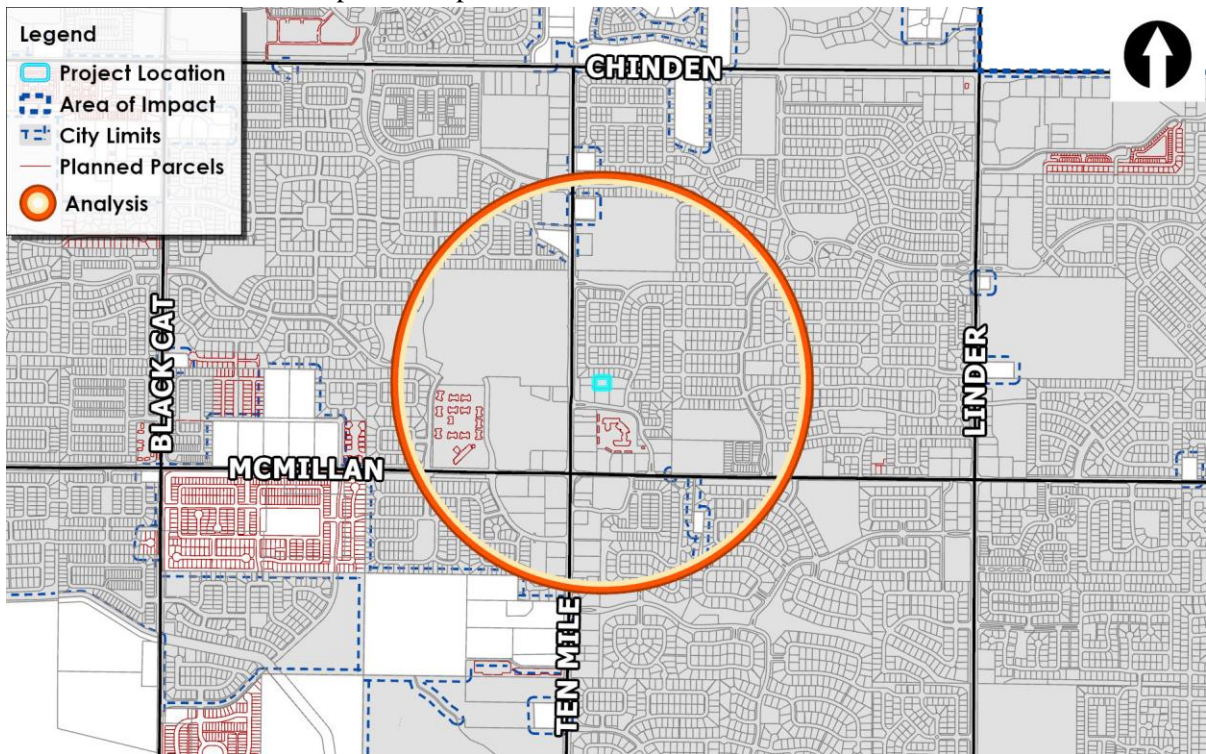
2. Zoning Map



3. Future Land Use



4. Planned Development Map



B. Service Accessibility Report

Overall Score: 31	39th Percentile
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Criteria	Description	Indicator
Location	In City Limits	GREEN
Extension Sewer	Trunkshd mains < 500 ft. from parcel	GREEN
Floodplain	Either not within the 100 yr floodplain or > 2 acres	GREEN
Emergency Services Fire	Response time 5-9 min.	YELLOW
Emergency Services Police	Meets response time goals most of the time	GREEN
Pathways	Within 1/4 mile of current pathways	GREEN
Transit	Not within 1/4 of current or future transit route	RED
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	Either a Regional Park within 1 mile OR a Community Park within 1/2 mile OR a Neighborhood Park within 1/4 mile walking	GREEN

E. Building Elevations (date: 10/26/2023)



1 FRONT ELEVATION



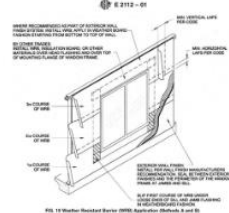
2 SIDE ELEVATION

EXTERIOR ELEVATION GENERAL NOTES

1. REFER TO ALL NOTES ON THE GENERAL NOTES SHEET FOR ALL NOTES AND SPECIFICATIONS FOR THE PROJECT.
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KEYNOTES - ELEVATION

KEYNOTE	DESCRIPTION
1	FOUNDATION BELOW GRADE (SEE FOUNDATION PLAN)
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TYPICAL WINDOW - EXTERIOR WINDOW DETAIL



Chrysalis
ARCHITECTS
1000 S. GARDEN AVENUE
SUITE 100
MESA, AZ 85204
PH: 480.944.1111
WWW.CHRYALISARCHITECTS.COM

J.A. WELKER BUILDING	
ARCHITECT: CHRYALIS ARCHITECTS	
DATE: 10/26/2023	
PROJECT NO: 2023-001	
SHEET NO: 10	
SHEET TOTAL: 10	
CONSTRUCTION DRAWINGS	
EXTERIOR ELEVATIONS	