



BEFORE THE ADA COUNTY PLANNING & ZONING COMMISSION

In re:

Application of Northwest Lineman College

File #201400175 CU-MSP

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

FINDINGS OF FACT

If any of these Findings of Fact are deemed Conclusions of Law, they are incorporated into the Conclusions of Law section.

A. The Commission finds that the record is comprised of:

1. Exhibits to the Staff Report.
2. Exhibit A to the Findings of Fact, Conclusions of Law and Order.
3. All other information contained in Ada County Development Services File for Project No. 201400175 CU-MSP.

B. As to procedural items, the Commission finds the following:

1. In accordance with Section(s) 8-6-3A of the Ada County Code, the applicant completed a pre-application conference with the director prior to the submittal of the application on November 19, 2013.
2. In accordance with Section 8-7A-3 of the Ada County Code, the applicant held a neighborhood meeting on January 22, 2014.
3. Submission of File #201400175 CU-MSP occurred on February 4, 2014 and Development Services scheduled it for public hearing before the Ada County Planning and Zoning Commission on April 10, 2014.
4. On February 7, 2014, staff notified other agencies of this application and solicited their comments. Any comments received were incorporated into the staff report and are attached as exhibits to the staff report.
5. On March 10, 2014, property owners within 300 feet of the site were notified of the hearing by mail. Legal notice of the Commission's hearing was published in The Idaho Statesman on

March 25, 2014. Notices of the public hearing were posted on the property on or before March 31, 2014 and a certification sign posting was submitted to the director on or before April 3, 2014.

C. As to the project description, the Commission finds based on the application materials found in the file for File #201400175 CU-MSP the following:

1. PROPOSED USES: School, Public or Private
2. PROPOSED STRUCTURES: 4,440 square foot addition to an existing building approximately 19,000 square feet in size
3. PROPOSED SITE IMPROVEMENTS: 12 additional parking spaces, one (1) additional bike parking space, and improved landscaping along Meridian Road, the north and south ends of the parking lot and along the west and south portions of the building addition.
4. OTHER: None

D. Based on the materials found in the file for File #201400175 CU-MSP, the Commission finds the following concerning the project description:

1. PARCEL NUMBER AND LOCATION: S1406325800, S1406325615, S1406325900; 7600 South Meridian Road and S1406336004; 7820 South Meridian Road
2. OWNERSHIP: Parcels S1406325800, S1406325615 and S1406325900 are owned by NLC Properties LLC and parcel S1406336004 is owned by Glen E McConaughy Life Estate and NLC Properties LLC.
3. SITE CHARACTERISTICS

Property size: Parcel S1406325800 contains five (5) acres, parcel S1406325615 contains four (4) acres, parcel S1406325900 contains five (5) acres and parcel S1406336004 contains 17 acres.

Existing structures: Parcel S1406325800 contains an office/classroom building approximately 19,000 square feet in size, a building containing a lab, office, production studio and lunch room approximately 14,700 square feet in size and three (3) storage structures approximately 2,100, 2,300 and 4,700 square feet in size. Parcel S1406336004 contains a 1,648 square foot home, a 1,472 square foot manufactured home and seven (7) storage and agricultural structures of approximately 100, 140, 240, 300, 400, 1,300 and 3,800 square feet.

Existing vegetation: There are some trees and shrubs along Meridian Road west of the existing parking lot and some grass and trees bordering the south and east sides of the existing office/classroom building. There are also some trees and residential landscaping surrounding the existing home on parcel S1406336004 as well as some pasture grasses to the north of the existing home. The remainder of the site contains natural vegetation.

Slope: The site is flat with no slopes of 15% or more.

Irrigation: The pasture area contains some field irrigation ditches. The landscaped area around the college is served with a pressurized irrigation system from an existing well.

Drainage: In general the site drains to the south.

Other Opportunities and/or Constraints: None

- E. Based on the officially adopted Ada County land use maps, the Commission finds the following concerning the current land use and zoning:

Parcels S1406325800, S1406325615 and S1406325900 are all located in the Rural Urban Transition (RUT) District. Parcel S1406325800 contains an office/classroom building approximately 19,000 square feet in size, a building containing a lab, office, production studio and lunch room approximately 14,700 square feet in size and three (3) storage structures approximately 2,100, 2,300 and 4,700 square feet in size. Parcels S1406325615 and S1406325900 do not contain any permanent structures but do contain training areas for Northwest Lineman College. Parcel S1406336004 is located in the Rural Residential (RR) District and contains a 1,648 square foot home, a 1,472 square foot manufactured home and seven (7) storage and agricultural structures of approximately 100, 140, 240, 300, 400, 1,300 and 3,800 square feet.

- F. Based on the officially adopted Ada County land use maps, the Commission finds the following concerning the surrounding land use and zoning:

North: The site to the north is located in the C-2 District within the City of Kuna. It contains a detached single family home and agricultural structures on agricultural land.

South: The site to the south is located in the C-1 District within the City of Kuna. It contains an agricultural structure on agricultural land.

East: The site to the east is in the Rural Urban Transition (RUT) District and contains agricultural land with no existing structures.

West: The site to the west is in the Rural Residential (RR) District and contains a detached single family home and agricultural structures on agricultural land.

- G. Based on the officially adopted Ada County land use maps and materials found in the file for File #201400175 CU-MSP, the Commission finds the following concerning services:

Access Street and Designation: S Meridian Road which is a principal arterial.

Fire Protection: Kuna Fire District

Sewage Disposal: Individual Septic System

Water Service: Individual Well

Irrigation District: Boise-Kuna and New York Irrigation Districts as well as Boise Project Board of Control.

Drainage District: None

- H. As to the applicable law, the Commission finds the following:

1. The Commission finds **Section 8-4E** is applicable because the applicant has submitted a Master Site Plan. The Commission finds the application complies with **Section 8-4E-5: Required Findings** because:

- A. The master site plan complies with this title and the applicable comprehensive plan;

The Commission finds that the conditional use and master site plan comply with the Ada County Zoning Ordinance as outlined in the required findings herein and the conditions of approval attached as Exhibit A.

The Commission finds that parcels S1406325800, S1406325615 and S1406325900 are located in the City of Meridian Area of Impact. According to the City of Meridian Comprehensive Plan and Future Land Use Map, this property is designated as Low Density Residential, which is suitable for single-family homes at densities of three dwelling units or less per acre. However, the Future Land Use Map also shows a school site in the vicinity of these parcels and schools are allowed as conditional uses in the Low Density Residential District. Parcel S1406336004 is not located in an area of impact and so the Ada County Comprehensive Plan would apply. This parcel is located in the Rural Residential (RR) District of Ada County which allows schools as conditional uses. The Commission finds that the master site plan complies with the applicable comprehensive plans as both comprehensive plans allow schools as conditional uses in their respective zones and because this application is for the expansion of a previously approved use at this location.

- B. The applicant has submitted a natural features analysis (subsection 8-4E-4D of this article) identifying constraints presented by such natural features, and the proposed development sufficiently addresses such features;

The Commission finds that the applicant has submitted a natural features analysis identifying constraints presented by such natural features, and the proposed development sufficiently addresses such features. The Commission also finds that the applicant has submitted a natural features analysis for this site as part of a previous application, Project # 05026-CU/#05031-MSP, which was approved by the Commission on December 8, 2005.

- C. The proposed landscaping meets the requirements of article F of this chapter;

The Commission finds that the submitted landscaping plan proposed along the parking lot and building expansions meets the landscaping requirements of section 8-4F.

However, according to File 05-026-CU/05-031-MSP which was previously approved by the Planning and Zoning Commission on December 8, 2005 the following landscaping condition was approved for this property;

Upon purchase of the expansion property by Northwest Lineman College or upon any site modifications or improvements other than the temporary installation and removal of the de-energized power poles and lines shall require the site to be landscaped in accordance with the applicable Ada County Code. Additionally, any future expansion, shall comply as required with the minimum perimeter-landscaping standard to provide adequate screening to surrounding uses.

The applicant is requesting a waiver of this requirement as per section 8-4F-6A which allows the Commission to waive or modify landscaping requirement. Staff is in agreement with this request as the proposed parking lot and building expansion only extends approximately fifty feet (50') into the referenced property and the applicant has proposed to landscape the area surrounding the new parking lot and building addition according to the landscaping requirements of section 8-4F of the Ada County Code. The remainder of the property only contains de-energized wood power poles used by Northwest Lineman College in training exercises.

- D. The proposed parking and loading spaces meet the requirements of article G of this chapter;

Off-Street Parking Spaces

The Commission finds that the site plan submitted by Northwest Lineman College has 126 parking spaces. This includes the twelve (12) additional stalls that will be added as part of this building expansion. According to Section 8-4G of the Ada County Code, public or private schools are required to provide one (1) parking space per employee plus one parking space per every six (6) students. In their detailed letter, Northwest Lineman College has stated that they have fifty-five (55) employees and that the maximum number of students at this school is 130. The 126 proposed parking spaces will far exceed the 77 spaces which are required for this use as set forth in Section 8-4G of the Ada County Code.

Bike Racks

The Commission finds that the applicant is proposing one (1) additional bike parking space to accompany the twelve (12) additional car parking spaces which will be constructed which complies with Ada County Code as only one (1) bike rack is required for every twenty-five (25) parking stalls.

Accessible Parking

The Commission finds that the applicant is proposing five (5) accessible parking spaces on the site plan which has been submitted. This will meet the accessible parking requirements.

Loading Spaces

As this site is for a private or public school and not for a commercial or industrial use, a loading space is not required.

Sidewalks/Pedestrian Circulation

The Commission finds that according to the site plan submitted by the applicant, the proposed building expansion will have five foot (5') sidewalks running along the perimeter which meets Ada County Code Requirements.

- E. The proposed lighting plan meets the requirements of article H of this chapter;

The Commission finds that the applicant is not proposing any new lighting as part of this application.

- F. The proposed master site plan complies with the applicable design and dimensional standards of chapters 2 and 3 of this title;

The Commission finds that a portion of the property is zoned Rural Urban Transition (RUT) and a portion is zoned Rural Residential (RR). The Commission finds that Section 8-2B-4 outlines the dimensional standards of the RUT District. The Commission finds that the front-yard setback shall be 30 feet because it abuts an arterial road. The rear-yard setback shall be 25 feet and the side-yard setback shall be 25 feet. The Commission finds that Section 8-2A-4 outlines the dimensional standards of the RR District. The Commission finds that the front-yard setback shall be 50 feet because it abuts an arterial road. The rear-yard setback

shall be 25 feet and the side-yard setback shall be 25 feet. The Commission finds that the existing and proposed buildings meet the required setbacks of both the RUT and the RR District.

The Commission finds that the RUT and the RR District both allow for 5% lot coverage and the existing structures cover approximately 52,200 square feet and the proposed 4,400 square foot addition will bring the total coverage area to approximately 56,600 which will cover only approximately 4.2% of the property. The Commission finds that the existing structure is single-story and less than the 35-foot maximum building height and that the proposed addition to the building will match the height of the existing structure according to the Detailed Letter submitted by the applicant. The Commission finds that the property meets the minimum depth requirement of 100 feet required by the RR District as evidenced by the Master Site Plan which shows the property depth as 1,113 feet. The RUT District does not have a minimum depth requirement.

The Commission finds that the property is not located within any overlay districts; therefore, Chapter 3 of the Ada County Code is not applicable.

- G. The proposed master site plan is consistent with the APA ridge-to-rivers pathways plan; and

The Commission finds that the property is not located within the APA ridge-to-rivers pathway plan, therefore; this finding is not applicable.

- H. Adequate utilities and public services are available or provided for the proposed development, and the development would not be premature by reason of lack of utilities, transportation, schools, fire protection, or other essential services.

Central District Health stated that an accessory use application would need to be submitted to them before construction of the addition could proceed. The proposed building addition will also require approval from the Kuna Fire District. ITD responded that they had no issues with the expansion.

2. The Commission finds **Section 8-5B** is applicable because the applicant is proposing a School, Public or Private, which requires a conditional use permit in the RUT and RR Districts. The Commission finds the application complies with **Section 8-5B-5: Required Findings** because:

- A. The proposed use is not detrimental to the public health, safety, or welfare;

The Commission finds that the proposed use is not detrimental to the public health, safety or welfare because it is in conformance with the Meridian Comprehensive Plan and the applicant will be required to obtain approval from the Central District Health Department and the Ada County Building Department before beginning construction on the new 4,400 square foot addition.

- B. The propose use shall not create undue adverse impacts on surrounding properties;

The Commission finds that the proposed use shall not create undue adverse impacts to the surrounding property because the land to the north and south of Northwest Lineman College is zoned commercial (C-1) within the city of Kuna. The properties to the east are located in the Rural Urban Transition (RUT) District of Ada County and contain agricultural land. The land to the west contains agricultural land zoned agricultural (A) within the city of Kuna as well as agricultural land located in the Rural Residential (RR) District of Ada County.

- C. The proposed use is consistent with the applicable comprehensive plan;

The Commission finds that the proposed use is consistent with the City of Meridian Comprehensive Plan as discussed in Finding H.1.

- D. The proposed use complies with the purpose statement of the applicable base district and with the specific use standards as set forth in this chapter;

The Commission finds that the subject property is located in the Rural Urban Transition (RUT) District and the Rural Residential (RR) District. The proposed use complies with the purpose statement of the RUT and RR District because schools are allowed as conditional uses in the RUT and RR Districts.

The Commission finds that the specific use standards found in Section 8-5-3-101 for School, Public or Private is applicable and the proposed use meets or is conditioned to meet the standards in the following ways:

- A. Locations for public school sites shall be determined in conformance with the applicable comprehensive plan. The following location criteria shall apply unless in conflict with the applicable comprehensive plan:

1. Elementary schools shall take access off a local street.

The Commission finds that the proposed use is not for an elementary school.

2. Middle Schools, junior high schools and senior high schools shall take access off a designated arterial or urban collector street.

The Commission finds that the proposed use takes access off of Meridian Road which is a principal arterial street.

3. No elementary, middle, or junior high schools shall abut a commercial or industrial district.

The Commission finds that the proposed use is not for an elementary, middle, or junior high school.

4. No school shall be located in a floodplain or adjacent to a hazardous land use.

The Commission finds that the proposed use is not located in a floodplain or adjacent to a hazardous land use.

- B. All structures shall meet a minimum setback of forty feet (40') from any public street and thirty feet (30') from any other property line.

The Commission finds that all the structures on this property associated with the proposed use are set back a minimum of forty feet (40') from any public street and thirty feet (30') from any other property line.

- C. Accessory uses including, but not limited to, daycare centers, community services, social services, meeting facilities for clubs and organizations, and administrative offices for the individual school facility may be allowed.

The Commission finds that the proposed conditional use and master site plan application is for the expansion of a previously approved administrative office building which serves the school.

- E. The proposed use complies with all applicable county ordinances;

The Commission finds that as conditioned, the use complies with all applicable county ordinances.

- F. The proposed use complies with all applicable state and federal regulations;

The Commission finds that as conditioned, the use complies with all applicable state and federal regulations.

- G. The proposed use and facilities shall not impede the normal development of surrounding property; and

The Commission finds that the proposed use shall not impede the normal development of surrounding property because it is in conformance with the Meridian Comprehensive Plan and the Ada County Comprehensive Plan. The properties to the north and the south of Northwest Lineman College are zoned commercial (C-1) by the City of Kuna. The properties to the east are located in the Rural Urban Transition (RUT) District of Ada County and the properties to the west are zoned agricultural (A) in the City of Kuna and Rural Residential (RR) in Ada County.

- H. Adequate public and private facilities such as utilities, landscaping, parking spaces, and traffic circulation measures are, or shall be, provided for the proposed use.

The Commission finds that the applicant will be required to obtain permits from Central District Health and the Ada County Building Department prior to construction of the 4,400 square foot building addition. ITD has stated that the current approach off of Meridian Road is sufficient for the site. The Commission finds that the proposed parking spaces meet Ada County Standards.

CONCLUSIONS OF LAW

If any of these Conclusions of Law are deemed to be Findings of Fact they are incorporated into the Findings of Fact section.

1. The Commission concludes that File #201400175 CU-MSP complies with Article 8-4E of the Ada County Code.
2. The Commission concludes that File #201400175 CU-MSP complies with Chapter 8-5B of the Ada County Code.

ORDER

Based upon the Findings of Fact and Conclusions of Law contained herein, the Commission approves File #201400175 CU-MSP, subject to the Conditions of Approval attached as Exhibit A.

DATED this _____ day of _____, 20____.

By: _____

John Seidl, Chairperson
Ada County Planning and Zoning Commission

ATTEST:

Mark Perfect, Secretary

EXHIBIT A

CONDITIONS OF APPROVAL FOR CONDITIONAL USES AND MASTER SITE PLANS

REQUIRED ACTIONS. THE FOLLOWING LIST DETAILS THE TASKS (IN ORDER) THAT THE APPLICANT AND/OR OWNER MUST COMPLETE BEFORE THE APPROVAL OF 201400175 CU-MSP WILL BE CONSIDERED FINAL. PLEASE NOTE THAT YOU HAVE UNTIL TWO YEARS OF THE WRITTEN DECISION TO COMPLETE THESE TASKS AND OBTAIN A ZONING CERTIFICATE UNLESS A TIME EXTENSION IS GRANTED. SEE SECTION 8-7-6 OF THE ADA COUNTY CODE FOR INFORMATION ON TIME EXTENSIONS.

Required Actions

1. The applicant and/or owner shall obtain written approval of the development (site plan and/or use) from the agencies noted below. All site improvements are prohibited prior to approval of these agencies:
 - a) The applicant shall obtain approval from Central District Health for the septic system before beginning any new construction
 - b) The Kuna Fire District must approve all fire flow requirements and building plans before beginning any new construction.
 - c) A drainage Study and Drainage Plan will need to be submitted to the Ada County Engineer in accordance with Code 8-4A-11. Upon completion of the site work the applicant shall inform the Ada County Engineer so a site visit can take place.
2. The applicant shall obtain a building permit from Ada County Development Services before beginning new construction.
3. The applicant and/or owner shall secure a zoning certificate when the issuance of the building permit and staff has verified compliance with the approved master site plan.
4. The applicant shall install landscaping per the approved landscaping plan.
5. The applicant shall construct the parking area per the approved master site plan.
6. The applicant shall request a zoning compliance inspection from the Development Services Department when the improvements are complete and prior to the certificate of occupancy. Staff will check for compliance with the approved master site plan. The applicant and/or owner shall submit a final inspection request form and pay the applicable fee.
7. In the event conditions cannot be met by the desired start date for excavation, the owner and/or applicant may request a surety agreement in lieu of completing the improvements. See Title 8, Chapter 4, Article K of the Ada County Code for the terms and regulations of surety agreements.
8. The applicant will be required to comply with the Off-Street Parking and Loading Facilities regulations set forth in Section 8-4G of the Ada County Code.
9. If lighting is to be included on the building , the applicant will be required to submit a lighting plan in conformance with Section 8-4H of the Ada County code

TERMS OF APPROVAL. The following terms must be complied with at all times or your approval may be revoked.

EXHIBIT A

10. A zoning certificate may not be issued until 15 days after the Commission issues the written decision on the proposed development. In the event the decision of the Commission is appealed, the zoning certificate may not be issued until the appeal is resolved in favor of the proposed development. See Section 8-7-7 of the Ada County Code for more information on appeals.
11. The applicant shall comply with all requirements of the Department of Environmental Quality and Central District Health.
12. The use shall continuously comply with the approved master site plan.
13. The Director must approve any modification and/or expansion to the master site plan. See Section 8-4E-3 of the Ada County Code.
14. The property must be managed and maintained consistent with the standard regulations in Title 8, Chapter 4, Article A of the Ada County Code. Please note that this Article contains specific regulations regarding the accumulation of junk, atmospheric emissions, construction sites, hazardous material storage, outdoor public address systems, outdoor storage of chemicals and fertilizers, transmission line corridors, and utilities.
15. The use must comply with the noise regulations in Ada County Code, Title 5, Chapter 13.