



## PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, November 03, 2022 at 6:00 PM

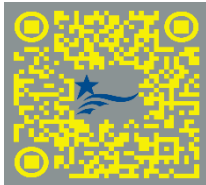
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### Agenda

Scan the QR Code to sign up in advance to provide testimony.



*Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present the project. Then, members of the public are allowed up to 3 minutes each to address Commissioners regarding the application. Any citizen acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners consenting to yield their time to speak. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. Commissioners may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard.*

### VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/89153921862>

Or join by phone: 1-253-215-8782

Webinar ID: 891 5392 1862

### ROLL-CALL ATTENDANCE

Nate Wheeler     Mandi Stoddard     Patrick Grace  
 Vacant     Maria Lorcher     Steven Yearsley  
                   Andrew Seal, Chairperson

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Approve Minutes of the October 20, 2022 Planning & Zoning Commission Meeting](#)
2. [Findings of Fact, Conclusions of Law for Denial of a Conditional Use Permit for Bridge at The Village at Meridian \(H-2022-0069\) by Meridian CenterCal, LLC, located at 3210 E. Longwing Ln.](#)

3. [Findings of Fact, Conclusions of Law for the Conditional Use Permit \(CUP\) for EICU Ten Mile Branch \(H-2022-0068\), for a new drive-through for a financial institution located within 300 feet of a residential use on approximately 1.23 acres of land in the C-G zoning district, by Steven Peterson, CLH Architects & Engineers](#)

**ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

**ACTION ITEMS**

4. **Public Hearing** for Promenade Cottages Subdivision (H-2022-0013) by Steve Arnold, A-Team Consultants, located at 403 E. Fairview Ave.

**Application Requires a Continuance**

A. Request: Rezone of approximately 0.535 acres of land from the R-8 zone to the C-G zoning district, 0.326 acres of land from the C-G to the R-40 zoning district and 6.284 acres of land from the R-8 zone to the R-40 zoning district (6.61 acres of R-40 total).

B. Request: Preliminary Plat consisting of 30 single-family townhome lots, 5 multi-family lots, 2 commercial lots and 8 common lots on 7.64 acres of land in the requested R-40 and C-G zoning districts.

C. Request: Conditional Use Permit for 90 multi-family units and 30 townhomes on approximately 4.65 acres in the requested R-40 zone and to allow the continuance of the non-conforming use of a mobile home park for an extended period of time in the requested R-40 zone.

5. [Public Hearing for Prairiefire Subdivision \(H-2022-0053\) by Patrick Connor, located at 3539 N Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N Locust Grove Rd.](#)

**Application Materials: <https://bit.ly/H-2022-0053>**

[A. Request: Annexation and Zoning of 3.16 acres of land from RUT in Ada County to the R-8 zoning district.](#)

[B. Request: Preliminary Plat consisting of 22 building lots and 1 common lot.](#)

6. [Public Hearing for Hadler Neighborhood \(H-2022-0064\) by Laren Bailey, Conger Group, located at 7200 S. Locust Grove Rd., approximately 1/2 mile south of the Locust Grove and Lake Hazel intersection on the east side of Locust Grove Rd.](#)

**Application Materials: <https://bit.ly/H-2022-0064>**

[A. Request: Annexation and Zoning of approximately 20.5 acres of land from RUT to the R-15 zoning district.](#)

[B. Request: Preliminary Plat consisting of 145 building lots \(52 single-family attached lots & 93 detached single-family lots\) and 11 common lots on approximately 20 acres of land in the requested R-15 zoning district.](#)

7. [Public Hearing for Alden Ridge Subdivision \(H-2022-0059\) by Dave Yorgason, Tall Timber Consulting, located at 6870 N. Pollard Lane and three \(3\) parcels to the north and east, directly east of State Highway 16 and south of the Phyllis Canal at the northern edge of the Meridian Area City Impact](#)

**Application Materials: <https://bit.ly/H-2022-0059>**

A. Request: Annexation and Zoning of approximately 24.8 acres of land with a request for the R-4 (20.35 acres) and R-8 (4.45 acres) zoning districts.

B. Request: Preliminary Plat consisting of 65 building lots and 10 common lots on approximately 21.7 acres of land in the requested zoning districts.

8. **Public Hearing** for Turin Plaza (H-2022-0063) by 12.15 Design, located at 3169 W. Belltower Dr.

**Application Materials: <https://bit.ly/H-2022-0063>**

A. Request: Rezone of 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district.

9. **Public Hearing** for McDermott Village (H-2022-0056) by Boise Hunter Homes, located at 3235 N. McDermott Rd. at the northwest corner of W. Ustick Rd. and N. McDermott Rd.

**Application Materials: <https://bit.ly/H-2022-0056>**

A. Request: Annexation of 40.05 acres of land with R-15, R-40 and C-G zoning districts.

B. Request: Preliminary Plat consisting of 85 building lots (81 townhome, 1 multi-family, 3 commercial lots) and 8 common lots on 40.05 acres of land in the R-15, R-40 and C-G zoning districts.

C. Request: Conditional Use Permit for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district.

**ADJOURNMENT**



## AGENDA ITEM

**ITEM TOPIC:** Approve Minutes of the October 20, 2022 Planning & Zoning Commission Meeting

**Meridian Planning and Zoning Meeting**

**October 20, 2022.**

Meeting of the Meridian Planning and Zoning Commission of October 20, 2022, was called to order at 6:02 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Patrick Grace, Commissioner Maria Lorcher, and Commissioner Nate Wheeler.

Members Absent: Commissioner Steven Yearsley and Commissioner Mandi Stoddard.

Others Present: Joy Hall, Kurt Starman, Bill Parsons, Sonya Alan, Joe Dodson, Stacy Hersh, and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input type="checkbox"/> Mandi Stoddard	<input type="checkbox"/> (Vacant)
<input type="checkbox"/> Steven Yearsley	<input checked="" type="checkbox"/> Patrick Grace
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

Seal: Good evening, everybody, and welcome to the Planning and Zoning Commission for October 20th, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this meeting -- or this evening's meeting are at City Hall and on -- oh, they are just on -- at City Hall tonight. We don't have anybody on Zoom. So, we also have staff from the city attorney and clerk's offices, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on screen or talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have process questions during the meeting, please, e-mail [cityclerk@meridiacity.org](mailto:cityclerk@meridiacity.org) and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel. You can access it at [meridiacity.org/live](http://meridiacity.org/live). With that let's begin with the roll call. Madam Clerk.

**ADOPTION OF AGENDA**

Seal: Thank you very much. Okay. First item on the agenda is the adoption of the agenda. We need to announce the Cobalt Point Apartments, File No. H-2022-0042, will be open for the sole purpose of continuing to a regularly scheduled meeting. It will be open for that purpose only. Tessera Ranch will be open for the sole purpose of withdrawing the application. So, if there is anybody here tonight to testify for these applications, we will not be taking public testimony on them. Can I get a motion to adopt the agenda as amended?

Wheeler: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor say aye. Any opposed? Okay. So -- sorry. None opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

### **ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**

#### **CONSENT AGENDA [Action Item]**

- 1. Approve Minutes of the October 6, 2022 Planning and Zoning Commission Meeting**
- 2. Findings of Fact, Conclusions of Law and Decision & Order in the matter of the Request for a Conditional Use Permit (CUP) for a 100-foot lattice designed communication tower for the City of Meridian Water Department on an existing City of Meridian Well site on approximately 3.45 acres of land in the R-8 zoning district, by the City of Meridian, for AMI Tower at Well 29, located at 6355 W. Quintale Dr., directly west of Oaks West Subdivision No. 1**

Seal: The next item on the agenda is the Consent Agenda and we have one item on the Consent -- or sorry. Two -- two items on the Consent Agenda. First is to approve the minutes of the -- the October 6, 2022, Planning and Zoning Commission meeting and we have the Facts -- Findings of Fact and Conclusions of Law for the request for a conditional use permit for a one hundred foot lattice design communication tower for the City of Meridian Water Department on an existing City of Meridian well site on approximately 3.45 acres of land in the R-8 zoning district by the City of Meridian for AMI Tower at Well 29, located at 6355 West Quintale Drive, directly west of Oaks West Subdivision No. 1. Usually those are not quite as wordy. Can I get a motion to accept the Consent Agenda as presented?

Wheeler: So moved.

Grace: Second.

Seal: It's been moved and seconded to adopt the -- adopt the Consent Agenda. All in favor say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on

how the item adheres to our Comprehensive Plan and Unified Development Code. After staff has made their presentation, the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the application is finished -- or after the applicant has finished we will open the floor to public testimony. Each person will be called on only once during the public testimony. The Clerk will call the names individually of those who have signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come to the microphones in Chambers. Please state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting, it will be displayed on the screen and our clerk will run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA where others from that group will allow you to speak on their behalf, meaning others in the room or online are willing to yield their time for you, you will have up to ten minutes. Otherwise, you will have three minutes to speak. After all those who have signed up in advance have spoken, we will invite any others who may wish to testify. If you wish to speak on the topic you may come forward in Chambers or if on Zoom press the raise hand button in the Zoom app or if you are only listening on a phone, please, press Star 9 and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please, be sure to mute the extra devices, so we do not experience feedback and we can hear you clearly. When you are finished if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom and you will no longer have the -- the ability to speak and, please, remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant has finished responding to questions and concerns, we will close the public hearing, the Commissioners will have the opportunity to discuss and, hopefully, be able to make a final decision or recommendation to City Council as needed.

## **ACTION ITEMS**

- 3. Public Hearing for Tessera Ranch (H-2022-0020) by Providence Properties, LLC., located at Northwest corner of W. Amity Rd. and S. Linder Rd.**
  - A. Request: Annexation of 123.39 acres of land with R-2 (27.37) acres, R-4 (5.78 acres), R-8 (73.43 acres) and R-15 (16.82 acres) zoning districts
  - B. Request: Preliminary Plat consisting of 518 building lots (393 single family lots, 75 townhome lots) and 50 common lots on 123.39 acres of land in the R-2, R-4, R-8 and R-15 zoning districts.

Seal: With that at this time I would like to open the public hearing for Tessera Ranch, H-2022-0020, and I would need a motion to accept the withdrawal of the application.

Grace: Mr. Chairman?

Seal: Go ahead.

Grace: I would -- I would move that we accept the withdrawal of application for file number H-2022-0020.

Wheeler: Second.

Seal: It's been moved and seconded to move -- to accept the withdrawal of the application H-2022-0020 for Tessera Ranch. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**4. Public Hearing for Cobalt Point Apartments (H-2022-0042) by The Land Group, located on Parcel R7909850396, directly east of the intersection of S. Cobalt Point Way and E. Copper Point Dr. in the Silverstone Business Park**

- A. Request: Conditional Use Permit for a new 264-unit multi-family development on approximately 11.95 acres of land in the C-G zoning district.

Seal: I would like to open File No. H-2022-0042 for Cobalt Point Apartments for continuance and I believe the date for that is going to be December 1st, 2022, and we do want them to renotece.

Dodson: Mr. Chair, that is correct. Yes. December 1st the applicant's requesting to continue. Due to travel conflicts they are not able to make it tonight. So, they are trying to bump it to December 1st. This is their second continuance request for this at this point. So, we have had it for a few months and, yes, at this point I believe best option is to renounce it, so that way we ensure that any residents are aware of the new date.

Seal: Okay. Thanks very much. Somebody want to take a stab at that motion?

Wheeler: Mr. Chair?

Seal: Go right ahead, Commissioner Wheeler.

Wheeler: I move that we continue CUP H-20 dash -- excuse me. H-2022-0042 to the date of December 1st.

Lorcher: Second.

Seal: It's been moved and seconded to continue File No. H-2022-0042 for Cobalt Point Apartments to the date of December 1st, 2022. All in favor, please, signify by saying aye. Any opposed? Okay. Motion carries.



MOTION CARRIED: FOUR AYES. TWO ABSENT.

**5. Public Hearing for EICU Ten Mile Branch (CUP H-2022-0068) by Steven Peterson, CLH Architects and Engineers, located at 3087 W. Milano Dr.**

- A. Request: Conditional Use Permit for a new drive-through establishment (financial institution) within 300 feet of a residential use on approximately 1.23 acres of land in the C-G zoning district.

Seal: Now I would like to open File No. H-2022-0068 for the EICU Ten Mile Branch and we will begin with the staff report.

Dodson: Thank you, Mr. -- Mr. Chair. Give me one second to pull up the PowerPoint for everybody. All right. So, again, the first item tonight -- and hopefully is a nice and easy one for everybody. It's a conditional use permit for a new drive through for a financial institution located within 300 feet of an existing residential use on approximately 1.2 acres in the C-G zoning district, as you can see on the map here. The subject site is one of multiple commercial zone designated properties that frame the intersection of Ten Mile and McMillan Roads. There is a myriad of commercial uses that are existing and/or under construction, with more to come as this area continues to develop. The proposed use fits within the professional services that are listed within the commercial designation in the Comprehensive Plan. It should be noted that there are a number of vehicle dominated uses in this area, specifically within this commercial subdivision. So, those traffic considerations are always taken into account by staff. Thankfully there is an internal drive aisle that is on the interior side of all of the commercial lots, so there is no direct lot access to Ten Mile or McMillan Roads. That drive through is a -- oh, I'm sorry. This is for the site plan. The proposed drive through has a one way drive aisle that circles the proposed building and leads to four covered drive through lanes for drive-up services for the bank. Therefore, the stacking lane is practically 185 feet in length from start of the aisle, which would be start of it here, to about here. Therefore, the stacking -- therefore, an escape lane is required and the applicant has proposed that at the south end of the project here. The proposed drive-through complies with the specific use standards in UDC 11-4-311. Access for the overall site is, again, noted to be the shared drive aisle along the east boundary, which is here. They are proposing two curb cuts to that shared drive aisle. This drive aisle connects to West Milano Drive at the north boundary and, then, one parcel south connects to Ten Mile Road via a shared driveway connection there as well. There is an existing cross-access and cross-parking agreement for all of the sites within this commercial subdivision, so staff has no complaints there. The one comment staff does have is regarding the required pedestrian pathway from the, quote, unquote -- per the code from the front of the business to the arterial sidewalks. At this point staff's only recommended revision is to add that and that must cross somewhere in this area, as there is no sidewalk along the south boundary and this is the only sidewalk that can get them to the front door from the arterial sidewalk. Staff is not going to be specific about the required location, just that it needs to be in this area and staff will work with the applicant on that area. There was no written testimony for the subject application and so

staff has recommended approval, because it complies with the UDC requirements and I will stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward? Good evening, sir. Just need your name and address for the record and the floor is yours.

Peterson: Steve Peterson. Steve Peterson. Address is 2864 North 750 East, North Ogden, Utah.

Seal: Go right ahead.

Peterson: So -- yeah. So, as just explained, it's a credit union. We -- we feel that the location is appropriate. With the comments from staff we will -- we are amenable to -- to providing that -- that walkway path to the -- the front -- street front there for the pedestrian path. But, otherwise, yeah, we -- we appreciate the -- the Council's time and -- and city staff's time as we have submitted this and -- and look forward to approval.

Seal: Okay. Does anybody have any questions, concerns for staff or the applicant? Okay. I will -- I will throw one in real quick. That was just on -- and I know -- I just want to make sure that the sidewalk doesn't necessarily go in right where the little red lines are on the presentation, just because of cars driving around that corner that's going to be blind to them. So, if we could make sure that that's, you know, a good pedestrian access, so just in case we do get foot traffic off of there. Ten Mile Road does have quite a bit of good foot traffic, bike traffic on it, so I just want to make sure that that's got a little bit of signage, a better placement on that, so -- anybody else?

Grace: Yeah. Mr. Chair?

Seal: Commissioner Grace, go ahead.

Grace: Steve, is it -- the escape lane, is it -- maybe this is just my unfamiliarity, but is it normal for that escape lane to be sort of so late -- late, I guess, in -- in the -- in the stacking lane? It seems like you would have -- you may have to go through the entire thing before you could escape.

Peterson: Well, the access -- I mean the intent is is that any access going around that would be for the drive through only. But there is -- we have allowed for enough space for a car to bypass any -- any stacking that's happening in the single line along the backside and, then, also to go around the drive through lanes themselves.

Grace: Oh. So, they can get out of the line, so --

Peterson: Oh, for sure. Yes.

Grace: Okay. Thank you.

Seal: Any other questions? None? Madam Clerk, do we have anybody signed up for public testimony?

Hall: We do not in-house or online.

Seal: Might make this quick here. If anybody -- if anybody online would like to speak, please, press the raise your hand button. Is there anybody in Chambers that would like to speak? Seeing no hands raised anywhere, does the applicant have anything else to add?

Peterson: No. Just thanks for your time.

Seal: Excellent. Thank you. All right. With that I will take a motion to close the public hearing for File No. H-2022-0068.

Wheeler: So moved.

Grace: Second.

Seal: It's been moved and seconded to close the public hearing for H-2022-0068, Ten Mile Branch EICU. All those in favor say aye. Any opposed? Okay. The public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Dodson: Mr. Chair?

Seal: Yes, sir.

Dodson: I just wanted to touch on Commissioner Grace's comment real quick. Code is not specific as to when that escape lane needs to start. It just says that if the stacking lane is more than one hundred feet long, then, you need to have one. Typically applicants would start that at approximately the hundred foot length. Thankfully, the drive aisle that they are proposing -- the drive through lane is 20 feet wide. So, it isn't in itself ten feet and ten feet. So, we should have plenty of opportunity for individuals to go around if they need to. You are welcome.

Seal: Okay. Any discussion? Motions? We will take either.

Wheeler: Mr. Chair?

Seal: Go right ahead.

Wheeler: I would like to make a motion here. After considering all staff, applicant and public testimony, I move to approve File No. H-2822-0068 as presented in the staff report

for the hearing date of October 20th, 2022, with the following modifications: That the applicant work with the city on -- on the location and installation of a sidewalk.

Grace: Second.

Seal: It's been moved and seconded to recommend approval -- is this a -- I was going to say to approve File No. H-2022-0068, EICU Ten Mile branch with modifications. All those in favor say aye. Any opposed? Okay. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

**6. Public Hearing for Bridge at The Village at Meridian (H-2022-0069) by Meridian CenterCal, LLC, located at 3210 E. Longwing Ln.**

- A. Request: Conditional Use Permit to exceed the maximum building height listed in UDC 11-2B-3A.3 of 65 feet for the C-G zoning district to allow an average elevation of 78 feet (85 feet to the highest point of the structures).

Seal: Okay. At this time I would like to open up File No. H-2022-0069 for Bridge at The Village at Meridian and we will begin with the staff report.

Allen: Good evening, Mr. Chair, Members of the Commission. The next application before you is a request for a conditional use permit. This site consists of 14.24 acres of land. It's zoned C-G and is located off the northeast corner of East Fairview Avenue and North Eagle Road. This property was annexed as part of The Village at Meridian development back in 2007 with the requirement of a development agreement, which has been later amended in 2011. The Comprehensive Plan future land use designation is mixed-use regional. A conditional use permit is requested to exceed the maximum building height of 65 feet listed in the UDC for the C-G zoning district to allow an average elevation of 78 feet -- or 85 feet to the highest point of the structure, depending on how you measure it, for two vertically integrated residential buildings, one on each side of Longwing Lane joined by a pedestrian bridge over Longwing. This project can be serviced by the Meridian Fire Department, but with the concentration and distribution of existing resources they are unable to maintain an acceptable response time. A firefighter air replenishment system will be required for the structures per IFC and city code. Both structures shall be required to have radio testing done. The fire department recommends automatic external defibrillators throughout the building, as access to the upper floors and pool area will be delayed. Written testimony has been received from Tamara Thompson, The Land Group, the applicant's representative, in agreement with the staff report. Staff will stand for any questions. The staff is recommending -- excuse me -- approval. I can't speak tonight. Thank you.

Seal: Thank you, Sonya. All right. Would the applicant like to come forward, please? It looks like they are online. Oh. I see a Lance Blackwood is raising his hand. Okay.

Blackwood: Hello. This is Lance Blackwood. Are we coming through okay?

Seal: Yes, sir, you are.

Blackwood: Well, thank you.

Seal: We got your name, let's go ahead and get your address and the floor is yours.

Blackwood: Yeah. Lance Blackwood. 11566 Holly Springs Drive in South Jordan, Utah. I represent -- work for CenterCal Properties and we are the applicant and -- for -- for this project and we are very very excited to be at this -- at this point in our design and development and our approval process and in working with Sonya and the -- the rest of the staff, to -- to come to this point. We are -- we are very excited with the way that the project has developed in coming forward and this is a real interesting -- important junction for us to be able to take before the Commission -- the Planning -- the CUP for the building height as we are continuing to work on the rest of the documents and -- and to prepare to submit for building permits and the rest of the land development permits and all the other statutory requirements around the first of the year. So, we are very excited about that. And we have with us also via Zoom -- we have Scott Arrington, who is our CenterCal vice-president of construction and Don Becker, who is our entitlement project manager for the design and we also have David Holzberg, who is the director of operations for development and he is the architect representing our design team. So, David is here for -- if you have any questions regarding the architectural -- the technical issues that David is -- is ready to answer those questions.

Seal: Okay. Thank you very much. Is that the -- would you like to present anymore or --

Blackwood: If you would like to -- I mean if you would like to have David give anymore detail regarding what -- what is already included in the staff report or any clarifications, I think that he would be willing to do that, but hopefully -- I -- I believe that it's -- it's pretty well laid out, the -- what our request is and -- and showing the requirements for the conditional use based on just the building height. I believe -- I believe that we are -- we are okay.

Seal: Okay.

Blackwood: But, you know, please, let us know if you want -- if you want David to expand on any of that.

Seal: No. Just -- just asking the question, so --

Blackwood: Okay. Thank you.

Seal: No -- no need to get flashy, although some applicants do.

Blackwood: I'm not very -- I'm not very flashy.

Seal: All right. Thank you very much.

Blackwood: Thank you. Okay. Commissioners, do we have any questions for the applicant or staff at this point?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I have a question for the applicant in regard to the height elevation of 78 -- is it 78 feet to 85 feet? Is it structural or decorative? Lance?

Peterson: Sorry. Yeah. David, will you -- Mr. Holzberg, will you weigh in on that for us, please?

Seal: Madam Clerk, do you want to bring in --

Peterson: Do I have to lower my hand before he can --

Seal: No, I don't think so. It looks like David Holzberg wants to --

Peterson: There he is. Thank you.

Seal: Okay. David, it looks like you are unmuted. Can you hear us?

Holzberg: Yes, I can.

Seal: Okay. Go ahead and give us your name and address for the record, please.

Holzberg: Yes. My name is David Holzberg and our address is 255 400 West in Salt Lake City, Utah. To answer the question, the -- the deck height is below 75 feet. The 80 -- the 78 to 85 is structural. It contains the -- the roof line of the building.

Lorcher: Can I have a follow-up question?

Seal: Absolutely.

Lorcher: So, why -- why -- is 65 feet not enough? I mean why -- why do you have to have the -- the waiver of the variance? What's -- besides the roof line? Is it to have another floor on this building or --

Holzberg: Yes, it is. And just in the -- in the development of bringing the -- the quantity of units on site it is having an extra level that extends up above and -- of that -- that level.

So, it's really -- it's a quantity of units that we are -- we are going to add and that's why -- where the variance comes from.

Lorcher: Is this a seven floor -- a seven floor building?

Holzberg: That is correct.

Lorcher: Okay. Thank you.

Seal: Anyone else?

Grace: Mr. Chairman?

Seal: Commissioner Grace, go ahead.

Grace: This is characterized as a -- two vertically integrated residential buildings and maybe I missed it, so -- maybe this question -- this question could be either for the applicant or staff, but how many units are we talking about?

Holzberg: This is David again. This is -- it's a total of 549 units and it's very vertically integrated in that there is retail along the -- the Longwing corridor, which, again, replicates the scale that we see at The Village at Meridian.

Grace: Thank you. And I was referring to the residential unit. So, that was the number I was looking for. Is that --

Holzberg: Yes.

Grace: -- five forty-nine. Okay.

Holzberg: Thank you.

Seal: Anybody else?

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.

Wheeler: Hello. This is Commissioner Wheeler. David, since you are up to bat here, let me just keep on throwing you some -- some fastballs if that's all right.

Holzberg: Go for it.

Wheeler: So, what you are saying is that it's the parapet that's actually pushing it over the 78 foot limitation or restriction?

Holzberg: Yeah. So, the height of the building -- so, the average being at 78 is -- and it is the parapet of the roof. So, the roof line itself is -- the structure is just a couple of feet below that. So, it's not an overly extended parapet. It is the roof line that's at that level.

Wheeler: It's the roof line and so the parapet goes above the 78 feet and that's what kicks it to the 85 feet; is that what I'm understanding?

Holzberg: No. I'm sorry. It is the parapet that is at the 78. I'm -- I'm saying that the parapet itself is only about 12 inches tall.

Wheeler: Okay. Okay. That makes a lot more sense to me. Okay. And then -- so, what is kicking it over the 78 feet then?

Holzberg: So, the -- there is certain -- just in the variations to add that character to the roof line. So, the average is the 78 feet, but the 85 is just in fitting with the building code and -- and the type of construction that we are doing, that's where we do not exceed the 85, but 78 is the average.

Wheeler: Okay.

Seal: Sixty-five foot is actually the -- the limit that they are exceeding on this.

Wheeler: Okay. So, 65 feet and -- okay. So, why did I see something here on the staff report on 78 feet? Was I missing something?

Seal: The average elevation is 78 feet and 85 feet to the highest point, so --

Wheeler: Okay.

Seal: Essentially the highest point of the building is going to be 85 feet, which is 20 feet higher than what we allow --

Wheeler: Okay.

Seal: -- on a conditional use permit.

Wheeler: So, is there -- so, with your project, if we are able to take off two more floors in order to bring it within code, are you guys okay with that?

Holzberg: If that were the case the project would not be economically feasible, especially with the -- the rising construction costs. That is where -- where the application had come in as to accommodate the addition -- additional income from those units. So, if -- if this was not approved and it went at the 65, that -- that would be a detriment to the project.

Wheeler: Okay. I also noticed that on the application that you mentioned that there are some -- there are some parking that is on here, a 733 stall parking garage. I'm assuming



that that is not a standalone unit, but more or less this is like a four over three. So, in construction talk that means that there is -- there is four units that are livable that are above like three units of either mixed-use or parking. So, is that what you are saying, is that that's what -- what's adding in is seventy -- a 733 stall parking garage or is that a standalone garage?

Holzberg: It's actually -- the -- the project wraps the south building on -- on the plan there. The project wraps around the parking garage. It -- it's -- it's actually a five over two construction and so the parking garage is a -- is a taller structure, which is -- has the units wrap all the way around it. The intent is to make sure that we conceal that. But there is still lots of access to the parking garage, but from the street you wouldn't know that there was a parking garage.

Wheeler: Okay. So, this -- the residential units -- the mixed-use, the retail and everything else like that will be what is seen from the front and -- the drive by, like -- by the main arterials, but the parking structure will be on the interior side?

Holzberg: Correct. If you see the plan that's on the screen on that south building there, it's -- you will see those units are wrapped all around the parking garage in the center.

Wheeler: Yeah. I'm noticing that from the elevations. I was just kind of curious about the -- you know, the podium side -- side of it. Thank you for answering that, Scott. The other question I have is this area -- this intersection is the most -- it's the busiest in the state of Idaho. The parking there on any sort of fun Fridays that the -- that The Village puts on for concerts or get togethers and we are coming into, you know, holiday seasons, it's pretty packed. How do -- how does -- how does this project not add to more of this congestion and more so even just on a safety level with just the traffic and everything queuing for, you know, just another 733 cars?

Holzberg: Yeah. No. Understood. That's a great question. We -- as part of the CUP process we had gone through some iterations with staff regarding traffic and the approvals of the -- the apartments that are going in right here are actually already part of a previous traffic study that had been submitted to the city. So, it does add more people to it. That's why we wanted to keep all of the additional cars that it will be adding into -- internal to the building and not necessarily spilling out onto the site, which, like you said, is already -- is already busy.

Wheeler: Is this also taking up parking spaces at The Village?

Holzberg: It will be, yes.

Wheeler: So, what's the net loss -- or what's the net gain out of the 733? Because part of those 733 -- the patrons aren't going to be able to park at and so that's just going to add some extra congestion. So, how many -- how many parking spaces are -- are taken away in order -- for this project?

Holzberg: You know, right now I would have to approximate that for you.

Wheeler: That's fine.

Holzberg: I would say probably about 120.

Wheeler: Okay. Are you guys adding any sort of decel lanes or anything like that off of Fairview or Eagle in order to accommodate the extra traffic or what the ITD study said or ACHD?

Holzberg: That was -- that is not something that is in the scope of this project.

Wheeler: Okay. Okay. Thank you.

Seal: Yes. Thank you.

Holzberg: You're welcome.

Seal: Anyone else? Questions. Concerns? Comments? No? All right. At this time we would like to open up the --

Grace: Mr. Chair, I'm -- I'm sorry.

Seal: Go ahead.

Grace: I have one follow up. Just a clarification from the applicant. The parking that is described in the -- in the garage is -- is exclusive to the -- to the residents; right? It's not public parking.

Holzberg: There is public parking. There are about 60 stalls that are being added back into for -- for -- for the public parking. It's free -- free access that is just on the ground floor.

Grace: Okay. Thank you.

Seal: All right. Okay. At this time I would like to take public testimony. Madam Clerk, is there anyone signed up?

Hall: Mr. Chair, there is no one signed up on online, nor in -- in Chambers.

Seal: Okay. If you are online, please, hit the raise hand button. If there is anybody in Chamber, please, raise your hand. Sir, if you would like come up and testify please do. Good evening, sir. I just need your name and address for the record and the floor is yours.

Bernard: Name is Michael Bernard. 4025 North Dashwood Place, Meridian, Idaho. Thank you, Mr. Commissioner and Commission. I didn't come here intentionally to provide testimony on this until they just heard it. So, I only have a couple of points that I would like to make is, number one, if -- if we have standards, then, we should uphold those standards. We shouldn't bend over backwards to modify those standards to allow somebody to make more money; right? So, that's kind of what it sounds like for this project. We want to shoehorn this giant project into here and it's not financially doable for them unless we make allowances or accommodate them and allow them to exceed height standards that exist. So, I don't believe we should do that. We have standards. They exist for a reason. We should uphold them. Two is -- and -- and, Commissioner Wheeler, you -- you kind of hinted at this. That's a disaster in that area for many hours of the day and now we are talking about adding another 4,000 trips a day to those roads, maybe more. Let's remember residents don't have just one car. Many residents have two or even three cars, so parking alone is going to be atrocious. Plus they have visitors; right? So, none of this is accounted for I don't think in any of the numbers that I heard. So, those are the only things that I wish that I'm asking you to consider before you make your recommendations to the Council. Thanks for your time.

Seal: Thank you, sir. Anybody else want to testify? Seeing nobody raising their hand online or -- or in Chambers, would the applicant -- I was going to say, is there any -- any further questions from the Commission? Okay. Would the applicant like to give any closing remarks? That's either -- either Lance or David, you can go ahead with that.

Blackwood: Yeah. We -- we have certainly made every effort to make this -- this isn't just surely a -- a -- purely a process to see how many we can cram in. It -- it really is to build a wonderful vertically integrated, high quality development that it's really going to enhance -- enhance the city as well as our development and so we appreciate the concern and we are looking forward to providing a really world class facility here. Thank you.

Seal: All right. Thank you very much. With that can I get a motion to close the public testimony for File No. H-2022-0069?

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2022-0069, Bridge at The Village of Meridian. All in favor say aye. Any opposed? Okay. Public hearing is closed.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Commissioners?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Can I check with Council in regard to what exactly we are voting on tonight? I mean it's not the project, it's the conditional use permit for the height of the building. The project has already been approved or they are in process with the City of Meridian; is that correct?

Starman: Mr. Chairman, Commissioner Lorcher, I will take a stab at that and ask our planning staff to join me as well, but as Sonya indicated this project has a very long history and there is an existing development agreement that contemplates certain development on the site, including multi-family. So, this is all allowed with the existing development agreement. The item -- the concrete specific item before the Commission this evening is the request to exceed the 65 foot limit on height and you have heard testimony from that from the applicant and heard a presentation from staff. So, the specific issue before you tonight is a conditional use permit that pertains to the height limitation and an exception to the 65 foot limit and in order to make the findings for that conditional use permit, you know, in our -- in the Unified Development Code, you have -- there are outlined in your staff report findings that you have to make in order to grant that conditional use permit. So, that's for the Commission to decide whether those findings are and if you are able to make those findings or not, but really the -- the item before you tonight is fairly limited on the height issues that -- I guess I would defer to -- or ask Sonya and Bill Parsons to elaborate if I missed something or if I misspoke.

Allen: Yes. Chairman Seal, Commissioner Lorcher, Commissioners, the -- that's true what counsel just stated. This project has been approved by planning. It is considered a vertically integrated project, which is principally permitted in the C-G zoning district. So, all they have to do is submit for a certificate of zoning compliance and design review application.

Lorcher: Mr. Chair?

Seal: Go ahead.

Lorcher: Sonya, if we deny the height will they go back to the city planning to kind of adjust this to however they would see fit as far as the units are concerned? There is no limit in regard to the number of units for this vertically integrated building.

Allen: There is no limit. However, the applicant stated that this would kill the project for them. But, yes, they could apply for a vertically integrated project at the maximum height limit of 65 feet allowed by the UDC.

Lorcher: One more?

Seal: Yep.

Lorcher: If we did continuance they would continue to work with planning to adjust the building to be able to maximize the space with what they would like to do within the height restriction?

Allen: They could certainly do that. Again, the applicant -- you can ask the applicant again, but from what I heard that that would kill their project that they had going for this site.

Lorcher: Okay. Thanks.

Starman: Mr. Chairman and Commissioner Lorcher, I guess I would add to that -- if the thought is -- if the Commission as a whole is going in that direction to decline the conditional use permit to exceed the 65 foot limit, there is really no reason -- there would -- I don't think there would be a reason to continue the hearing, because if they stay within the 65 foot limit there is no need for Commission action at that point in time. So, there is no need to continue the hearing if you are moving in that direction, because there will be no need to come back for additional discussion at that point.

Parsons: Mr. Chair, just to add a little more to --

Seal: Go right ahead.

Parsons: -- information to -- to the Commission. If you deny it the applicant still has the right to appeal your decision to City Council. So, it's -- it's just more -- more hoops for them to jump through. Again to Kurt's point or the city attorney's point is this really is a height requirement and I think most of the buildings out there -- probably some of those architectural embellishments on some of those buildings are -- exceed 80 feet now. So, I don't -- I don't -- it's something you have to take into consideration, but at least from staff's perspective this is a very simple request. The code allows for them to go through a conditional use permit to increase the height. That's what we are here for. The vertically integrated -- again, it's principally permitted. As Sonya stated, they can come in tomorrow and submit for that.

Seal: Commissioner Grace.

Grace: Mr. Chairman. And that -- thank you so much, because I was about to ask the question as to whether there are other structures in that area that also exceed that height and what's -- if -- if -- if that restriction has been waived what's the rationale? I mean what's -- what's the criteria that the city uses to -- to determine that on a -- on a project by project basis?

Parsons: Mr. Chairman, Members of the Commission, nothing's been waived. There is always a process -- a conditional use process or a lot of times in the code when you look at the height exceptions, if it's not habitable space a building can be taller, because it's -- again, it's just more an architectural feature than actually space of that building, so, again, it's your purview. The traffic study's been addressed. That was addressed. This was --

the use was contemplated back in 2007 when it was annexed. The DA is in place. So, again, it's simply coming before you to allow a higher real -- a taller building.

Seal: Bill, a question on the -- I mean it's probably an impossible question to ask on the spot, but I will ask it anyway. Out of -- do you know of any residential applications that are -- went through the conditional use permit and are exceeding that 65 foot height?

Parsons: Mr. Chairman, Members of the Commission, not -- not in its -- yes. Right across the street. We just did it for that vertically integrated building. They are 90 feet tall.

Seal: Okay.

Parsons: And, then, a lot of times we -- we do that process, we -- we either -- Scentsy campus, the office building there went through a conditional use permit to go up to 85 feet tall and, then, a lot of times these office buildings that you see going up are about 77, 78 feet tall, so they will provide some kind of common open space and go through the staff level alternative compliance process, so they don't need the CUP in that case, they just get staff level approval with their certificate of zoning compliance and design review applications.

Seal: Thank you.

Lorcher: Mr. Chair?

Seal: Yeah, Commissioner Lorcher.

Lorcher: I think it would be easier if we had a sense of context, you know. So, we know that the decorative buildings at The Village exceed 85 feet, but it's more decorative than actually in -- you know, actually being apartments and Brighton is doing one around the corner, but -- I mean I can't remember if -- what -- I think there are a five story building, not seven. And, then, there is the apartments on the other side that I think are closer to three and four. So, you know, if we knew that -- if this is the tallest building or does this fit into the theme of whatever's happening in The Village already, that kind of context information would be helpful, because if this is just almost the same, but just a different style of all the other apartment buildings that are around The Village, then, it would be an easy decision. But if this is one that's exceeding everything else and overshadowing everything else that's happening there standalone, it's -- it's hard to make that decision right off the top of our head. I guess that's not really a question, but more of a comment.

Seal: Yeah. And that's very welcome and I -- I mean I think of it in two ways. There is -- one, they want to add, you know, essentially, an additional level to this in order to, you know, accommodate rising prices that are out there. That said, everybody around them has built at this level, the 65 foot height or below for residential and managed to make a couple bucks. So, you know, at the same time as I look at this do we need another level of residents in that area to help accommodate living spaces for Meridian. I mean if -- if the answer to that is no, then, I mean for the most part, then, we are giving them the

conditional use in order for them to make more money, not necessarily to accommodate, you know, what we need for Meridian. So, that's kind of the way that I'm looking at it at this point in time, so --

Parsons: So, Mr. Chair, Members of the Commission, I think -- I think -- I appreciate the discussion this evening. The -- the one thing that -- that's intriguing to -- at least from a -- putting on my planner hat, what we like about this project is when you look at an aerial of this property it's a sea of asphalt. This is where the applicant is actually putting square footage on the ground, they are trying to screen parking, so you don't see it. So, in -- from a planning perspective this is probably a good case scenario where the building -- the design of the building is accentuated versus a parking lot. So, typically in your urban settings this is what you see. You have -- the building is towards the street or you have the building being the dominant feature and the parking being screened. So, as far as how this is going to fit into the context of The Village, I think in -- in planning it's -- it should fit -- blend in very well. It's -- again it's what was contemplated with the development of this property.

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: Well, I -- I agree the project actually looks -- it's a -- it's probably a good fit. This building looks like a monster and, you know, if there is 549 units and say everybody's got, you know, two cars or two people, you are adding, you know, almost 1,100 more cars to The Village and to the corner of Fairview and -- and Eagle and I know the ACHD study says that those streets can handle that parking -- or that traffic and, then, even with the 733 parking units that are there with the 60 -- that includes the 60 for the commercial that will be below, which I really like having the commercial and the living space on top, that's still a shortage of 365 parking spaces for a place that's already crowded. So, if everybody wanted to go see Santa on Friday night, it would be really challenging with -- with this there. Having the -- the live-work, you know, in the same parking lot as The Village, so that, you know, you can go grocery shopping, you can go see a movie, you can go have dinner, you can do all those things because you are right there is fabulous. Overall I like the project design, but it is very vast for that particular corner. So, for the development agreement, you know, I totally support having a retail business at the bottom and residential at the top, but 549 units and asking, you know, for another floor to be able to accommodate that when we don't know what the other apartment buildings are doing around the area, it's just -- it's -- at least for me it's hard to decide.

Seal: Yeah. I agree. I -- again, I -- I look at everything that's built around it for the residential. They are all building and -- I mean what we have seen as far as Brighton going in, it was five stories that had their parking concealed. They were able to do all that and stay within the height restriction. So, I mean, again, this kind of comes down to -- I think they can do this, minus a floor, essentially, and some more architecting and still be well within a marketable model. But, you know, I don't risk millions on projects like this, so that's just me thinking out loud.

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: Yeah. I -- I see the -- on the developer side I mean they are the ones that are taking in the risk and they are -- and they are the ones that are pursuing this, they are the ones that are taking a look at the plans, the DA, seeing that, hey, this would look well, looking at something more like staff said about, hey, we are not seeing a sea of asphalt pulling into it; right? And they are in there to put up a lot of risk in order to -- to get some -- to get some return on it and sometimes it's years before they even see any sort of thing as they continue to feed the alligator and as they continue to put out the cost in order for this stuff. I think some of the thoughts that -- that I have on it is similar to yours that there has been other ones that have been able to do this on a smaller scale and be okay within the height restriction. The other thing is I think also as the Commission -- I think this is something that we need to kind of focus on -- not really focus on, but just remember is that we do decide kind of what City of Meridian gets to kind of look like as we approve projects and deny projects and things like that and so for me it's kind of like is this Village, where it's been kind of a -- a hub for -- for community marketplace activities, entertainment, and things like that, how would that -- how would that fit and look with that -- that height restriction removed and the parking spaces out, how would that accommodate people that would want to be able to -- to go there and how that might constrict more -- more use of really the crown jewel in Meridian of this Village and so for that reason I -- I can't support the -- the CUP of going over that height restriction of 65 feet.

Seal: Commissioner Grace, go ahead.

Grace: Yeah. Mr. Chairman, I guess maybe I take a little bit different perspective given the limited nature of what's in front of us in our decision making. We are talking about -- I mean the decision is based on the vertical height; right? And, you know, this Commission and the city is facing this issue -- has faced it before and we are going to continue to face it. It's growing. They are coming. I would rather grow vertically than -- than create -- than continue the sprawl, quite honestly. The staff has said it's compatible with the surrounding buildings and the other uses. There are some structures that are relatively in this neighborhood in terms of height. Housing is a -- is a big issue in Meridian as we all know. I do understand the traffic and the parking. You have to take the traffic study at -- at it's -- at what it says. It's a busy area. It's not going to be -- cease to be a busy area because this project doesn't go in. So, I guess maybe I take a different view of it. I -- I -- I would probably have to support it based on the limited nature of what's in front of us.

Seal: Okay. Anybody else? Okay. I'm looking for a motion at this point in time then.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler, go ahead.



Wheeler: Let me see here. Get that page here. Okay. I would like to make a motion here. After considering all staff, applicant, and public testimony, I move for denial on File No. H-2022-0069 as presented during the hearing date -- excuse me -- presented during the hearing on October 20th, 2022, due to the -- due for the following reasons: Not allowing the height restriction to be superseded and the parking issues that would, then, ensue.

Seal: Do I have a second?

Lorcher: Second.

Seal: It's been moved and seconded to deny File No. H-2022-0069 for the aforementioned reasons. All those in favor of the denial, please, say aye. Opposed?

Grace: Aye.

Seal: And the -- the ayes have it. So, File No. H-2022-0069 has been denied.

MOTION CARRIED: THREE AYES. ONE NAY. TWO ABSENT.

**7. Public Hearing for Kingstown Subdivision (H-2022-0045) by Kimley Horn, located at 2620 E. Jasmine St.**

- A. Request: Annexation of 8.20 acres of land with an R-8 zoning district.
- B. Request: Preliminary Plat consisting of 28 building lots and 6 common lots on 8.20 acres of land in the R-8 zoning district.

Seal: That's enough. Thank you very much. Please do not do that. It's not a pep rally. All right. Thank you, Commissioners. Okay. I would like to open up File No. H-2022-0045, Kingston Subdivision, and with that we will begin with the staff report.

Parsons: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for annexation and zoning and a preliminary plat. This site consists of 8.2 acres of land. It's zoned RUT in Ada county and is generally located west of North Eagle Road and State Highway 55 and north of East Ustick Road at 2610 East Jasmine Street. This is an in-fill or enclave property surrounded by city annexed and developed land. The Comprehensive Plan future land use map designation is medium density residential, which calls for residential units at a gross density of three to eight dwelling units per acre. An application for annexation of 8.2 acres of land with an R-8 zoning district and preliminary plat consisting of 28 building lots and six common lots on 8.2 acres of land in the R-8 district was submitted for this development. This project is proposed to develop in two phases, with the western portion of the property developing first. There is an existing home and several outbuildings on the eastern portion of the property that are proposed to remain until the second phase of development, at which time the outbuildings will be removed and the home will remain on a lot in the proposed

subdivision. In accord with staff's recommendation the applicant has submitted a revised concept plat as shown in an effort to provide a better transition to existing residential properties to the north and future residential properties to the east, which reduced the number of building lots from 28 to 26 and increase the number of common lots from six to seven, for a gross density of 3.17 units per acre. The gross density without the large parcel where the existing home is proposed to remain is 3.78 units per acre and that is this big lot right here where my arrow is. Changes to the plan include removal of three building lots along the north boundary and the addition of one building lot along the east boundary. The size of common lots were increased to meet the qualified open space standards and a 20 foot wide common lot was added for a multi-use pathway connection from Conley Avenue through the large common area to the pathway along the east side of Rogue River Avenue in accord with the pathways master plan and I will just flip to that real quick and show you -- this is the area that was added and the pathway will go through here and up along here to the north boundary. Access is proposed from the extension of existing local stub streets, North Conley Avenue, North Rogue River Avenue and East Jasmine from the south, north and east to point -- Alpine Point, Delano, and Champion Park Subdivisions. A minimum of 1.23 acres of common open space is required to be provided within the development. The initial open space exhibit submitted with the application included some areas that did not meet the minimum qualifications. The applicant submitted an updated common open space exhibit that addresses staff's concerns in the staff report -- and that is shown there on the right -- that depicts exactly 1.23 acres of common open space that appears to comply with UDC standards. Amenities consisting of a dog waste station and a picnic area with a shelter table and bench seating is proposed in accord with UDC standards. There are many existing trees on this site that are proposed -- proposed to be removed with development. Mitigation is required for these trees as noted in the staff report. Conceptual building elevations were submitted as shown that demonstrate what future homes in this development will look like. A mix of single story, single story with bonus room, and two-story homes are proposed. Development of this site is difficult because of the three stub streets to this property that are required to be extended and their locations. Although the use and density of the project is in line with the comp plan, the comp plan also states that new development should create a site design compatible with surrounding uses through transitional densities, buffering, screening and other best site design practices. If the Commission does not feel the proposed development is compatible with surrounding use in terms of transition, the Commission could require additional landscaping for screening and/or reconfiguration of lots, so that more compatible lot sizes are proposed adjacent to existing development. The number of lots could also be reduced by up to five down to 21 and still comply with the density desired and the medium density designation. Written testimony has been received from Nicolette Womack, the applicant's representative, in response to the staff report. She detailed the changes made to the plans. Several letters of testimony have been submitted by adjacent neighbors in opposition to the proposed development and those are all contained in the public record. Concerns noted include, but are not limited to the following: Increased traffic in existing residential neighborhoods due to the proposed street connectivity and associated safety concerns due to speeding traffic. Request for the city to require traffic calming measures within Alpine Point Subdivision and possibly other adjacent subdivisions as a condition of approval prior to

commencement of construction. Opinion that R-2 or R-4 zoning would be more appropriate than R-8 due to the differences in dimensional standards and better compatibility with adjacent lots and preference for larger lots, i.e., lower density along northern and southern boundaries to be more consistent with existing development. Request for minimum lot sizes of 10,800 square feet along the southern boundary and 12,960 square feet along the northern boundary consistent with neighboring lot sizes. Proposed two story homes are invasive to existing residences' privacy in Alpine Point Subdivision and not complementary to existing one story and one story with front facing bonus room homes. Most of the proposed lots are dimensionally too small for the proposed homes with the required setbacks. There was a request from Mr. McDowell, the property owner at 2431 East Wainwright, that is the largest lot adjacent to this site at the northern boundary. That is this lot right here. He is requesting single story homes next to his property or if two homes -- two story homes are approved he requests the developer plant 20 foot tall blue spruce trees in his backyard to provide screening. And, lastly, a request from Mr. Johnson, the property owner directly to the east of Mr. McDowell's property for two story homes next to his property to have no windows overlooking his backyard. Staff is recommending approval with the requirement of a development agreement that contains the provisions in the staff report. Staff will stand for any questions.

Seal: Thank you, Sonya. At this time would the applicant like to come forward? Good evening. I need your name and address for the record and the floor is yours.

Womack: My name is Nicolette Womack. I'm a planner with Kimley Horn, and the address is 1100 West Idaho Street, Suite 210, Boise, Idaho. 83702. So, again, we are here before you tonight with Kingstown Subdivision. The applicant team includes Teller Bard, a civil engineer with Kimley Horn. Ian Connair, a civil engineer as well. Myself, who is a planner, and, then, Kyle Enzler is with Maddyn Homes. It's important to note that Maddyn Homes is a second generation builder and fourth generation Idahoan family. So, they have a vast experience across the area and they have a strong commitment to building safe -- safer and more energy efficient homes for families. Before you tonight is that annexation, rezone, that annex -- annexes the parcel into the city and assigns a zoning designation. It plats the parcels of the preliminary plat for individual sale and, then, the development agreement will bind us to specific conditions. It's important also that we cover the timeline, so we began in October of 2020 when Kyle -- the -- the builder actually purchased the site as his personal residence. In May of that year he began with his first pre-application appointment and, then, continued on until November of that year. The neighborhood meeting was held in April and the application was submitted in June. We received staff's comments in September and we revised the plans to bring the plans into greater conformance with the items they brought up. And, then, tonight is our public hearing. Shown here is the site at 2610 East Jasmine Lane. The area is directly to the northwest of the Hobby Lobby retail center and it is adjacent to several adjacent services and in -- in an area that is, obviously, rapidly developing. The crux of why this site is so unique has a lot to do with the existing home that's on the site and so this is the home that Kyle and his family live in. They have made -- they have a lot of focus on the -- keeping the character of the property intact. This 7,337 square foot home is something

that they are desiring to retain and so are several of the neighbors. So, that has been a focus of the design. This is the future land use map for the property. It is designated as medium density residential, which encourages three to eight dwelling units per acre. This is the zoning map for the property. So, as you can see this is one of the last remaining county enclaves with the subdivision to the northwest, but this project clearly was not developed with the adjacent lots and that has made further complicating issues trying to figure out a site plan that works for every code requirement and for everyone. So, they are requesting R-8 zoning, which is consistent with Champion Park and Delano Subdivision to the south and east. The existing condition of the site -- you can see the single family home, several of the out buildings will be removed and the existing landscaping. It's important to note that this is a triangular shaped lot with three stub roads and I think we all know triangles are hard in development and stub roads are generally straight with 90 degree corners. So, to the north there is roughly 13,000 square foot lots. To the south is roughly 11,000 square foot lots. And to the east is five to six thousand square foot lots, with multi-family to the southeast. Again these are the three stubs we are working to connect. Those are requirements of ACHD and the city and so, again, these are the opportunities and constraints we are working to resolve. We are finishing completing the road network and the pedestrian network with those pathways, preserving the existing home, retaining a majority of the existing landscaping, designing a project within a triangular shaped lot and creating consistency with four adjacent very varied subdivisions. The original submittal was 28 single family homes. That is a density of 3.42 dwelling units per acre and, again, it's important to note that 20 percent of our site is required roadways. After working with staff and -- and taking their feedback into consideration, the builder was able to settle on 26 single family homes. That was accomplished by removing three single family homes from the northwest side of the site and replacing one on the southeast corner of the site as recommended by staff. There has been a lot of discussion. The builder has attended several HOA neighborhood meetings to talk about this in more detail and has struggled to decide who should be more burdened by density, one subdivision or another, and so a lot of it had to come down to where the appropriate space for open space and pathway should be and how to work within the odd angles of the required roadway system. Again, in phase one there will be 18 single family homes and in phase two the existing home will be a part of that with seven new single family homes. This is the required open space and amenities, so we meet the required open space. We are providing 2.5 amenities, which include that picnic area and dog waste station and, then, we greatly exceed the required landscaping. Again this is a photo of the site. Depending on the mathematical matrix you use we are retaining somewhere between 68 percent to 73 percent of the existing tree canopy. These are concepts for the first phase in the western side of the site and, then, these -- the applicant is the builder and is confident that these can fit on the lots and, then, in phase two these are more of the estate style homes. So, again, through the neighborhood meeting process we have taken into account the neighborhood feedback. We set up three workstations in our neighborhood meeting. We heard about height, phasing, circulation and right of way connectivity, traffic calming and a concern that we might come back in the future and request additional density increases and I think it's commonly known that that would require additional permits with another hearing. So, that would be up to you all if you would even consider it. So, we don't have any plans for that at this time. And,

again, in working with Sonya we agree with all the conditions noted in the staff report and we request your recommendation approval on the annexation, rezone, and preliminary plat. Thank you.

Seal: Thank you, Nicolette. Okay. Questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: I saw that on the map that Block 1 was part of the open space and how do you access Block 2? Is that a -- so, the -- the primary residence is Block 3; correct?

Womack: Yes.

Lorcher: That's where the owner lives?

Womack: Mr. Chair, that's correct.

Lorcher: So, out of curiosity -- so, I see Block 1 has turned into open space. Is there a driveway off of the -- I need my glasses. I can't read what that's called. Rogue River Avenue.

Seal: Could you go to the bigger map? There we go.

Bard: Good evening. My name is Teller Bard also with Kimley Horn, 1100 West Idaho Street, Suite 210, Boise, Idaho. 83702. So, that Block 2, Lot 2, is part of phase two. The required frontage per the zoning district -- proposed zoning district is off of that north-south street, which I believe is North Conley. So, on the north side of the open space, which is Block 2, Lot 1 -- I believe we are talking about the same area; correct?

Lorcher: Well -- so, I'm looking at Lot 1 with the dotted line around it. That's the pathway; correct?

Bard: That's correct.

Lorcher: And on the -- and on the other map it showed it was green, so that would be open space; correct?

Bard: That's correct.

Lorcher: So, how -- if I live on Lot 2 am I going off that street right there? I have a driveway right there going across the pathways?

Bard: That's correct. The pathway will be on the west side of the road there.

Lorcher: Okay. So, Jasmine Lane is the -- is the squiggle line from the bottom on the east going up?

Bard: Correct.

Lorcher: So, you don't get off -- but whatever that street -- I don't know the name of it. So, there is a driveway there. So, you would access it that way; correct?

Bard: Correct. Yes.

Lorcher: Okay.

Bard: So, from the western part of the lot.

Lorcher: Got you. All right. Thank you.

Seal: Other questions? No? All right. Thanks very much. Okay. At this time we will open the public hearing. Madam Clerk, do we have anybody signed up?

Hall: There is no one signed up online, but we do have a C. Leon Johnson signed up to speak.

Seal: Good evening, sir. We will need your --

Johnson: C. Leon Johnson. 2453 East Wainwright Drive, Meridian.

Seal: Thank you.

Johnson: My property adjoins and abuts some of those smaller lots along the north side of the project and the viewing here did not give me opportunity to see what kind of -- the back part of these proposed buildings look like. I'm opposed to windows on the north side of any project. They appear -- excuse me -- appear to be double story, two story homes on those smaller lots and my opposition would be that there be no windows on the north side of those abutting lots. That's my main concern. I sent in a letter indicating that, but I would like to reinforce that in order to allow privacy for all of those lots that adjoin on the north side.

Seal: Question for you, sir. Is -- is your house two stories?

Johnson: No. Single story.

Seal: Okay. But you do have windows on the south side of your property; correct?

Johnson: Windows on the south side. Living room, bedrooms, and dining room on the -- my south side.

Seal: Thank you.

Johnson: Thank you.

Seal: Madam Clerk, anybody else signed up?

Hall: George Follmer.

Seal: Good evening, sir. Just need your name and address.

Follmer: George Follmer. 4137 North Rogue River Way. Meridian of course. Our concern and my concern is the traffic. If you open up those two access roads or -- I think proposed, the traffic will go into the Alpine Point development, which has been, as you know, one of the best in Meridian. We feel that it -- the extra traffic will create a hazard to our children and congestion to the -- to the neighborhood. It's -- and it's basically roads that go to nowhere. They would empty into a residential district, not a commercial district. Total residential. And, then, the last thing on residential means more traffic. We got a lot of kids that are in that neighborhood and for their safety and for the -- the value of our development Alpine Point it would be a -- a deterrent for ourselves and possibly reduce the property values. We strongly recommend not having those roads opened up. Thank you.

Seal: Thanks, sir. Madam Clerk?

Hall: Mike Bernard.

Seal: Good evening, again, sir. Just need your name and address, sir.

Bernard: Name is Mike Bernard. Live at 4025 North Ashwood Place, Meridian, Idaho. In addition to represent myself and my home in the neighborhood to the north of this, I'm also representing the homeowners association. I'm the president of the homeowners association board. So, I would like to request consideration for more than three minutes.

Seal: Is there anybody here that would like to yield their time? Okay. You may have ten minutes.

Bernard: Thank you. So, as others have stated, we have already submitted written testimony. In fact, staff -- staff reviewed some of the points that we have made in our written testimony, but I would like to amplify a few points. First off, we still believe the density, even after the changes in this current application, is inappropriate from the neighborhood to the south and ours. So, Alpine Point is R-4. All those lots we have -- we have heard the size, but they are all greater than the quarter acre lot along our southern border. In fact, the entire neighborhood is. Champion Park to the south, although -- although an R-8 subdivision, all those properties built along the border of this applicant are quarter acre and larger, too; right? They are built -- they are built to R-4 standards. So, it's not -- it's not fair to say that it's R-8 -- abutting R-8, because it's really

R-8 abutting R-4 on both north and south and how the homes are built and the lots are sized and even if -- if we look at the -- I don't -- I don't have a -- the screen in front of me that shows the overview, but the lots along the eastern side are actually larger than the lots along the north in Delano; right. So, Delano they are five to six thousand feet. That's -- that's the R-8 subdivision to the east of this that phase two would eventually connect to. So, it's -- it's unusual to me how in phase two we get larger when we are moving closer to smaller lot sizes. Does that -- that point makes sense? So, the phase two lot sizes of this applicant -- of this application are larger in size than the phase one lot sizes for the homes and we are getting larger in size as we move east towards the higher density parts of the city; right? So, Delano is R-8 -- around 5,500 square feet on that border. So, my recommendations there is we add some conditions to this that would require either R-4 zoning or we -- we make a minimum lot size of 10,000 square feet along northern border of this that would be more consistent with the homes that are along the northern border to Alpine Point and if we made it R-4, then, those along the southern border could go down to eight; right? I think that's the minimum lot size for an R-4 and that would also help be consistent with what is in Champion Park, so that transition is more fluid, instead of so abrupt. Also alluded to earlier by testimonies ahead of time, we recognize that based on some of those lots it would be appropriate for the builder to put in two stories, but if they were two stories -- having to be two stories or one story with bonus that only had front facing windows or front and side facing windows on the second story, I don't think anyone's opposed to having rear facing windows on the first story. The opposition would be second story windows that would look into each other's backyards. Those homes along there are all single story and don't have any rear facing windows from Alpine Point that would look into those neighbors' property. So, we are looking for a similar consideration from that perspective. Now, some of these points that I'm making were also relatively consistent with what staff had reported in the initial staff report before these modifications -- these minor modifications were made to reduce the lot sizes or to reduce the total home count by a couple. Now, I want to -- I want to step back for a moment and talk about the bonus room as the second or, excuse me, two story with only front facing bonus concept. Delano, which is the property to just the east of this, those -- those homes that will -- those lots that will adjoin to this applicant's phase two have that same condition on them. So, all those western lots in Delano are limited to single story or if two story, bonus with only front facing windows; right? So, that's -- that's been done in this area. In fact, it was done back when Delano happened to try to protect Kyle and his existing home, so anything that built there wouldn't be peering into his home or whatever he wanted to do with his property in the future. So, we are asking for similar consideration along the northern border for us to what was done for Delano to help protect Kyle or the applicant years ago there. Okay? Secondly, we have heard a little bit about roads, but in a way I want to defend Kyle, the applicant. I think it's unfair for the city and the county to force him to absorb connections from the north, south and east into this funny shaped little lot. I don't believe we need it. There is plenty of examples across the city where parts of neighborhoods are connected by footpaths, not necessarily by roadways. Or by bike paths. In fact, part of this plan includes a bike path that will connect Champion Park to Alpine Point as part of the city's pathway system; right? So, we don't always have to have roads everywhere when there is other means of connectivity and I don't think Kyle needs to absorb 20 -- or have 20 percent of his -- this piece of property



be existing roadway. I think he should be able to use it for some other uses, whether that be common space or maybe decreasing the density a little bit and still being able to have a fair number of homes, so it will pencil out for him. Some possible solutions could be only have an east-west connection. So, whether that be east-west from Alpine Point through the east, Jasmine to Delano, or maybe it comes from the south to the east, because we are going to have north-south on a bike path. We are also going to have north-south on a -- on a future collector street to the east; right? Just -- it's going to come up along Delano to the east up into Alpine Point. The name of that road is eluding me now and I should have had it in my notes, so I apologize, but there is a future collector that is going to be built, which will collect Delano, some commercial property, and stuff to the south. So, we don't have to do it all inside a project. So, again, I would recommend we reduce one of those cardinal direction connections, so Kyle doesn't have to absorb all of that. Use the existing planned pathways north, the connector, and, then, we will add some traffic calming effects. So, when phase two and future traffic comes through it will help slow that down. Because another thing to consider, Champion Park also connects to Locust Grove; right? And there is going to be a future traffic circle at mid mile collector on Locust Grove, which will feed traffic off of Locust Grove into the school system there and, then, from the school system there into Champion Park. When you -- when you put a traffic circle there that's an indicator that this is a good place to turn; right. Here is a mid mile collector. Well, mid mile collector is going to feed into roads in Champion Park that were never designed to carry that load of traffic. They are front facing homes. They are going to go from there up through Kyle's application into Alpine Point. Those roads are not designed to be collector roads either. It's all front facing roads -- or front facing homes with driveways and homes and kids and -- and playgrounds and -- and that's going to flow directly from McMillan through my neighborhood through this application and out onto either -- out onto Locust Grove or onto Ustick, because that's -- we are making -- we are making these neighborhoods be a mid mile collector and that's not fair to any of those residents either. So, if we connect it they will come and ACHD is going to -- is going to funnel traffic there through future traffic signals. So, that's a concern. That concludes all my prepared testimony. Thank you for your time.

Seal: Thanks, sir. Any questions? All right. Thank you very much. I appreciate it. Madam Clerk, do we have anybody else signed up?

Hall: Alan Dixon.

Seal: Good evening, sir. Need your name and address for the record, please.

Dixon: Alan Dixon. 2499 East Wainwright Drive, Meridian, Idaho. I'm one of the last people to move in. I just moved into this house -- I'm right on the corner of Rogue River and Wainwright that the streets were there. The reason I moved there is because where I used to live downtown Boise it developed around me and they put a four story building next to my house. I totally get it. I had no idea there would be two story buildings even considered on this property to -- to do this to this neighborhood where we -- I would never expect it. I would not have -- probably not have moved there if I thought that was going to happen. The traffic that's going to go through there, I agree with Mike on -- we can

limit the amount of -- maybe put a -- a fire department only thing on one of those driveways, so people can ride their bikes and walk, but to get traffic through there -- what's going to happen is they are going to find out that Eagle and Ustick, there is a shortcut through Alpine Point, whichever way you are going, to miss that big intersection and you are going to see people speeding through there and with that street never been opened before, a lot of us elderly people that live in that neighborhood, they don't even look at -- that direction and now you are going to have cars zooming out of there. Since I live there I can tell you people do zoom by my house. You are going to see people not even look at Rogue River to even see if there is cars coming out, because they have never had to do it. These people -- most of these people have lived there ten years and they are not -- it -- it could just be real scary for accidents. So, that's a couple concerns. The other one is I think the lot should match the lots that we have currently. We have like six or seven houses there and you want to put like ten. I think the lots should be the same width on the north side as the ones that are there now that the houses are already built. Just to get house to house. You want to put it -- you want to make it up somewhere else, there is those other big lots, you could move more houses into some of those, but keep the same -- same house size on the one that we are in and the one that they are going to develop. Hopefully no two story. That would really -- hopefully that isn't considered or if it is they are -- they are the windowless ones. Yeah. I guess that's it.

Seal: All right. Thank you, sir. I appreciate your testimony. Madam Clerk.

Hall: That is it. That's all that signed up.

Seal: All right. Sir, if you would like to come up and testify. Good evening. We just need your name and address for the record, please.

Britton: Good evening and thank you for your time tonight. My name is Roger Britton. B-r-i-t-t-o-n. I live at 2457 East Garber Drive, directly across from Conley, which is the entrance into this proposed project here, phase one and phase two. I had some concerns about the actual project itself and one of them is who does the community, the citizens of Champion Park, and, I'm sorry, I -- Alpine Point -- contact if there are issues during the development of this property, so that we can have a direct contact, not a city person that we can't get ahold of, not a voicemail, but somebody that we can actually speak to. That would be something that I think would be beneficial to the -- both communities that are going to be impacted by this project. Secondly, I would be concerned about the traffic also. I currently -- we bought our home and, then, like two days later the -- the fence that was across the street was gone and they started plowing stuff up. So, people have already started using the -- what used to be Jasmine Lane is now Jasmine Street -- have already started using it as a cut through from -- from my guess Eagle and I'm concerned that with that much roadway coming through the neighborhoods it's going to impact our -- our -- the traffic that comes through there. We already have a major impact at Leighfield and Locust Grove with the school there and I'm sure with the development on the north end, which is Delano, and there is quite a bit of high density housing over there that uses Ustick currently, will be coming through Jasmine Lane shortcut to the school and increased traffic flow as the same property for Alpine Point. Speed bumps, if we are going

to have those kind of accesses into our communities, something to slow the traffic down a little bit and also was there a traffic impact report? I did read the project where there were some considerations, but I also noted that the traffic -- am I over my time already? Sorry.

Seal: Go ahead, sir. Just wrap up.

Britton: I noted also that the -- the study that existed that the stats were taken, you know, how it was going to impact the community were done back in 2019 for the most part. So, they were behind the curve, because I understand Idaho's increased by like 20 percent. So, I'm sure it's overall. And, then, finally, I guess that the phase two was a concern that there would be high density housing, but I think I understand that that is not going to be the case, because it was zoned R-8 and R-15. R-15 being medium to high density, if I understood that correctly.

Seal: Right. I was going to say the -- the -- the plan that we have before us right now has no high density in it, so --

Britton: Okay. It was just that phase two was zoned that according to your paperwork, so -- okay?

Seal: Okay.

Britton: I guess that's it for me.

Seal: All right. Thank you, sir. Appreciate it. Would anybody else in Chambers like to testify? Ma'am, come on up. Oh, wait until you get in front of the microphone and, then, we will need your name and address for the record, please.

C.Britton: Good evening, Commission. My name is Charlene Britton and my address is 2457 East Garber Drive and I live in Champion Park. I second most of what Mike Bernard said, except to put the whole burden of egress on Champion Park. That I don't agree with. I think that they should come from both sides. Both communities should bear that -- the traffic flow and so on. We do live in the Champion Park area where the school is there and that is a mess every day. I mean the parents are backed up, which -- nowhere to go waiting to get in and that happens multiple times a day and, then, with functions. So, there -- there are just a few other little small things that I would want to bring to your attention for the residents when this project does start and I'm sure it will at some point. On-site parking for workers and all delivery, including trailers not to be dropped off in adjoining neighborhoods. I have seen where deliveries come in three trailers long, drop two in the neighborhood, go back, pick them up. So, I would ask that that is a condition for the developer to keep that on site. Water trucks to be used doing grading and leveling of the project to mitigate the dust, which will be extensive to the homes along the line there. The other thing that on Conley we had a closed fence. Someone has opened up that fence over this last year and so there is access onto that property, which I don't know who would have given them that permission to do that, since it's been excitingly closed

for -- you know, forever. So -- well, initially. Fifteen years. Especially important to the homes on the project would be the water. I mentioned that. And marked access roads to the project to be open and accessible before or on project day. It's already open. If this project is not going to start for another six months to a year, I would ask that it be closed, because there is cars going in and out of it now. Teenagers are kind of milling around in there and I don't feel it's safe. Until this project is improved and starting the access should be reclosed on -- on Conley, since it is still closed on Rogue River and has never been tampered with. That's all I have to say. Thank you very much.

Seal: Real quick. Sonya, I will ask this question and -- you or Bill -- you might be able to ask -- answer the question, but can -- I mean, essentially, ACHD owns that access; is that correct?

Allen: That is correct. It is public right of way.

Seal: Okay. So, if -- you would probably need to get ahold of ACHD in order for them to close that access again or they could give you the reasoning behind why it's open. So, unfortunately, we don't own the roads. Okay. Anybody else that would like to testify? Oh, we got hands -- it was a tie. Ma'am, I will -- ladies first. I will go with you.

Windle: I -- I didn't sign up.

Seal: Go ahead and give your name and address.

Wendle: Carol Wendle. Address is 4199 North Rogue River Way, Meridian, and I entered a -- my -- my husband's and my letter into your staff and I just wanted to -- I didn't sign up, because I wasn't sure if you have read our letters and our concerns, but I'm -- there is a few things that haven't been mentioned yet that I -- I wanted to bring to your attention. Just like Mr. Bernard said, the proposed lot sizes of Kingstown, they should be in alignment with the adjacent development and we are requesting a right turn only sign at Wainwright and Rogue River. The reason being we actually have four bus stops. There is four schools that have children in our -- in Alpine Point and when you -- if you open up Rogue River that is just going to give a straight shot to go down Rogue River and you would be going north and -- until you get to McMillan and we have school bus stops from that area of Wainwright to McMillan and I think that should be brought up. Also on Rogue River about halfway down Rogue River there is a really large path that goes through Alpine Point and connects to the basketball, the pickleball courts, and the swimming pool. The children on their bicycles and the adults even, they are on scooters, they are on electric scooters, there is little tiny ones, they buzz down that path and have no way of knowing -- and especially with cars that are electric cars, would not even be aware of any traffic coming at them. So, I really want you to be aware of this large path going east-west directly to the courts for the children's activity, our activities, the swimming pools and so many of us are -- we are retired, but we also -- we have six grandchildren and many of us do. So, I think this is something that you should be aware of as well and even if you do have to open up Rogue River, if you could have some sort of blinking crosswalk signed to that area to -- just at the pathway. In your -- in your -- in the staff -- the staff

information showed that Lot 1, Block 1, doesn't qualify with the minimum standards noted in Section 8-E. So, there is many things found in your staff report that are not in compliance. So, if you could refer to my letter I would really appreciate it, because I pointed these things out. Thank you very much.

Seal: Thank you, ma'am.

Wendell: And I didn't know about the protocol and didn't sign up, but I appreciate your time.

Seal: That's okay. Thank you very much, ma'am. Sir, if you would like to come up. Need your name and address, please.

McGough: My name is Mike McGough. I live at 2431 East Wainwright Drive. I'm on the north side. So, phase one you have -- I'm on the very northwest corner in the pie shape half acre. Four houses are looking in my backyard. My bedrooms, kitchen, living room, swimming pool. You know, no -- no two story. There is -- there is ten houses going to be there. There is four of us. Make it match. Just make them smaller -- or bigger. Excuse me. Thank you.

Seal: Thank you, sir. Do we have anybody else that wants to testify? I haven't checked online. I don't think anybody is raising their hand online either, so -- oh, got another one in -- go right ahead, sir. Step up to the microphone, please.

G.Wendle: Carol Wendle is my lovely wife.

Seal: All right. We will need your name and address for the record.

Wendle: George Wendle: I live at 4199 North Rogue River Way in Meridian. At least I think we are still in Meridian. And we are glad we moved from Boise to Meridian. Trust me, you guys do such a better job of controlling our founding fathers desires for expansion. One of the things that we put in our letter together jointly, Carol and I, was about Zion Heights south and west Champion Park and those in the development process to the east of Delano. As noted in Section 5, development of the in-fill properties as supported -- provided it doesn't negatively impact the abutting existing development. Because of the lack of adequate transition into lot sizes to the north, the proposed development will likely negatively impact abutting property owners. Additionally, the lack of transition and lot sizes along the east boundary will likely negate impact on -- or negative impact on future owners of those four lots, Block 3. Therefore, to the development plan are necessary. I would like to qualify. I heard testimony that they did reduce the number of lots, which we really appreciate. Thank you, Sonya and your planning and zoning team. We greatly appreciate that. But we still want it to be well developed and, then, also on the stop signs and turn right that we gave in our testimony, can we also get caution signs on the entry from -- I think it's -- whatever road it is that goes into McMillan off of Rogue River Way, that we get those bus stop caution lights for children. I think that would be a great admitting -- mitigating proposal for the children's

safety and the bus drivers, because we have been having problems, as you all know, in Meridian and Boise, people are zooming past the buses when they have their signs out and the lights flashing. So, we need to really bear the importance of safety for our children. So, thank you very much for your time and, again, we truly appreciate all you folks do.

Seal: Thank you, sir. Okay. Would anybody else like to come up and testify? Don't see anybody online. Okay. Seeing no more -- nobody else, would the applicant like to come up and address some of the questions, concerns that were heard? Good evening, sir.

Bard: Good evening. Do I state my name again? I have been up.

Seal: I think so, yeah.

Bard: Yes. So, Teller Bard with Kimley Horn. 1100 West Idaho Street, Suite 210, Boise, Idaho. 83702. I want to thank the neighbors and the public for their comments today and for the questions that you all gave as well. One of the things that we pointed out early on was that there are a number of competing goals on this project. There is existing residents, the existing tree canopy and there is also just the challenges of the configuration of the site being triangular. The three stub roads, which, unfortunately, that's -- that's what that had been -- had been given and continuing those through is something that we cannot change, just per the policies of ACHD. I also wanted to highlight that the site plan that we have done on this -- we have been through at least six iterations, although we did two pre-apps. The first one we actually made an effort to not connect all three streets. So, we -- we showed just one street connection and Meridian Fire said that was not going to be allowed and, then, as we submitted our application and got feedback from ACHD, ACHD's comment was the same, that all three roads were required continued per their policy. I know it's understood by the Commission that decisions of connectivity are made by ACHD and ACHD has commented in their staff report and has made recommendations. Related to the traffic on the site, many of the -- the concerns brought up by neighbors are related to traffic off our site and the continuation of -- of streets that -- that meet the goals of the public agencies through this site. So, the actual site generated by the property is minimal. I think it's the impact -- the unavoidable impact of any development in this area that is the concern of the neighbors. I also wanted to touch on the density balance, because that was brought up between phase one and phase two. Really that's motivated by the fact that phase one is almost entirely in an existing farm field, something without a tree canopy, and phase two is in an area of the tree -- tree canopy. So, priority of the applicant is to keep as many trees as possible. Those larger lots allow us to do that. We also have the constraint of Jasmine Lane extending through and just the oddness that that creates in that site planning being at the lower kind of right-hand corner of the triangular piece and, then, you have all that area on the north side of it, that's -- that's difficult to develop, especially when you consider the -- the existing home there. I wanted to clarify a comment that staff made about the ability to remove five lots and stay within the R-8 -- or the medium density zoning of three. Of those five we have already removed three. So, our zoning is at 3.17. So, to get that three we could remove two more, but that is not the preference of the applicant. I wanted to

also clarify the fence that had been removed on Conley, during construction of Corey Barton's property, Delano Estates to the -- to the east, the access off Jasmine Lane for this property was cut off, so that -- that fence was removed to provide emergency access to the existing home here and hasn't been used by anybody else but the residents. That road Jasmine Lane is now constructed, so the applicant is willing to close that fence back up, so that that road cannot be accessed by anybody else in the public. That -- as you stated, that is public right of way, so the ability to access that road was permitted by ACHD. The applicant's preference is that there are no restrictions on the stories or windows, be it two story or bonus room. The windows proposed in the site plan, they are clear story windows, so they are at a higher height. They are not kind of full height windows. So, it's more -- people can view out, but not down necessarily. So, those are the windows that are proposed there. Let's just double check here. Yeah. I think I will just add that when I talk about priorities and competing priorities here, one of the -- the reasons that I suspect there is so much concern from the neighbors is that this existing home and the tree canopy is an asset to the neighborhood and this applicant is doing everything they can to make a -- a project that is economically feasible that can also maintain that existing home and that tree canopy, to continue that asset for the neighbors in the neighborhood. There is an option where those trees could all be removed and mitigated and that home be removed and it be site planned. Yes, at a larger lot size, but at the loss of those assets. That is something that I believe it was included in the public testimony because it was something that was presented to staff and that is just not the applicant's wishes -- to not remove that asset in any way. With that the applicant asks for approval with appropriate conditions. With that applicant asks for approval with appropriate conditions and with that I can stand for any additional questions.

Seal: I will start off -- you already touched on it. A question I have is I -- I like to call these in-fill developments to have your cake and eat it too developments, because the owner is trying to keep their, you know, rather large estate lot and build whatever they can around it. I'm not a huge fan of them, because this is what usually happens is nothing will fit. So -- and I understand people want to keep the trees and -- and everything, but, again, you can't have your cake and eat it, too, on the other side of it, so -- I mean if -- if -- if there was a recommendation for denial on this based on that would the applicant come back and, basically, redo this with a layout that is more like a standard subdivision where, you know, you -- you do have larger lots and you are going to have to give up some trees, but not all of them, but it would fit everything better. Good evening, sir. Just need your name and address.

Enzler: Kyle Enzler. 2610 East Jasmine Place. So, I'm the home owner. I was avoiding coming up here, because I didn't want to get anything thrown at me. So, you know, I have had a great relationship with the owner -- with the -- with the neighbors. We have met several times. We met throughout the application of Delano. They actually came to me during that time and asked me if I could buy that land, because they saw other projects redeveloped and knew we did a good project and they preferred that over the CBH. This project is really unique. It's not -- my intent in -- in purchasing this property was always to develop it, because it's an in-fill. The city had planned for development, which was why all the stub streets were planned. In-fill, as you know, is one of the hardest things to do,

because you are the last one in and -- and you are trying to accommodate everybody. My desire to preserve the house is not just to have some big house in the middle of a higher density area. This is a -- this is a -- a -- a newer home that would -- would -- is -- is really not an old home that you would just tear down. So, I -- I think it would be a completely wasteful thing to do to tear down the house and add all of that to the landfill. The tree side of it is -- you know, on the south side when -- unfortunately, the development -- I'm sorry -- on the east side when CBH came in, there was equally as many trees and one day we came home they had just chopped every tree down at the base. So, I felt like that was really irresponsible development. My goal here is to be a responsible developer. So, it's not -- if I was trying to just maximize dollars, you know, this is a medium density residential, so R-8, we are asking for us the least amount at a little over three dwelling units per acre. So, what it looks like removing the house and removing the trees, obviously, the city has a tree mitigation plan, so you can remove trees and replace caliper and -- and there is some exceptions that can be made there. I just think it would be a shame to -- to -- to tear down all of those trees that currently provide a lot of privacy to all the neighbors on the north and the south side to this and I think if you took all of those down there would be some more concern about privacy. It would likely -- while that is a possibility and it's likely what would happen, it's probably not going to happen through me. I was approached by three other developers on this site, they didn't look at the house. They would do exactly what you suggested. They would tear down the house, they would tear down the trees and they would put a lot more houses in than what we are asking for. So, I think that's always been the balance as we have tried to work with neighbors is if there was another way to -- we have tried to create the best transition as possible on the -- on the northeast side, you know, we have only two lots transitioning to several homes on the north, so it is constrained. If -- to answer your question if this was denied, then, I wouldn't be the developer on it, but somebody else would and -- and they likely would do as you are suggesting, tear down the house and -- and replace that with a lot more homes. So, while the -- the balance is -- while they might get a little bit more transition on the north side, they are going to end up with more homes and more traffic count likely. So, that's the tradeoff.

Seal: Right. Completely understood. So -- I mean we have got on the -- on the eastern side of the boundary here we have got lots of trees, bigger lots, you know, kind of everybody's getting along here, so -- but I mean the -- the most contentious part of this, obviously, is on that northern boundary where the people want to maintain their privacy, they want to -- they already have the larger lots in there and that's what they are trying to maintain, so -- I mean a suggestion from staff is to eliminate some of the homes, make the lot -- lot size larger and provide more privacy. So, I mean is that something you are amenable to? Because that's -- that's also what you are trying to keep for yourself. So, if you are asking for it for yourself, think maybe you would want to pass that on, because you have already said that it's not just to make as many houses in there as you possibly can, but I do understand you do need to make a -- you know, a couple bucks off of this.

Enzler: Yeah. Thank you. So, the transition that we are asking for along the north side is the same transition as was recently granted on the northeast side to Delano Subdivision. So, we are not -- we did follow staff's recommendation and we did reduce



three lots already, which is why -- and I -- I believe Sonya can correct me if I'm wrong here. I believe that they were not going to recommend approval prior to that. They asked us to do that. They also asked us to add lots on the east side and so we did accommodate those requests, which I believe is -- is what transitioned Sonya to now approving -- or asking for approval on the subdivision.

Seal: So, the answer is no?

Enzler: I'm not sure that was very clear. Yeah. So -- so -- so, like was mentioned, we have been through six different variations of this plan. You -- you can't -- if -- if you could see what's there on the existing home you cannot put a, you know, 6,000 square foot lot -- it wouldn't make any sense to put a 6,000 square foot next to -- you know, that's almost an acre lot and a 7,000 square foot home. So, that's why we did the transition of the zoning where we have more estate lots on the east side, which makes sense around this -- the estate home and that -- you know, that more than -- you -- you can see there we have four lots to the north of those two lots. So, there we have even more transition. The challenge is I -- I wish the site was just a nice square site where you could easily do that all the way across. So, on one side we have less transition and, then, on the other side, just because of the shape of the lot, we have a little bit more. But, you know, where we are at -- at just over three dwelling units per acre, we are really at our limit of what we can do there and still make the project work.

Seal: Okay. Thank you.

Enzler: Thank you.

Bard: If I can just add --

Seal: Go ahead.

Bard: -- that if we were to -- to consider removing those lots we couldn't remove more than two without also adding more to the east and -- and lessening that transition without being outside of zoning compliance, because we would be under three dwelling units per acre.

Seal: Understood. Commissioner Lorcher, go ahead.

Lorcher: With the -- can you bring up the map that had the green space on it, please? So, there is a significant amount of green space. I can't read the numbers, but with that round squiggly line off of Conley Way, is there a way to manipulate that a little bit for the north side, so they don't feel -- the -- the people behind you don't feel like there is so many houses in their backyards?

Bard: So, if I'm understanding correctly, one of the constraints we have on the north side is -- is with the road that needs to extend that Eagle View Court, I think we only have a hundred feet between that right of way and that property line. So, if we -- if we add any

sort of landscape buffer it would not be a -- any sort of simple revision to this site plan and, again, I think we -- with having been through six already, I don't know that that would function or that it would be an improvement for the project overall.

Lorcher: Because what I -- what I'm hearing from the -- the neighbors is that the site plan in and of itself is -- works, but the ten homes that buffer the north side are just too dense compared to everything else. You know, we understand that ACHD has control of the roads. So, speed bumps, signage, caution signs, all of that type of stuff does not belong to the city, does not belong to the developer, it has to come from ACHD. So, those of you residents that are having issues in your own subdivisions with traffic going too fast or, you know, the school zones and that type of thing, the city is not -- can only make recommendations, but the roads don't belong to the city. So, we hear -- we hear you, but our hands are tied, because we are not in charge of the roads. You know, we are not in charge of putting speed bumps out. We can't put the school safety signs, the blinking lights, so -- and, then, the Fire Department is saying you have to have these roads to go through. So, having the roads going through and making it just a pedestrian walkway is not acceptable, because if you are in house number eight and you are on fire and there is no way to get through, now you are creating a -- a hazard. So, the police and the fire said these are the roads and this is how it has to be. So, I get all that. I think the overall concern is this back row of houses being so dense and I know you have gone through six iterations of this already and I -- I don't know what the solution is to be able to be a good neighbor to the people who are to the north of you.

Seal: Go ahead.

Enzler: Thank you. I -- I will -- I will address that. I was walking back to the seat and one of the neighbors grabbed me and asked for a clarifying question. So, just wanted to clarify. I -- I think -- I'm okay on that if -- if I'm understanding what some of the neighbors are saying on that northwest boundary, it's not -- I'm okay with no second story windows looking down. All of our plans that are two story, the windows are on the front side. The two story section actually sits over the garage in the front of the house, not the back of the house. The majority of our plans on that side are single level. So, you know, if -- if we have ten homes along that side, maybe one or two anyways would be two story and those two stories would have windows on the back. So, I'm okay with saying, hey, we won't have any two story windows on that northwest section -- second story windows looking out on the -- onto the north side. On the east portion where you only have the three, one, I already have the existing house, it already has two stories and because, as you saw on the -- on the pictures, those are more estate homes, so they are going to be two story, but they are far enough away from the back and there is enough trees where I don't think that would be an issue on that section.

Seal: Okay. Good. Commissioner Wheeler, go ahead.

Wheeler: Mr. Chair?

Seal: Yes, sir.

Wheeler: So, I -- I personally like in-fill projects. I like to see what people do with it. To me it's like these cooking shows where they are like, hey, here is a steak, some onions, beets and gummy worms and make something out of it, you know, and they have to go present something and it brings up the most creativity and everything in this stuff. Your -- your property is -- is way more complex than most, because you have got three roads that have to have access through and that is -- that is very difficult. Very difficult. And so what you are -- what you are doing here is -- and especially going through six iterations, I mean you are going back to the chopping block and you are really trying to cut it up, so it's nice. So, I mean there is a lot of -- a lot of good effort that's being notice, at least on my side and I want to thank you for that side of it and I think -- and I would want to keep that house, too, and do what you can with that. So, to me that makes a lot of sense on that. I can also share what the neighbors are concerned about with the -- the density that's going back there, transitioning from their larger estates that they have, right, the larger lots that they have and also the windows and the privacies that they are wanting to keep and, but you are -- I'm just trying to make sure that I understand it clear, that you are willing to not put up any windows that would face the north side on -- if there were any two story -- any two story on that?

Enzler: Correct. Yes.

Wheeler: Okay.

Enzler: -- to do that.

Wheeler: Okay. And, then, another thing that they are -- they are requesting is to doing anything of lowering the -- the lot count back there and I know that you have gone several times and I know that lots -- and the developer side, I understand this world well, so you got -- it affects, you know, feasibility. Understand that. Is there anything that -- that you would be willing to -- to reduce that density along that -- that bank of houses there at all?

Enzler: Yeah. So, you know, I -- I was -- I was very transparent with the neighbors. You know, we -- we -- a few of us went to lunch several times. I -- I kind of told them all the typical developer tricks of, you know, developers will go in, they will ask for a ton of density, knowing that everybody is going to push back and, then, they are going to say, okay, well, I will give up these and, then, everybody is happy, because they feel like they got a win. This wasn't our intent here. We weren't trying to do any smoke and mirrors. So, in those six iterations we went lower and lower and lower and lower. So, at this point I feel like we have given up already as much as we possibly can along that side. We are -- we are meeting all of the dimensional requirements and setback requirements in this medium density zoning and I -- I believe that even after -- prior to the last three that we dropped and -- and the reason that we asked for the continuance last time is -- is we came back -- or removed three of those. That was also because as Sonya and the neighbors pointed out we were -- we were pretty tight on our -- on our dimensional standards. So, I really feel like this project is in compliance, that -- that transitional is -- is such -- it's a hard one, because it's really left to some interpretation and in this case where we have four different subdivisions, you know, all bordering this piece, there is a lot of

transition and a little triangle. So, again, I -- we just couldn't find anywhere else to put lots with all the roads and they just ended up here on this northwest side, so --

Wheeler: Okay. Was there -- and I'm sure you have looked at swapping out the density from the north section and trying to at least put some of that on what -- it's called the east section of that and readjusting a road alignment. I mean just on the creativity side. And I understand this is your development and things like this, which you bring before us, but I mean just trying to understand what the neighbors are saying here.

Enzler: Yeah. That was a suggestion that Sonya made and we did do that. You know, it was brought up that both the transition -- the opposite argument was made, too. So, in one sense it was, hey, we would like you to have less of a transition -- or more of a transition over here on the northwest boundary and, then, maybe add some lots on the other side. So, we did pull out two -- yeah, we pulled out three from the top and we added one on the east side to make the transitions a little bit better on both ends.

Wheeler: Okay. Okay. Thank you.

Seal: And I mean looking at it, the only place I have heartburn on the transition is the big triangular lot that that's -- that's to the north there. So, I mean everything else is, essentially, two to one, which is -- you know, that's -- that's the way transition flows, but that triangular lot that's there that has four of them across the back, that's -- that's tough. You know -- you know, kind of put -- putting them in -- in your shoes or putting you in their shoe, I mean if somebody was going to build that right there, that's -- that's a tough -- that's a tough nut to crack right there, so I wish there were something we could do in there to kind of reduce that, but at the same time -- I mean that was what was built on that -- that line knowing that eventually that there would be houses back there, so -- I -- I struggle with this a little bit, just because we have got phase two, which is basically just not a problem for anybody. It's got trees. It's park like. It's all of this and, then, you have this big empty field that's, you know, kind of just -- we will make it work type of -- you know. So, I mean, basically, you have two things going on here, where phase one is -- they are getting -- they are getting the scraps basically is -- is what's going on. So -- you know. And like I said, that -- that transition there for that lot is tough, because there is -- you have four lots that are butting up against it and at the same time you did buy this triangular piece, there were road barriers that were in there, so you knew what was going to be coming in here, so -- and you have known about this lot as well. So, I mean that's the other side of it.

Enzler: Yeah. And I think -- I think the application that we have before you is -- is trying to find a balance of preservation and -- and we are not -- you know, we are not asking for the top end of the density, we are coming in on the low end of medium density residential, asking for just over three units per acre. I think I -- I -- I understand what you are saying. I think that major heartburn is that transition. You know, we have really tried to design this so many different ways to -- but between Fire and -- and where the roads are, it's just -- there is -- there is nowhere else on that northwest section that you can put any other

lots. So, we are just kind of forced on that. That happens to be the one straight shot. You know, it's a -- it's a -- in-fill is a challenging -- challenging piece.

Wheeler: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: With the lots on the north side that -- you know, at the top of the red line what -- what kind of -- are you providing any fencing?

Enzler: There is already existing fencing.

Lorcher: So, the fencing for the neighbors, the -- the north subdivision already have fencing?

Enzler: Yes, ma'am. It's a six foot privacy fence.

Lorcher: It's -- and it's consistent all the way through?

Enzler: Yes.

Lorcher: Okay.

Seal: Commissioner Grace, go ahead.

Grace: Yeah. That was going to be my question. I think I read that it was vinyl fencing.

Enzler: Yes, sir.

Grace: So, what's the -- just educate me. Can you see through it? Can you --

Enzler: It's a six foot privacy fence. You know, again, we are likely going to -- right now there is -- because it's open to a field there is no trees planted on our end, but, obviously, the landscaping standards -- we would have trees in the backyard, too. So, there is some additional privacy with -- from that. But currently it's a six foot privacy vinyl fence.

Seal: Are your plans to put trees in every backyard?

Enzler: Yes, sir.

Seal: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher.

Lorcher: Most subdivisions don't require trees in the backyard. So, what were you thinking? Each lot would have one or two or are you thinking deciduous or conifer?

Enzler: Yeah. So -- so, a mix. We developed a subdivision here called Maddyn Village just on the corner of Meridian and Ustick and very similar project to this. That was actually what the neighbors -- when Delano was going through approached me and said, hey, we saw your Maddyn Village, we loved what you did over here. Could you come do that, knowing that, you know, the -- these same homes -- same size homes were seven, eight hundred thousand dollar homes. So, they weren't starter homes, they weren't Corey Barton homes, and we had on average two to three trees in those backyards. A mix of conifer and deciduous.

Lorcher: And is the intention to use it as an additional privacy or are they going to be staggered? For example, if I'm in my back porch are they going to be at the end of the property or there is going to be one here and one here type of thing or --

Enzler: Yeah. I mean -- I think each -- each plan -- likely we are going to be pretty close to the setback. We are -- we are just -- the -- the reason that we are putting -- the -- the answer is yes. But the reason that we are putting in trees is for our homeowners benefit, as much as their homeowners benefit.

Lorcher: Right.

Enzler: Right? And so, you know, that privacy is important to both parties. I'm not going to say that, you know, one hundred percent, because it might not always make sense depending on the layout, but, you know, part of our -- we are tree people. We are -- we are part of the Canopy of Trees. We're affiliated with Jaker Tree Farm out in Nampa. City of Meridian is part of the Canopy of Trees. So, we are -- we are proponents of -- of trees and -- and, you know, of -- of doing good landscape jobs. So, that's definitely incorporated in our plans.

Lorcher: Okay. Thank you.

Grace: Mr. Chair?

Seal: Commissioner Grace.

Grace: Kyle, you said a couple of times that you have already reduced the -- the amount of lots there and you feel like you have come to your end point. Where did you start out with along that northern -- that northern boundary?

Enzler: Do you remember offhand?

Bard: So, the prior plan is there -- there is ten now. So, there was 13 before. I mean -- I know that going through our iterations we looked at this in every way. So, R-8 maximum density is eight dwelling units per acre. You could have about 64 units. So, that was contemplated, because that's something that could be done on this site. But not in the responsible way that -- that Kyle wanted to do. So, we -- we came down from there. I know we were -- we were in the 30s at some point. I think that was probably our first pre-app where we had fewer access roads, just because that was the preference -- the preference from the neighbors and, then, as we added those roads back in that brought it to -- I believe we are at 13 and, then, ten and, then, overall -- so we are down at -- I don't have that number offhand. I guess -- I guess the best way to put it is we are two less than we submitted with now.

Seal: Is my understanding on the -- specifically on the houses that are on that northwestern boundary that you are going to minimize the front setbacks in order to bring those properties forward and, then, we have already talked about you supplying the trees in the backyards, is that -- is that the scope and the goal or are you going to more off -- try to offset them or how -- how do you see that?

Enzler: No, I -- I -- I believe we would push it as -- to that 20 foot setback on the front. So, we would maximize -- we would -- we maximize the front setback to -- or minimize the front setback to maximize what we have in the backyard.

Seal: Okay. Question for staff. What's the maximum setback that they can have on that?

Allen: Mr. Chair, on the front or the rear?

Seal: Front.

Allen: The front? Minimum or maximum? The maximum would be depending on the -- what's left over after the rear setback.

Seal: Got you.

Allen: So, minimum is 20 feet to the front of the garage.

Seal: Okay. More questions?

Lorcher: One more.

Seal: Commissioner Lorcher, go ahead.

Lorcher: Are these two car garages or three car garages?

Enzler: Two car.

Lorcher: And --

Enzler: Sometimes there is a three car if it's a tandem --

Lorcher: Yeah.

Enzler: But it's two car from the front. Sometimes I have two -- three car tandems. So, two and, then, one in the -- behind it.

Lorcher: And, then, all of the upper levels are above the garage not in the back like you had mentioned?

Enzler: That's correct. Most of the two stories are what the neighbors requested, which are single level with a bonus over the garage. I only have a couple plans in what we presented that are true two story, but the two story stack is stacked over the front, so I don't have so much -- my egress windows are on the front, not the back.

Lorcher: Got you.

Enzler: And -- and I think was mentioned, you know, we did have the -- when -- they are the -- you know, they are just the smaller windows that are higher, so you can see out, but you can't -- but I -- those aren't needed for egress, so that's why I said I can -- I can remove any two story windows on the back, so to preserve the privacy.

Seal: Okay. Anything else, Commissioners? All right. Thank you both very much. Appreciate it. Can I get a motion to close the public hearing for Kingstown Subdivision, H-2022-0045?

Wheeler: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-22 -- sorry. H-2022-0045. All in favor say aye. No opposed. Motion carries.

**MOTION CARRIED: FOUR AYES. TWO ABSENT.**

Seal: I think we have hashed that one out pretty well, so, hopefully, we can get to a motion pretty -- pretty soon, so -- I mean I wanted to make sure that we spent a lot of time talking about this one, because -- and we have got a lot of opinions on record at this point. So, I mean -- but, you know, they have reduced the density on it. They are not -- there will be no second story windows. They will try to -- you know, I mean they are going to put some two stories in there on that northwestern boundary, but they have already conceded and we can make sure to put it in a motion that there is no second story windows on the northwest boundary abutting those Alpine Point homes and also to minimize the front setbacks to the minimums. So, that gives as much room on those lots as possible to provide the privacy that the residents are asking for. As far as the roads, I think that's been explained pretty well. ACHD owns the roads, therefore, those have to



be open and they will be open. That does provide cut-through traffic. It's a problem with every subdivision. It's generally a problem with every in-fill that goes in unfortunately, so -- you know, fortunately or unfortunately. So, that's why the signs are up and they say this road to be continued. They are not kidding. So, I have lived on one, I have lived through this and I have moved out of a house because of it, so I -- I feel your pain on some of that, but at the same time I didn't do my homework when I moved in, so that was my fault. So, I'm -- I mean at this point what's been presented and everything that we hashed out, I mean, you know, the -- the fear I have and what I have seen happen before is we get really down into the weeds on this and, again, I mean the heart -- heartbreak that I have on this is that the one lot that has four houses up against it -- you know, four -- four of these houses going up against it. Outside of that everything else kind of transitions pretty well. Two to one is, you know, for people that are living in those homes they might think two to one is too much, but that's, essentially, the way that it goes for everything else. I mean anything over two to one seems -- seems to get excessive. So, I mean at this point I can be supportive of this going forward, as long as, like we said, we provision it with the no second story windows on those houses and minimizing the front setbacks.

Wheeler: Mr. Chair?

Seal: Commissioner Wheeler.

Wheeler: I think similarly, just to add on to one other thing, is I think we -- or that he was willing to go ahead and put at least a tree in the backyard on it, too. So, maybe that's something that we can add to that. I mean you were looking at -- these lots are a hundred feet, you got a 20 foot setback and, then, you got the house. I mean there is not going to be a very large backyard on that anyway to put up a -- something that would require some sort of a -- a shade -- you know, some sort of a shade tree style back there would actually add up a nice little barrier for it I think. But I don't know what the -- the rest of the Commissioners think about that based on what was shared and what was discussed, but that way that would allow some of that privacy that's there. I mean it's on the north side, so it's not going to add any major shade value to the -- the residents in the subdivision, but it will add that privacy to those that are on the -- on the side of it.

Seal: Sure. And I mean, you know, we want to be careful about what we provision sometimes, because it's hard to enforce. So, I mean the setbacks that's -- you know, that's code. I mean we -- we know what we are working with there. So, it's got to be 20 feet away from the street. So, you know, anybody with a tape measure can go and look at that one and enforce it. But as soon as we get in even to the no second story windows on the back of the house, that's -- you know, I mean the neighbor is going to have to tell you whether or not that's there. As far as putting a tree in there, you know, we can provision that if -- you know. I mean we can put that provision in there, but enforcement of that is going to be difficult at best, so -- I mean if these houses are fenced you can put in a tree that's three foot tall and a six foot fenced yard and you are not even going to know that tree is there for, you know, ten years. So, that's a tough one. I --

Starman: Mr. Chairman, can I just interject a couple thoughts?

Seal: You bet.

Starman: So, first I just wanted to remind the Commission this is a recommendation to the City Council relative to an annexation and to the preliminary plat, so you are making a recommendation, not making a final decision tonight. Some of the items you talked about to the extent the Commission, you know, moves in that direction, things like the limitations or prohibitions on second story windows, that would be a recommendation to the Council and if the Council felt that way as well, probably the likely tool for that would be the development agreement as part of the annexation that would have the condition that says -- a contractual provision that would limit or preclude windows in the second story. Similarly you could -- or the Council could add a provision about landscaping or trees into a development agreement as well and, then, to your point, Mr. Chairman, about enforcement is spot on, that the city certainly would enforce those provisions -- the DA provisions at the time of -- either the house is developed and building permits are pulled, but what happens, you know, two years after that or five years after that, that's -- that -- that would be beyond the city's control, unless we wanted to come back and try to enforce the DA that late in time. But at least initially the city would look at those issues -- DA provisions when building permits were pulled or when they were -- certificate of occupancy was issued, but longer term enforcement is an issue for sure. So, I think your point is well taken.

Seal: Thank you. Appreciate that.

Parsons: Yeah. Mr. -- Mr. Chair, Members of the Commission, just to add a little bit to that, I was going to just remind you that the applicant is going to remove some trees from the site. So, some plan is those lots will probably absorb some of those trees as part of that mitigation as well and so I think you are going to get plenty of trees there, but to -- to your point and the city attorney's point is enforcement would be very difficult five years from now and maybe Sonya and I are retired. I don't know. But it's pretty hard to enforce that going forward, because you don't always -- some people like trees in their backyards and some don't. So, it -- don't know if you could keep that in perpetuity and, to be honest with you, the code -- city code doesn't really regulate landscaping on buildable lots. It's really more appropriate for common lots and/or street buffers.

Grace: Mr. Chairman, just --

Seal: Go ahead.

Grace: Counsel had given us some guidance there. Does that -- recommendation to the City Council, does that also include a possible recommendation on what staff had presented as a couple of options in terms of the -- the lot size?

Starman: So, Mr. Chairman and Commissioner Grace, yeah, you are -- the role of the Commission would be, you know, whatever path that you choose as a body would be to

make recommendations to the Council and that certainly would be fair game. If you have -- as part of your recommendation you want to include, you know, ideas or proposals or thoughts that they came from staff, that's definitely allowable and encouraged, quite frankly. The Council wants your input as to, you know, how you view the topic and what recommendations you make. So, that would -- that would be fine and encouraged.

Grace: And just because I'm talking I guess I will finish my --

Seal: Feel free. The mic is yours.

Grace: I'm really torn on this one. I -- I -- as I would assume probably some of the other Commissioners are. I guess -- I haven't been on the Commission too long, but in the time I have been on it I have not seen staff recommend that we consider public testimony -- specifically call that out and say consider the adverse impacts that -- that you may receive from those who speak to us and so, you know, I take that very seriously and I -- I have heard a lot of what the public believes to be negative impacts, so I guess I am really torn on this. I -- I like some of the things that -- that you said, Mr. Chairman, and if we do go forward I absolutely think we should include those as recommendations to Council, but I didn't -- I felt like I would be remiss if I didn't at least bring up to my fellow Commissioners the -- the fact that there was a couple of options put forth by staff and I don't know the economies involved. I'm not a builder. So, I'm -- I am reluctant to try to substitute my judgment for, you know, the builders when they tell me that, you know, you go any less than this and it starts becoming not -- not economically feasible. But I -- but I do -- I take that consideration seriously and I -- to some degree I do -- I defer to you on that, if you are representing that to us and the public, so as much as I am torn on it, I think I'm -- I'm inclined to -- to favor some of the comments you made, Mr. Chairman, when you -- when you just spoke and -- and probably would recommend moving it forward with some of these conditions on it.

Seal: Okay. If anybody would like to try to make a motion I'm all ears.

Wheeler: Okay. Mr. Chair, I'm not -- I'm not trying to hog them all tonight, I'm just ready to go here.

Seal: Feel free to -- I -- I am non-discriminate about who gives me motions, as long as they keep coming.

Wheeler: Okay. Well, after consideration -- well, excuse me. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of File No. H-2022-0045 as presented in the staff report on the hearing date of October 20th, 2022, with the following recommendation: That the northwest houses have no second story windows on them and that the developer encourage backyard landscaping.

Seal: Do you mean no north facing second story windows?

Wheeler: North facing second story windows. Thank you.

Allen: Mr. Mayor, may I clarify the motion, please?

Seal: Absolutely.

Allen: The northwest homes, are we referring to the McGough and the Mr. Johnson properties, the two only right here?

Wheeler: It's all lots that I think are -- are shown in Block 1 that are all on the northwest side of this development.

Allen: All of these right here?

Wheeler: Let me look what you are looking at.

Seal: Well, I would say all of them that --

Wheeler: Yes. All of those.

Seal: -- the homes on the Alpine Point --

Allen: That's the Rogue River Street. Okay. Thank you.

Wheeler: Yes.

Lorcher: And keep in mind public testimony. Isn't that what you said? To -- to be able to -- in the motion to be able to acknowledge public testimony.

Wheeler: Yeah. And to be able to acknowledge public testimony. Is that right?

Grace: Just one clarification from my point, Commissioner Wheeler. Were you saying no windows at all or no windows through which you could see -- you know, high windows. I don't know what they are called, but, you know, windows that you wouldn't be able to see down, but you could let sunlight in.

Wheeler: I'm saying no windows on the second story on any north facing --

Grace: Okay.

Wheeler: -- at all just, because of perceptions.

Grace: Okay. I just wanted to be clear in my own mind.

Wheeler: I think that's muddled up enough to make something out of it.

Seal: Do I have a second?

Grace: I will second.

Seal: Okay. It's been moved and seconded to approve file number -- recommend approval of File No. H-2022-0045, Kingstown Subdivision, with aforementioned modification. All in favor say aye. Any opposed? All right. Motion passes. Thank you, everyone.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: All right.

Grace: Mr. Chairman, would it be appropriate to take a quick break?

Seal: Absolutely. I was going to say for the sake of my kidneys we are going to take a five minute bio break. Thank you, everyone.

(Recess: 8:28 p.m. to 8:36 p.m.)

**8. Public Hearing for Klein Huis at Victory and Meridian (H-2022-0051) by Alpha Development Group, generally located at the southwest corner of S. Meridian Rd. and W. Victory Rd.**

- A. Request: Annexation of 18.60 acres of land with an R-15 zoning district.
- B. Request: Conditional Use Permit for a multi-family development consisting of 134 dwelling units on 16.8 acres of land in the R-15 zoning district

Seal: All right. For real this time we are going to go ahead and get started again. We will reconvene. So, at this time I would like to open File No. H-2022-0051, Klein Huis at Victory and Meridian, and we will start with the staff report. Did I get the pronunciation right at least?

Allen: I believe so.

Seal: Okay.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for annexation and a conditional use permit. This site consists of 16.8 acres of land. It's zoned RUT in Ada county and it's located at the southwest corner of South Meridian Road and State Highway 69 and West Victory Road. A little history on this property. A previous development application, Victory Apartments, was submitted in 2020 for this site that was withdrawn due to the recommendation of denial from the Commission. An amendment to the future land use map in the Comprehensive Plan was proposed from medium density residential to medium high density residential to increase

the density allowed to develop on the site from three to eight units per acre to eight to 12 units per acre and annexation with R-15 zoning for a multi-family development, consisting of 170 two-story two-plex and four-plex structures -- style structures at a gross density of ten units per acre. The Comprehensive Plan future land use map designation, as I noted, is medium density residential for this property, which allows residential uses at a gross density of three to eight units per acre. The applicant is requesting annexation of 18.6 acres of land with an R-15 zoning district and a conditional use permit for a multi-family development consisting of 134 dwelling units on 16.8 acres of land in the R-15 district. The proposed density of the development is 7.98 units per acre, consistent with, although at the high end of the density desired in medium density residential designated areas. The style of dwellings proposed are single family residential detached and single family residential attached. However, because more than three dwelling units are proposed on one property, it is classified as a multi-family development. All of the units will be for rent, owned and operated by a single entity. A mix of one, two and three bedroom units are proposed. Twelve of the three bedroom units will have an attached garage. All units will be a single story in height. The project is proposed to be constructed in one phase. Typically medium density residential designated areas are developed with single family, not multi-family residential uses, and the R-4 and the R-8 zoning districts are the most appropriate for the medium density residential future land use designation, with the R-15 zoning district being most appropriate for the medium high density residential future land use designation, which calls for eight to 12 units per acre. However, the Comprehensive Plan doesn't specify the type of residential uses allowed, just the density, nor the appropriate zoning districts for residential future land use map designations. Because multi-family developments are prohibited in the R-4 and the R-8 districts, the applicant is requesting R-15 zoning for the property, which requires approval of a conditional use permit for multi-family development. One full access driveway is proposed via East Victory Road in alignment with South Alfani Way on the north side of Victory, which is approved as a temporary full access by ACHD and may be restricted to right-in, right-out only in the future and one right-in, right-out access driveway is proposed via South Meridian Road and State Highway 69 as depicted on the site plan. ITD is requiring the access via Meridian Road to be relocated approximately 120 feet to the south and additional right of way to be dedicated for construction of a right turn lane for the proposed access. Approval from City Council is needed in order for this access to be approved. The access via Victory will require a new bridge to be constructed over the Ridenbaugh Canal with a five foot wide sidewalk for a pedestrian crossing over the canal. Private streets are proposed for internal access, which do not meet the standards for such in the Unified Development Code. Connection to a local or collector street is required. The applicant is proposing connection to arterial streets and a state highway and plans to request alternative compliance to this standard. No access is proposed to the outparcel to the west for connectivity with future development. No stub streets exist to this site from the south from Meridian Heights Subdivision. Staff is concerned about the safety of both accesses proposed for the development. The curve that exists in Victory Road to the east and west of the proposed driveway creates visibility issues which are compounded when traffic is stacked up and congested. The center turn lane required in Victory should improve safety for westbound vehicles turning into the site, but will hinder traffic coming out of Strada Bellissima Subdivision to the north on South Alfani Way turning left on

Victory Road. The high speed of traffic traveling on South Meridian Road and State Highway 69 will be dangerous for vehicles entering and exiting the site. The southbound right turn deceleration lane into the development should help to increase safety, but the right-out onto the highway will be dangerous with vehicles merging at a slow rate of speed into southbound high speed traffic. A connectivity exhibit was submitted as shown on the right by the applicant that depicts the extension of existing stub streets from the west, West Contender Drive and South -- South Peoria Way through the Brewer Schmidt outparcel at the southwest corner of the site. No connectivity is proposed with this site which is not consistent with the goals in the Comprehensive Plan pertaining to connectivity between neighborhoods. The Ridenbaugh Canal runs along the northern boundary of the site within a one hundred foot wide easement and that is -- if you can see my pointer -- this area right here. The applicant requests a waiver from Council to allow it to remain open and not be piped due to the large capacity of the facility. Council may approve such a waiver if it finds that the public purpose requiring such will not be served and public safety can be preserved. Because residential uses are proposed within the development, which abuts a state highway and noise abatement is required to be provided within the street buffer along South Meridian Road and State Highway 69 in accord with UDC standards, a four foot tall berm with a six foot tall fence on top of the berm is proposed, which does not meet the construction standards for noise abatement. If approved they will need to provide a sound attenuation wall on top of the berm that meets UDC standards. A minimum of 2.57 acres of common open space is required to be provided within the development that meets the qualifications in the UDC. The initial open space exhibit included several areas that did not meet the qualifications. A revised exhibit was submitted as shown that depicts 2.57 acres of qualified open space in accord with UDC standards. Site amenities are proposed from each of the following categories. Quality of life. They are providing a clubhouse with a leasing office and a fitness facility and a dog park with a waste station. Open space. They are providing outdoor game plaza, hammock lounge area with a shade structure, and out of the recreation category they are providing a swimming pool, a ten foot wide multi-use pathway along the north and east boundaries of the site, two fire pits and a children's play structure and for the multi-modal category they are providing charging stations for electric vehicles in accord with UDC standards. Conceptual building elevations were submitted as shown for the proposed structures. The structures are proposed to be oriented in different directions to break up the exterior appearance and will consist of a variety of colors and materials, including horizontal fiber cement siding, with a half height brick or stone finish. Final design is required to comply with the design standards in the Architectural Standards Manual. In order to determine consistency of the proposed development with the Comprehensive Plan there are many other considerations besides use and density, including the establishment of street connections to existing local and collector streets, as well as to underdeveloped adjacent properties. Provision of public utilities and services for county enclaves. Compatible uses and site design to minimize conflicts and maximize use of land. Support in-fill development that doesn't negatively impact the abutting existing development. Provision of appropriate noise mitigation along transportation corridors, like State Highway 69. Creation of a site design compatible with surrounding uses through buffering, screening, transitional densities and other best site design practices and ensuring new development is cohesive and complementary in

design and construction, among other things. Those are only a few. There have been many letters of written testimony received in opposition to the proposed development tonight that I'm sure you have all reviewed in the public file. Reasons for opposition include, but are not limited to the following: Existing infrastructure is struggling to keep up with the growth in the south Meridian area. Victory Road is a traffic jam at commute times. Meridian Road is backed up to Victory. The Meridian-Victory intersection is congested. Schools are overcrowded and adding the proposed number of rental units in this area will just exacerbate the issue. The proposed R-15 zoning isn't consistent with adjacent zoning. For example, the R-4 and R-8 zoning. The proposed multi-family use isn't compatible with existing single family uses and rental units will bring down adjacent home values. Traffic generated from a multi-family development is much higher than single family due to the higher density. Concern pertaining to future residents cutting through adjacent developments, for example, Strada Bellissima and Bear Creek to the north to avoid traffic congestion on Stoddard and Victory and Meridian Roads and safety of children and pets who play in the area and walk to Victory Middle School. There is no connectivity with surrounding neighborhoods. This will be a standalone community. No public transportation in the area to offset the increase in traffic generated from this development. The driveway access on Victory Road straight across from the access to Strata Bellissima Subdivision will severely impact the ability of residents of Strata Bellissima to exit their subdivision to turn left on Victory Road, which is already difficult due to the increased traffic from recently constructed subdivisions in the area. Approval of the proposed development will destroy the natural open space and homes to over 40 bird species and other wildlife on this property. The desire for this property to remain as natural open space and be a nature preserve or a City Park. Children in the area are already being bused to schools much further away, because area schools are overcrowded and don't have capacity. The proposed development will make the situation worse. There are already a lot of rental units in this vicinity, including those along Overland Road between Stoddard and Ten Mile and across the street to the east. Desire for single family residential units to develop on this property at a similar density as adjacent development, which could be compatible with existing single family uses. Not the right location for a multi-family development with restricted access. Effect on area residents' quality of life with increasing traffic and congestion and associated safety issues. Overcrowding of schools. Incompatible land uses. Lack of infrastructure and essential community support, i.e., teachers, bus drivers, police, fire, et cetera, to keep up with growth and concern pertaining to the impact on existing wells in the area with the continued growth. Staff shares many of the neighbors' concerns who have submitted testimony on this application and is not supportive of the proposed annexation and conditional use permit for the following reasons: Based on public testimony received the proposed multi-family development is not compatible with the adjacent single family development and is too high of density for this area. Access issues and associated safety concerns with the Meridian State Highway 69 and Victory Road intersection in such close proximity to this site and the curve in Victory Road to the east and west of the proposed access. No connectivity is proposed with adjacent developments as desired in the Comprehensive Plan. City water and sewer service is not proposed to and through the development as required and the proposed private streets don't meet the standards due to direct connectivity with arterial streets and no connectivity with adjacent developments



in the surrounding area. Staff is recommending denial due to inconsistency with the Comprehensive Plan goals and policies noted in the staff report and in my presentation tonight. Staff will stand for any questions.

Seal: Thank you, Sonya. Would the applicant like to come forward? Good evening, sir. Just need your name and address for the record and the floor is all yours.

Holt: Dustin Holt. 166 East 14000 South, Draper, Utah. Mr. Chair and Commissioners, thank you for your time tonight. It's -- appreciate an opportunity -- opportunity to be before you again. With me -- I'm Dustin Holt, a principal and partner in Alpha Development Group. With me is Brad Watson, who is the development manager for this project, as well as Tahri Molifua, who is with Ball Ventures, who is a partner in Alpha Development Group, as well as the owner of the property. Geoff Wardle of Clark Wardle Law, our outside counsel and I believe our in-house general counsel is on remotely. Virtually. We really appreciate -- and -- and, Sonya, I don't know if you can pull up our packet, please. Thank you. We appreciate an opportunity to be here and to talk to you. We also appreciate the passion. We know there is passionate neighbors in this area. We have had three or four meetings with -- with the neighborhood and as you can imagine we can't be all things to everyone and there -- we are finding even points of conflict between ACHD, ITD, Meridian City, residents and so what we are trying to do and hope to do tonight is -- is present to you a concept that we have been working through that we think answers many of the concerns. It won't -- won't address all of them. You are better than I would. I know some jokes if you want. I -- I will -- I will actually just get started a little bit. So, Alpha Development Group -- we have been involved in development in -- in five states. We have been involved in over 5,000 multi-family units. We have a range of products from eight units to the acre that you are seeing tonight. We have -- we have developed as dense as 189 units to the acre, which is, obviously, in a more significant urban core. So, we -- we know that development is possible. Density doesn't scare us. Density done wrong scares us and scares us immensely. Do I control this or -- sorry. Jittery mouse. So, that is a -- is there a way to just go page down? I'm technically inept. Here is a couple of the Alpha Development kind of lower density townhome products. We originally looked at this project as a townhome community and, then, for a myriad of reasons steered away from a townhome, but here is a -- here is some of the townhome products that we have been involved in. As I mentioned, our development partner is Ball Ventures. They are also the property owner. They have owned this property for 15 years. Ball Ventures -- you may not recognize the Ball Ventures name, but I'm sure you will recognize some of the names of groups that they partner with like, Ball Ventures Alquist. You know, they have been responsible to bring in groups like TopGolf, Shields, Saltzer Health and others, not only to the Treasure Valley, but even specifically to Meridian City. So, the notion that we are out-of-state developers who don't care I think is erroneous. As mentioned, the land use designation -- the Meridian comp plan in December of 2019 when it was updated gave this designation, the medium density residential. If I were to zoom out, the purple to the north is office, the red to the northeast is commercial and the orange to the -- to the east is R-15. You did hear -- and I think Sonya did a nice job explaining we are requesting the R-15 designation only and solely for the multi-family ability to have multiple parcels on a single building and we would be happy to notate that in a

development agreement or -- or whatever other means necessary. But we are looking at 134 homes. When this comp plan was being done Ball Ventures actually presented several concepts to actually try and push this to a denser zone or a denser comp plan. Office commercial or even higher residential. Based on the -- the response back from staff at the time was based on the odd and challenging shape of this site and the R-8 zoning designation adjacent to it. But none of those uses were compatible, so it stayed R-8. We still believe that density and that intensity of density should grow and -- and change as you are coming from far denser uses at that intersection as you head southwest toward the residential to the south. So, several of the projects in the area that have the R-8 designation -- we will talk about a couple of those here shortly. In 2019 as mentioned this commercial use concept plan was shared with staff. It was 75,000 feet of light industrial and about 30,000 feet of retail, 700 -- or 450 parking stalls and the response was this is just not the place. We already have office. We have commercial. We have multi-family and this was a -- this was a plan that was shared and -- and requested to be put into the comp plan and at that point in time it was this density intensity just is inappropriate. As -- as Sonya mentioned, in 2020 a plan, 140 multi-family units, all two and -- duplex and four-plex, but all two-story structures, a density of ten units to the acre. It had a single point of access. They did not approach ITD at the time for a right-in, right-out. We argued with ITD that legally we have three points of access onto Meridian and they are okay granting our single point of access legally and fully as a right-in, right-out, with a one foot tall -- or ten inch tall concrete median in the middle of Meridian and I think it's 660 feet long. So, they want it as a right-in, right-out with a decel lane and an acceleration lane as you are coming out of the east side of this project. This previous project did not have this. It's worth noting that staff recommended approval of this, but as Sonya mentioned, Planning Commission recommended a denial when it moved forward to -- to the City Council. So, the current plan, 134 units. One of the things that was read and understood from that previous plan was that the density was too great. So, we took another 20 percent off. We took another 34 units off the -- off the plan, 20 percent. Additionally, wanted to come up with a lot of homes on Rockford Street were single story and much like you heard in previous agenda item, we addressed that all of -- all -- every single unit in here is a single story. Nothing is two stories. It is all single story. The highest roof pitch we have is 17 foot six to the crown of that roof. So, they are all single story structures. A couple of the things that we heard and -- and were worth mentioning. When we originally presented this with -- to the neighborhood we said we would like to have 30 percent open space in our communities and that -- that is true and we do and we classify our open space slightly different than Meridian City classifieds their open space. So, I think it's worth talking through this, because I think there is some people that feel like we have been disingenuous with the open space. Your qualified open space measure -- has a certain measurement, has a certain shape to it, has certain abilities of use to it. Also have to become all things to everyone and include any type of landscape buffer. You -- you guys know those rules probably better than I do; right? So, qualified open space, we have -- as -- as Sonya mentioned, a little over the 15 percent that is required. Additionally, what you don't see in that plan is seven percent open space. Each and every one of these units has a semi-private back yard. What I mean by that is there -- there is a gate and a man gate and a lock that our maintenance crew has access to, so that they can mow, they can trim, they can pick up leaves. They don't pick up dog poop, but they

will fine if there is too much of it. But pretty much anything else our -- our property maintenance group does. So, they have access to that. So, because it's fenced and semi-private, it cannot count toward that. But that's another seven percent of this project. And, then, in addition to that some of the landscape buffers -- some of the areas like this right here that you -- this mouse is goofy, but some of these areas that you see, because they are only eight and ten and 12 feet wide they don't meet Meridian city's width ordinance to satisfy as qualified open space. So, in addition to all of the private fenced backyards there is an additional 77,000 square feet. It's about 11 percent. So, when you add those up we get to what we classify as 30 percent open space, meaning not sidewalks, not roads, people -- areas that people can actually gather, congregate and utilize with -- with open space. So, that's how we meet our definition if that comes up from public testimony. What -- what we are not -- and -- and we have seen some things online that say this is just another R-5, 15 units to the acre, 250 plus units. This is government subsidized housing at its finest. It's none of those. So, we want to be very clear that is none of those things. I will also note it's not -- it's not open space. The zoning, the general plan, is not open space. It is not intended to be a nature preserve. It won't be a nature preserve. It would be much like me asking any of my neighbors to knock their home down and let me utilize it as my private garden. So, it won't be a nature preserve. It will be developed ultimately in some way, shape or form. So, let's get to the exciting stuff of what -- what we think Klein Huis is. So, we do believe that there has been some recent projects -- if you look at Meridian Heights, that's a subdivision that's 30 years old. As you look at Jocelyn Park, Timberland, and a couple others, they have gone about it differently than us. Yes, they have platted it, but so their gross densities are 7.67. Another thing worth noting, we are annexing 18.6 acres. As you read ACHD's report, we are deeding 37 feet on Victory and another like 22 feet to ITD. So, all of the city -- all of staff's numbers are coming off of the 16.8 acre that we would be left with. As you look at 18.6 acres that we are actually annexing, our density is about 7.2 on the gross acre, compared to even the 7.9. If you were to look at Jocelyn Park at 7.67, that would put us at 129 units compared to the 134 units. We are just doing it in a different manner and we think it's a manner that people are maybe even a little uncomfortable with. Again they are all one hundred percent single story structures, one, two and three bedroom units and that roof line -- I said 17.6 -- 17.4 to the top of that roof line. This is as mentioned professionally managed by our property management company and something that we will own and maintain. One point of contact. One point of management. It's not something that could become 134 individual rentals. This -- this denotes some of that backyard. So, inside the back we have got -- we have got a tree planted in every backyard. I know that wasn't brought up or was previously, but a tree planted in every backyard. Landscape. We also do like an eight by eight concrete pad where someone can do their -- their picnic table or their barbecue. This lower one is the -- is the three bed with an attached garage. This is a design that we are doing in -- in direct reference to the Rockford Subdivision or the -- the homes on Rockford in Meridian Heights to the south of us. One of the comments was we -- we felt different, because we didn't have an attached garage, so we have an attached garage on that southern property line. Again, some of the R-8 zone up to the eight units, I mentioned some of those densities, 7.2 or 7.9, depending on maximum height to -- to a ridge line and R-8 is -- is -- is 35 feet. So, this could be two story homes with a tall 12 -- 4/12 pitched roof and -- and something that

could be more significant than what it is. This qualified open space is admittedly an error. Sonya caught it. The -- the previous one was correct, that 15 percent plus, those additional 7/11. Site development. I think Sonya did a wonderful job talking about all the amenities, but we more than exceed the site amenities that are required for a project of this size and, then, one of the other things that we heard was parking. So, we tried to get additional parking. We are still constrained. This -- this is a site that is physically constrained, it's an odd shaped piece. It's got barriers of the -- the Ridenbaugh Canal, Victory, others and so we tried to cram in as -- as much additional visitor and surface parking as we could get in to help with that. A couple of solutions that I -- I want to just mention. This is one where I think we are -- we are -- we are at odds. The ordinance says we as a private subdivision can't discharge out onto a collector. That's in the city ordinance. I think in an instance like this it makes less sense to have us connect to some of the adjacent subdivisions. I think that Mr. Bernard said it. If you connect it they will come. There is a concern that we have that people come through this subdivision and/or vice-versa. What I don't want is concerns that our residents leave and discharge and go through neighboring subdivisions that have been here first. So, respectfully we disagree and do not want to connect. If this is an absolute requirement we believe there is a way to keep the property to the west of us from being an enclave and this concept shows how we actually could make a physical road connection for if and when that property were ever developed in the future and that's something that we are willing to consider. Lastly, one of the -- one of the -- one of the questions that came up was Rockford Street and this is much like the conversation that we actually just all participated in. There are 13 homes along Rocks -- Rock Street. We have 16 units that face that. I am more than comfortable telling you right now that I will remove four homes to get down to 13 homes. That would be adjacent. It would allow for more width, allow for slightly bigger yards. The only caveat just to double check is that it doesn't put us under our qualified open space requirement if we do that. That's the one caveat that I would have. And so I think that would reduce us down to that 131 -- 129 units that's right in line with some of the more recent projects that have been approved in this area by the Planning Commission, by the City Council. I think we just look a little different and -- and feel a little bit different. So, appreciate your time very much this evening. Thank you. With that we would respectfully request a positive recommendation to the City Council. Happy to answer any questions you have.

Seal: All right. Thank you, sir. Commissioners, do we have any questions?  
Commissioner Lorcher.

Lorcher: Mr. Chair. So, all of these units of the little buildings, so you have one, two and three bedrooms. So, are there multiple families in each building or is one a one bedroom and another building is a two-bedroom and another one is a three bedroom?

Holt: So, the only -- the only ones that are attached buildings are the one bedrooms. They are -- they are built in a duplex manner, but everything else is a two bedroom, two bath home, detached one -- one family would live in it and this slightly larger footprint is a three bedroom. This three bedroom footprint is really close to the same as this one bedroom duplex, but these are -- these are all single family occupancy buildings, one bed, two or three bed.

Lorcher: And the little white space between them, that's their backyards?

Holt: That is correct.

Lorcher: And these are all a home ownership or you said these are rentals?

Holt: These are all rental.

Lorcher: And what is the price point?

Holt: Rents will range from 13 -- 13 -- 1,350 to 27, 2,750. And keep -- just -- I -- I heard some snickering in the back when we looked at those backyards, but they are larger than at a 16 acre scale.

Lorcher: So, follow-up?

Seal: Absolutely.

Lorcher: Ridenbaugh Canal, they seem to be very opinionated about their waterways. Did they give you permission to put a bridge over it?

Holt: We have talked to them. We can get -- as long as we stay out of the high watermark we can -- we can get a bridge over it. This is another area that we have had difference of opinions or we have heard differing opinions. City ordinance is to leave it open, preserve it, keep it nice. Open. That is our goal. That is our objective. The canal company has -- has expressed an interest that they may want the underside of the canal tiled. I think we got them away from box covering. We have been involved in a couple other projects adjacent to canals where we have actually by providing this ten foot trail along the -- sorry, this mouse is -- by providing this trail in some instances with -- in one instance particularly another canal company we actually widened it to 12 feet, so that they could get their rubber tire mini-excavator on it. We put a -- a 40 inch wrought iron fence so that they could get stuff out of it and we were able to get them to concede that as long as they could see it, access it, they could maintain it and -- and we actually gave them hardscape. We kept them from tiling the canal. That is absolutely our objective with this as well, that maintaining this canal as a true --

Lorcher: Open.

Holt: -- open is our -- is our goal.

Lorcher: And they are entertaining your -- those conversations or they have been absolute?

Holt: No. We have -- we are -- they are entertaining those conversations and we are having them ongoing.

Lorcher: Okay. Thank you.

Seal: Commissioner Grace?

Grace: Yeah. Mr. Chairman. So, you are counting the space behind the units as an additional seven percent of open space?

Holt: In -- in our open space calculations, yes. It doesn't satisfy or meet your qualified. So, our 15 per percent, we satisfy the ordinance at 15 percent of qualified open space. In our open space math that would be an additional seven percent in the semi-private backyards and, then, there is an additional 11 percent across the rest of the site that just doesn't meet your dimensions.

Grace: So, irrespective of that seven percent you have met 15 percent?

Holt: Correct.

Grace: Those areas -- those part -- those areas of land, are those -- are those -- those are private. They are not open to everyone, they are just open to those who would live in the unit?

Holt: That is correct. Aside from our maintenance group who has access.

Grace: Okay. And, then, the other space is not large enough to be considered an open space under our requirements, but you are counting it as space people can be in.

Holt: You can still throw a football in it, you can still throw a baseball in it and you can still do a myriad of -- of activities inside of it. One of the other big ones probably to note is at the far northeast corner. So, this whole triangle -- we haven't talked a lot about ACHD. ACHD's recommended conditions are in the staff report and are actually fairly minimal. We are willing to do more. We have told ACHD we would work with them on a free flow right turn here to help with stacking from someone that's waiting to try and turn right to get them out of the go straight east lane. Because of that we have taken this whole triangle out of any of those calculations for the time being, because we don't know -- we don't know ultimately if that ends up being a right turn lane or it ends up being something else. There was also a note that because we -- while we do have the sidewalk that goes to that intersection from our community, we didn't have a pedestrian bridge over the canal right to that triangle and so, therefore, it could not be considered open space under the city standards.

Grace: Is that little triangle fenced in?

Holt: It's not. It's open right now.

Grace: But would it be fenced in from Meridian Road and Victory?

Holt: I think we -- I think we have the sound barrier and Sonya would have to correct me if I'm wrong. I think we have the sound barrier going up the Meridian side, but not the Victory side. One of ACHD's recommending conditions or mitigating conditions is actually along this curve to put a -- what's the word I'm looking for? A -- a car rail -- a guardrail to help with just overall traffic and overall traffic safety along that -- along that canal.

Grace: Okay. Thanks.

Seal: Anyone else? All right. Thank you. Madam Clerk, nobody signed up?

Hall: We have Kurt Weimer signed up online and I have a Kurt that I will allow to speak. Are you there, Kurt?

Weimer: I'm here. Can you hear me?

Hall: Yes, we can. Go ahead.

Seal: Good evening, Kurt. Go ahead and give your name and address for the record, please.

Weimer: My name is Kurt Weimer. 3322 South Cobble Place. You pretty much went over most of the points that I had in your opening. You know, sometimes they will sit there at Victory heading east, you know, for four light changes and like you had mentioned, sometimes the traffic's backed up, yeah, heading north on Meridian to the freeway in the morning it's backed up to Victory. You know, with all the new developments going on over here it's -- you know, it would just add that much more jumping onto Victory, you know, for commute -- commute hours. It's, you know, one thing that none of us want and, you know, they are already designated as it could be R-8. I don't know why developers come in wanting to change it. You know, CBH seems to have no problem making money under those kind of developments. So, I'm sure some other development could come in there and have single family homes. You know, I'm not sure why this developer doesn't just do that. There wouldn't be a whole lot that anybody could say about it if they did and me personally I would rather have it as open space and, yeah, it's -- if the city was able to do that that would be great, but it's -- you know, not sure how that would happen, but -- but that's about all I had to comment on.

Seal: Okay. Thank you, Kurt. Appreciate it.

Weimer: Thank you.

Hall: Mark Nero. Nero. Sorry.

Seal: Good evening, Mark. Just need your name and address and the floor is yours.

Nero: Yeah. Mark Nero. I live at 3050 South Denali Way in Meridian, Idaho. 83642. I'm here tonight on behalf of the Strada Bellissima HOA and I would like to request for some additional time to share some thoughts.

Seal: Will anybody here give their time to -- okay. It looks like we got folks that are raising their hand. Please -- give him ten minutes, please.

Nero: Can somebody pull up the presentation that I sent in?

Starman: Madam Clerk, could you hold the clock? Thank you.

Allen: Sorry about that. We will get that going for you.

Nero: That's why they tell you to bring a backup. Perfect. Thank you. I guess I get control of it here. Figure out where we are scrolling here. The -- not sure this keyboard is working in that way. No. Okay. Yeah. Okay. No, that's not working either. All right. Well, we will do it this way. We will just do it with scrolling with the mouse up and down. The key doesn't work. So, I won't go over a lot of these slides. A lot of it is redundant. We just have a short message and, then, talk a little bit about responsible development and that's what my goal is here tonight. So, you know, really what the message here is, you know, we are not here to be anti-development. That's -- that's not what we are here about. We want to be -- we want to see responsible development that meets the best interest of the surrounding community and the neighborhood. We believe responsible development ensures consistency, compatibility, connectivity and transitions within the neighboring areas. These are all goals within the Comprehensive Plan and the code. The Klein Huis development appears to primarily satisfy the self-interest of the landowner with very little regard to the impact of the neighboring communities. We believe the Klein Huis proposal is ill-conceived and we oppose this project and while people are talking about open space, I just -- it is worth mentioning this is not a farmer's field to plow under. It's land that's been home to 45 species of birds and wildlife for decades and it does at least deserve a little bit of consideration. I'm not going to spend time here. We have talked about the history already. I guess the -- the only thing that I would say between 2020 and today is that many of the same issues that were raised by this Commission may be different members, but same Commission in 2020, still exist today and I think in the staff report that you all read and that we have all read it highlights many of those and I don't think that any of them have been mitigated. So, responsible development. It's consistent. So, what I thought I would do is to contrast what -- what appears to be responsible development as -- as by the Commission, as well as by the comprehensive code, and look at a couple of different developments that are within a half mile of one another. One is Slatestone, which was here on October 6 and this Commission approved it. I came to the meeting and listened to the developer and such. And, then, of course, the Klein Huis, which is before us. Both of these are in surrounding land use areas that are low density and medium density and the zoning for these is R-1, R-4 and R-8. What's interesting about these is they both are designated for future land use of medium density. In the case of Slatestone, the developer proposed single family ownership density minimum three and consistent R-8 zoning. They didn't ask for any special permission or



any special use cases. In the case of the Klein Huis it seems to be inconsistent in the sense that it's multi-family, which by the staff report and other mentioning is not typical in a medium density area and in this case it's nearly at the eight unit max and they are asking for special consideration, as well as a zoning change to 134. I'm going to skip this slide. This is just the designations that the City of Meridian defines for FLUM and just worth noting that both medium density -- or medium high density and high density is really the only time you start to hear about multi-family and a mixed dwelling of condominiums and apartments and townhomes, even the same that the developer proposed in 2020. This chart I put together because I think it kind of helps illustrate consistency. So, there is a green arrow there that stroke between the medium density designation density and typical zoning and it's got a little jog in it there, but that's the Slatestone proposal and what you can see is R-8 is consistent with medium density, but yet they have chosen to go on the low end and there is a reason for that, which I will share here shortly. So, from a FLUM zoning standpoint it's very consistent. When you look at the Klein Huis proposal they are asking for R-15 zoning within medium density, but they are really crossing at that crossover between medium high and medium density. One might even be able to argue that medium high density makes more sense given that they are asking for an R-15. They tried to ask for that in 2020 and that was declined. So, again, not consistent within the FLUM and zoning and, then, when you look at the blue stripe, which is the 2020 proposal, you know, that actually looks consistent within medium high density. The density was ten. The zoning was R-15. But, again, it's not consistent with anything in the surrounding neighborhood, nor is the current Klein Huis proposal. The only one that does have consistency in the neighboring area is Slatestone and as far as densities go in the medium density -- I actually did a little bit of a study and looked around the surrounding areas to find out within single family homes what's the highest density that these builders have been building and I just took a sample -- four samples and it's between five to six acres and this next map kind of shows you where those are, just within the surrounding area, the Klein Huis being in the middle there and even one of them was slightly outside of that area. But I tried to zoom in and this is the closest I could get to the Klein Huis proposal where I could find densities and single family that were above the midline or heading to the higher level. So, again, you know, this is well below the eight for a single family home. Sorry. Mouse is a little quirky there. So, what's the public response been like? And that's quite interesting. So, there is several items to look at. E-mail comments. Opposing signatures on a petition. NextDoor neighbor website comments. And even those here at the public meeting to listen and oppose or approve. So, if you look at Slatestone, it's quite interesting. There is no public e-mail comments. There is no petitions. There is no NextDoor neighbor comments that I could find in search and there was no opposition at the meeting. That tends to indicate that perhaps it's responsible development. On the other hand, Klein Huis, even as of tonight there was 76 responses on the public website for Meridian and in my hand here I have what is now 350 signatures from all the neighboring communities that we have collected over the last four weeks and gone door to door and asked people -- where we have asked people to sign it, whether they are for it, against it and today we have 350 signatures that oppose. So, it's quite a statement by the neighboring areas. And, then, within the website on NextDoor neighbor there was 22 comments and tonight I don't know how many people are here, but there is more than zero who -- who are not in favor. So, it's just to me another thing about indicating either

ill-conceived development or inconsistent development and I guess I will finish on responsible development as complementary. So, within the designation for the FLUM plan and within the Comprehensive Plan, I have highlighted a couple of things where it talks about, you know, the -- the complementary aspects are comparable with surrounding use, promote area beauty all throughout the community and, then, support and protect the identity of the existing neighborhoods and I think that's what a lot of people are also concerned about. So, this here is a -- kind of an illus -- not illustration, but a slide that shows on the upper left-hand corner. This is just one of the models that Slatestone has proposed and it's got a lot of attractive architectural features to it. It's got some depth to it. A lot of natural materials and it just -- it -- it's -- it looks like a very nice home and these are homes that are just within the surrounding area, both in Bear Creek and in other areas and you can kind of see these -- this is complementary and consistent to the existing and surrounding homes. If we go down and look at what the Klein Huis proposal includes, I have captured a few from their proposal for a one bedroom, two attached side by side and, then, three bedroom and if you just look at the -- within the Strada HOA across the street and just even the other surrounding areas, a very different style of home and architecture and it just -- it doesn't appear to me to be very complementary and supportive of the existing. In fact, in some cases it looks sort of like post-World War II military housing, but that's for others to -- to decide I suppose. So, you know, it's also worth noting -- how does the developer come at this? What -- what's the -- what's the developer's desire in terms of working in the neighborhood? You know, the Klein Huis -- I read their narrative. I read the Slatestone narrative. I listened to the representative from Alpha here tonight. And what I heard was we will make the houses in different positions and we will change some of the siding on them and we will paint them different colors and it just -- it just didn't -- didn't excite me as looking very complimentary. But on the other hand with Slatestone, even within their own narrative, you know, they talked about these homes are to be high end homes with natural tones and finishes -- and can I take one more minute? And if you look at the slide during their presentation they talked about some of the community benefits. Provide quality homes in the City of Meridian. Match and compliment surrounding developments. And enhance the overall look and the feel of the neighborhood. So, I will close with this. So, we do oppose the Klein Huis development and that it fails to meet many of the requirements of the city Comprehensive Plan and the Unified Development Code. Twice now this property owner Ball Ventures has tried to circumvent the system and pass a plan that is ill-conceived for the surrounding community. A bad precedent will be set if this is approved. It opens the floodgates for more proposals for this type of ill-conceived development. There are many alternative land use opportunities that have already been suggested for this habitat treasure to help preserve an open space and maintain the home to a lot of wildlife. We are respectfully asking the City of Meridian Planning Commission to return an overwhelming message and deny approval of this project and we also thank all the surrounding neighbors who have expressed concern over the last many weeks and maybe months and, lastly, I thank this Commission tonight for giving me the time to be able to share these thoughts and I thank you, Commissioner.

Seal: Thank you. Oh, don't forget your USB drive. I have lost many of those in my life. Madam Clerk?

Hall: Larry Chase.

Chase: My turn.

Seal: Good evening, sir. Name and address for the record, please.

Chase: I am Larry Chase. I live at 309 West Galvani Drive in Meridian. Today I came home Meridian Road -- like you are in Meridian and you are driving to Kuna and this big wide road and it's full of traffic and to turn right on to Victory, which has got two or three lanes and immediately it narrows down to a two lane country road and on my right-hand side is the City of Meridian subdivision and, guess what, there is grass and trees and a sidewalk and it just feels good. And Victory -- gorgeous. It's like a motorcycle road. You get to walk down and up and around and loop and zoop. Really cool. You get to the top, you turn around and come back. When you come back on Victory Road, those of you who may know this, it does the same thing, it -- zoop, down, turn, turn and, guess what, there is this canal and the road is right here and there is 15 feet of gravel right next to you and, then, there is this canal and the canal is ten, 15 feet deep and 20 feet wide and if it's in the middle of winter and you come around too fast you get to be in the canal, but it's dry, so that's okay. But in the summer you get to be in the canal and it's wet. That's awkward when you are upside down in a canal. But, guess what, on the other side of the canal is -- who is that? Ada county. That's not Meridian. These people would like to have you annex that little chunk of land, but they -- they got this problem. There is that canal and so they say, well, this -- we will go over there and do all that sidewalk and the buffer and all that on the other side of the canal. We will just leave the canal alone. Well, that didn't help me coming down the hill and all that. Gosh. And, then, the entryway is a little too close to the things that we will do our exception. Gosh. And, then, we will do the funny thing to try to get out of the thing. Gosh. And, then, we will build a bridge over this canal. That's cool. Let's -- you know, then we have a wreck on the middle of the bridge and, then, the fire truck can't get in. By the way, that area that they want to build to me looks like an island. They got a canal on one side. You got a -- what we call in the old days a bench on the other side. Whole thing. Bench. And it's blocked on Meridian Road and blocked on private stuff on the other side. I would like to have you decline this request. Thank you.

Seal: Thank you, sir.

Hall: Patsy Chase.

P.Chase: My name is Patsy Chase and I live with that funny guy there. 309 West Galvani in Meridian. I guess my -- my biggest concern is trying to get out on to Victory. You -- you just -- in the mornings anytime between 7:30 and 9:00 you may as well forget it now. And I also see where people use our subdivision to cut through and I can see that they will continue to do that so they can go on to the other place without getting caught in the Meridian Road backup, because when I go and I'm going to go downtown, I am turning -- first of all I have to get on to Victory and, then, you know, there is really only one lane there and, then, the one little turn lane and it's very short, so people do -- are nice a lot of

them and they pull clear over on the edge of the road in order to allow room for me to go into the turn lane to turn left to go north down -- to go to the freeway and the traffic is -- sometimes is backed clear up almost to Victory Road. So, we have a lot of cars coming from Meridian -- from Kuna and from all that area out there and we are talking here of 134 units, most of which will have two to three cars and they are going to be trying to come out in that same spot. So, I would encourage you to consider that and consider the impact upon the traffic and deny this. Thank you.

Seal: Thank you.

Hall: Linda Whitney.

Seal: Good evening, ma'am. Need your name and address, please.

Whitney: Linda Whitney. 314 West Galvani, Meridian. 83642. Well, it kind of seems like a lot of what's been said has messed up everything I was going to say. So, I'm going to wing it sort of. As has been stated, that intersection at Meridian and Victory is already extremely busy. ACHD estimates Klein Huis will add another 1,340 vehicle trips per day. We already often have difficulty getting out of our neighborhood at certain times of the day. With all of the other developments going on in both directions along Victory those time frames that we have difficulty keep expanding. This developer wants to drop over 1,300 more trips per day into that extremely busy intersection. As has been said, Victory is a two lane road and their traffic -- adding lanes and such, it's just a joke. It is -- it's going to make things worse. The developer sees dollar signs and I see a traffic nightmare. Another objection is displacing the wildlife currently using that land. That parcel has been used by wildlife for many years. According to the Meridian nature reserve, many species of birds have been recorded as using that property, including a large number of birds protected under the Migratory Bird Treaty Act. I happen to like the birds and the open space. I have seen these tiny house developments in Arizona on recent trips. In my opinion they are -- they are just awful. They are rentals. They have got all these tiny homes packed into these tiny little pieces of land and my first impression driving into several of them to check them out was this is a prison colony and little did I know that one was being planned across the street from me. Now, seeing their packed development, it's all enclosed, including a moat on the north side, it reinforces my opinion that it's a prison colony. My suggestion to the developer is that they fire their architects, because those little buildings are ugly and just to me it was a -- it looked like a basic tenement housing. Thank you.

Seal: Thanks, ma'am.

Hall: I have a James Cavernet. Is there a James? Okay. A Cateri or Biley? Bailey? Help me out.

Bilay: Hi. My name is Kateri Bilay and I live at 3315 South Peoria Way in Meridian, Idaho. My family has lived in that house since 1999 and we were the only subdivision, Meridian Heights Subdivision, that was in existence at the time and we have seen everything grow

up around us. We have seen everything just become more and more and more and we have seen the traffic get worse. We have seen the schools get overcrowded. I went to Mountain View High School, which is -- was overcrowded when I went there. I graduated in 2013. Obviously, if -- of what everybody has said this property is a very difficult space to develop. It's got canals on both sides. It doesn't have just the Ridenbaugh, it has another canal that borders on the other side of the property, as well as the curve in Victory Road, which doesn't allow it to be widened and, then, you also have 55 mile an hour road -- people go 60, 65, 70 miles an hour on that road on Meridian. So, all of that makes this a very difficult space to be developed. I have lived there, I have seen this space be left as open space continuously. New developers coming in trying to make something out of it that they can make a profit off of and, really, the entire community that we have reached out to -- everybody that I have talked to have all expressed an interest in leaving open space and I do think that using this particular example of space, this property in general, as just kind of a plea of the community that we do need to consider setting aside open space to leave for nature, to leave and enhance for the community, to let the wildlife that do already exist in that space have some space, that we haven't really -- we don't have that in Meridian. There are American kestrels that nest there. There are red tailed hawks that hunt and nest there. There are red foxes. There is skunks. There is raccoons. And if we were able to enhance this area it would be such an asset. It would be such a treasure for the surrounding community. How we get to that point I'm not sure, but that is something that I have spent a lot of time thinking about and if there is any space in the City of Meridian to put a nature reserve, something that would, you know, enhance the City of Meridian as a whole, I think that this is a really good opportunity to use this space, because it is such a difficult space. I have seen it. I have seen what people have tried to do. I see that -- the crashes that happen as well, because I have a perfect view of that intersection. Crashes happen like once a week and like cars are returning, it's -- it's not a safe intersection already and they have already segued and sequestered all the left-hand turns. Like if you are coming south and you are trying to turn left into the D&B parking lot or any of those businesses that you just can't and they asked -- I asked where are you asking people to turn around and they said, well, they are asking people to make a U-turn on Meridian Road and that's -- that's what people are being expected to do, which is unsafe and that's already the reality of the situation that's going on before this type of development is being done. So, I definitely request the opposition of this development plan. Thank you.

Seal: Thank you.

Hall: Christine Garro. Christine? Could be, yes.

Carrier: Hello. My name is Christine Carrier. My address is 1119 East Wrightwood, Meridian, Idaho, and I have a short statement to read. I am here in opposition to the proposal for Klein Huis. As previously stated, this proposed development would adversely affect the area of Victory and Meridian Road. It would increase traffic. We already know it -- we have stressed schools. It would affect the established neighborhoods and it would possibly create more problems than we can ever imagine. It's already been rejected in 2020. I live in Reflection Ridge. It's a development that

borders Meridian and Victory, as well as Locust Grove. I walk. I bicycle. I have bicycled on Victory up and down those hills many times. I love that area. I marvel at the red tailed hawks. The little quail families and occasionally a kestrel. I support the idea of a Meridian natural preserve on this land. Zoning can be changed. When we adopt this idea we have the opportunity to transform the corner of Victory and Meridian to a destination that can become a community legacy. This is a very unique parcel of land. Idaho Citizens treasure our natural resources, our natural spaces, and we understand the value of the species diversity and protecting these natural areas. It creates a healthy environment for both creatures of the earth and human beings. These values can be championed and we would also be protecting the Ridenbaugh Canal, which has some historic agricultural ties to Meridian, as well as the -- Nampa and the other areas and I think that's very important to remember our heritage. The preserve would be home to wildlife, including migrating and year around birds and ducks, small mammals and insects. This proposal was championed by the Audubon Society and it would be attractive to students of all ages and it would be a true treasure for the Treasure Valley. A red tail hawk feather in the hat of the City of Meridian. Thank you.

Seal: Thank you.

Hall: Chris Keith.

Seal: Good evening, sir.

Keith: Good evening. My name is Chris Keith. 181 West Winnipeg, Meridian, Idaho. I kind of want to point out -- sorry. I'm not happy with the situation and having to keep returning on this, but I have been living there since 2008. I feel like Meridian kind of stole the land from us, because we got annexed in and I have talked with a lot of people, it seemed like that was shot down when it was voted and somehow it still seems like it went through. But I deal with radio communications for the state of Idaho and what people don't understand is the influx of having all this development going on. We don't have the police force. We keep trying -- we don't retain them and this is the state of Idaho. It just -- the radio calls that come in for emergencies has increased dramatically and this is like in the last three years. You used to be able to listen to the radio. You wouldn't hear too much chatter and now it's constant. On the freeway or the -- sorry -- 69, the ambulance and fire trucks, whatever, I almost hear them constantly now and I hear a lot of that traffic on the radio of the accidents and, granted, not all this is just localized to this area. I'm pretty much against all of the development. We don't have the resources. We don't have the infrastructure, which, yes, can be built, but I'm -- I'm really tired of having to fight these battles, because I -- yeah, growth can be good, but I walk out the door and sometimes I just smell garbage. Like literally I have walked out of my house -- and it's not just because the neighbors are not keeping stuff up, it smells like a large city. I'm a native. I'm very disappointed at how things have turned out with this area. I mean everybody tries, but you can only do so much. So, yeah, I'm opposed to more houses going in, because, yes, traffic situations, crime -- we had three neighbors in my neighborhood build a brand new fence. Within that same week the whole BLM movement, we got that R-15 lovely little apartment complex and there has been a -- tired. Jumping topic slightly. But there has

been vandalism on those three fences. They spray painted BLM and derogatory things towards cops and bad language. Distracted. But overall there is -- there is a boat motor that's been ripped off because of all these -- the influx of people and so I would also like to recommend going with the -- going forward with the nature reserve and I know that's in -- in works to have that zoned properly or whatever, but, like I said, I feel like that land was already taken from us by Meridian, which -- when we got annexed in, which probably would have been easier for Ada county to do it. I don't know. That's not my department, but thank you for your time.

Seal: Thank you.

Hall: Roger Britton? Charles Britton? That is all that's signed up.

Seal: Okay. Who wants to raise their hand first? Ma'am, you want to come up? Good evening.

Brewer: My name is Karen Brewer. 355 West Victory Road. We -- we own the property that is directly to the west of the development, the four acres -- what the people call the Brewer-Schmidt land. We also own property on the south -- southern border in Meridian Heights and so -- let me get this going. So, we are opposed to the development, because of the -- the exceptions and the waivers that the developer is asking for in order to force this plan onto this land. We feel that this development will decrease the livability of the surrounding communities and it will be detrimental to our property values. That's already been mentioned. So -- boy. No, it's not working. So, I would like to bring the conversation back to connectivity. So, let me skip over the slide that has Meridian's code requirements and Comprehensive Plan goals. I mean let's -- let's start with the private road. And you guys have already thought about this, talked about this; right? The -- the Meridian Code says that a private street shall not connect to an arterial street and you have private streets connecting to Victory Road and to Meridian Road, which are arterial streets. So, then, let's look at the connectivity for pedestrians. So, the City of Meridian requires that pedestrian access connectors in all new developments to link the subdivisions together and to promote neighborhood connectivity. The ACHD report site specific conditions requires that this ten foot wide sidewalk on the south side of the canal, that it tie into the sidewalk that the Jocelyn Park Subdivision has already created. Well, that can't happen, because our land is in between that and that's the picture that you see down there in the left, if you can see it. Let's see if I can get this -- can't get it. Well, it's like real funky. Can't hardly move it. Oh, there we go. Yeah. So, this picture on the left here, this shows the Joslyn Park sidewalks and where they end there at the Jocelyn Park fence. Over on the right-hand side you have the Klein Huis property and the red lines in between those are our property lines. So, there is no way that those can connect. So, in order for a pedestrian to leave the Klein Huis community, they have to either walk out onto Meridian Road -- walk or bike at -- at -- at a road that's 60 -- 55, 60 miles an hour or they can go out across from Strada Bellissima and they would have to walk east to the -- to the crossing light, go across and come back and, you know, the kids aren't going to do that. They are not doing it now at Stoddard, so -- wow, my time's up.

Seal: Ma'am, go ahead and you -- keep going. We had some technical difficulties there, so --

Brewer: Okay. Next slide then. So, vehicle connections. So, Meridian requires that -- that they establish street connections to the existing local roads, as well as underdeveloped properties and they submitted a sketch -- next slide. And this is their connectivity exhibit. This is how they -- that our property should be developed in order to provide the connectivity for the surrounding communities that their development doesn't provide. So, even -- and even if our property was developed like this, their -- their property would still be an island. It would be landlocked. It's never going to be anything. But since they have brought up how our property should be developed, I would like to tell you how we would like to develop our property. Next slide. So, there is five stakeholders in the land that's proposed for development. Meridian City, Ada County, Idaho Power, Nampa-Meridian Irrigation District and the Southwest Victory, LLC, Ball Ventures. These are powerful stakeholders and they have the knowledge, they have the resources, they have the financial means to work together to do what's best for this land and for the city and what we would like to do with our land is we would like to work with these stakeholders, with the citizens groups, with the Golden Eagle Audubon Society and the other nonprofits that have proposed this nature reserve on this land and we would like to understand how our land can also be part of their plan. So, that's where we are. Thank you for your time.

Hall: And, Ms. Brewer, I would like to apologize. You were signed up on here. I just missed your name. I apologize.

Seal: Madam Clerk, no one else signed up. Oh, go right ahead.

K.Nero: Nope. I'm not started. I'm part of Bear Creek. My name's Kim Nero and I'm with 3050 South Denali Way, Meridian, Idaho. Wait for her to bring up -- so, I have looked at this in a different way than everybody else did and my basic question is -- because they were talking about, you know, these are rental -- is rental availability or rental affordability, the housing issue in Meridian. Next slide, please. So, on October 10th I took a look across the internet and I came to find out that in Meridian -- just in Meridian city there is about 1,259 apartments for rent, 232 houses, 25 condos, 68 townhomes, which made a total of almost 1,600 places that people could rent if they needed to. Next slide, please. Within the surrounding units of -- I'm sorry. Within the surrounding facility -- two and half miles of where they want to build these small tiny houses I can look at 13 complexes. There is 3,500 rental units located in all of these. There were 233 open vacancies, 89 one bedroom, 123 two bedroom and 16 three bedroom. This alone tells me that we don't have really maybe a rental availability shortage, but, instead, we might have a rental affordability problem, which we all know about. Next slide, please. So, how does the Klein Huis build compare to the other multi-family homes built in Meridian? Next slide. I actually have two slides that look the same here, but I have 13 different apartment complexes is what I looked at. Red Tail, which is the closest to us was built on a medium high density, which got changed January and they got approved in June of 2013. Then there is the one on Ten Mile that's on high density. And, then, you have the -- the Lofts at Ten Mile that are on mixed used. The -- the next one is on high density. High density.



High density. And if you notice they are all surrounded by commercial, mixed-use, high density. Next slide, please. Same. So, on these -- all of these. They are on commercial, medium high density, mixed-use, high density. They are not surrounded by low and medium density homes, which is what we live in. That's our community. You can see at the bottom of all these just these 13 complexes, two and a half miles, there is 3,544 apartments, which available right now are 233. I broke down the one bedroom, two bedroom and the three bedroom. Next slide, please. I opposed this development in 2020. I was outspoken then and I am outspoken now. I oppose the developer Ball Ventures only building what serves them well, not the citizens of Meridian. In the 2020 it was -- it was disclosed that they could not make a profit with single family homes that fit the medium density residential specs. Ball Venture, once again, is asking for multi-family homes in an area that the city, based on your FLUM, designated for medium density housing, single family homes and, yes, I did come to the FLUM meeting. It was stated very clearly to me that the reason that they were doing this planning was so that people would stop asking to up it and stop asking to move it. We were doing this so that we would build what the city put on that piece of land. No other multi-family homes previously are on multi-density residential and they are not built near low density and medium density -- most medium density homes. The entrance to this development would be across from Strada Bellissima and Bear Creek, both flow it into residential and it will be surrounded by medium density that tapers off into low density, unless they cross through at Meridian and there is the Red Tail apartments. It's a rental -- this is an island unto itself. There is no connectivity into existing subdivisions and I have to say that it really bothers me when somebody stands up here and says, well, we don't want people to connect into our neighborhood, because, then, people will come. Where do they think the people that live in their tiny homes are going to come through to get to their neighborhood? They are going to come through my neighborhood. They are going to come down the streets that my dogs want to play on. So, it bothers me that you have the arrogance to stand up here and say that. Yes, if you build it they will come and if you build it in an appropriate place it will be okay that they come. So, my -- my opinion is that the 134 rental only units to be built by Ball Venture in an area that's not designed for multi-family units just so they can turn a profit and put more unaffordable housing on the market is not in the best interest of Meridian citizens. Thank you.

Seal: Thank you.

Hall: Is there a Mark Hildebrandt? Would you like to speak?

Seal: Good evening, sir.

Hildebrandt: Good evening.

Seal: Thank you.

Hildebrandt: My name -- my name is Mark Hildebrandt. I live at 368 West Fortini in Meridian. I know we have been here a long time today and I know that the Council has heard about everything they can hear about this and I do appreciate your time. I

appreciate the privilege of being up here and as I look at all of you I think I voted for everyone of you, too. Now, as I look back there at the developers from Utah, I don't think they voted for you folks. I don't think they care about this area. I don't think they know about the traffic. I think they just simply want to make money. Now, I know you have heard a lot from us, but I'm encouraging you as a Council to listen to your staff. I heard comments like does not comply. I heard comments like dangerous, is not consistent and it's a severe impact. Those are words from your staff that came to you. I heard the developers say, well, these are points of conflict with you. We classify our rules different than Meridian rules. How dare they tell you what our rules -- what their rules are and how they are going to be different from our good Meridian rules that we have. This is why I live here, because of our rules and not some -- some arrogance telling them that's the way it's going to be. I also heard the comments there will not be a nature reserve there. There will not be a park there. Again, how dare they tell you as a Council and as Commissioners what you are going to decide and what will be in our City of Meridian. So, with that I thank you for your time.

Seal: Thanks, sir. That's everybody signed up? Okay. Anybody else want to come up? Ma'am, come right up. Okay. Good evening. Need your name and address.

Forney: I'm Heidi Forney. I live at 645 West Kodiak Drive. I wasn't originally going to speak, but there was one thing that kept coming to my mind as I was listening to all of the wonderful speakers tonight. I'm the parent of a firefighter in another state. Over the last few years we have seen so many fires happen in different communities in the west and when I look at the map over and over again as it kept coming up, I keep seeing this one exit onto Victory and the little exit onto Meridian, which just goes one direction. If we were to have a fire in that area from fireworks or a lightning strike and we tried to get 290 cars or 130 some odd homes evacuated quickly, because we had a big windstorm or something like that, trying to get all of those people out of that subdivision, how many people would we lose? How many people could we lose? I think to the different places, Paradise, to the community in Oregon, to places that have lost homes and lives and families. I don't want that to happen here. That subdivision is, frankly, dangerous as far as I'm concerned and I realize I'm not a firefighter. I'm not an expert on these kinds of things, but that's where my heart lies and I just wanted to share that with you. Thank you.

Seal: Thank you. I think we had a hand up over here. Sir, come on up.

Plimmer: Hello. My name is Gary Plimmer. I live at 2873 South Bear Claw Way and the reason I'm here is after looking over this proposal -- a couple of different things I guess. I actually own a piece of commercial property over on South Cole Road. Bought it as dirt and I wanted to get -- get a cut into Cole Road while they are expanding to five lanes and it was an absolutely not. You can't put a cut into a -- a road like that and, then, when I saw this and I see a cut in going into a 55 mile an hour road that's just completely jammed, you guys got better connections than I have. I'm kind of -- I couldn't pull it off. But, anyway, also -- I have also owned a multi-family dwelling here in Meridian over in the Pine-8th Street area and I had to kind of chuckle when I heard earlier about, you know, we have got this many parking spaces and this many cars are there. My experience has

been -- you have never seen so many cars in all your life if you -- until you have gone to rental units and see how many friends they have that come over to visit or to stay, so that the two cars per unit is not even close to what happens there. I mean I was giving them four per and it was all full. So, I -- I think, you know, that that's just not accurate and -- and as far as the architecture is concerned, it was really kind of funny, because I was looking at the picture of my apartments, they look just like theirs. They were built in 1974 for Pete's sakes. I'm kind of like can't we do better than that? They were two bedrooms, two baths, fenced backyards, you know, it -- I don't know. I don't know. But at the same time living in Bear Creek -- and I love that side of the road, because it's close to the freeway. But at the same time I can almost speak for anybody sitting in this room, when you drive out of our subdivisions or any of those houses there, you go one direction south -- I mean north towards the freeway. You don't go to Kuna. Why would you go to Kuna. I go to Kuna once in a while, I got admit, to play golf. Love Falcon Crest. But you just don't go that way. So, I just cannot believe that all of these people are going to the golf course. I just don't think they are going to use that road. I -- I kind of agree what -- what I heard earlier, they are probably going to go up the road, make an illegal U-turn -- at some point in time they almost have to, because you -- you are not going to go three miles out of your way to get to where you want to go. So, I think it's just a huge traffic problem and there is a lot more than 134 cars or two cars per that are going to come out of that place. I mean it's -- I have -- I have had my own and I have -- I have just watched them and like, wow, there is a lot of stuff that goes on here. So, that's my concern. Thank you very much.

Seal: Thank you, sir. Appreciate it. Okay. Do we have anybody else that wants to raise a hand? Come on up. I saw you raise your hand first and, then, we will get to you after that.

Vondemkamp: My name is Megan Vondemkamp. I live at 3387 South Peoria Way and I have lived -- we have lived in our house for the last eight years. We proudly moved to Meridian in search for a larger parcel of land where I could have chickens and a garden, because we came from the North End where the parcels are a little smaller, but as we have been here we have noticed the lovely infiltration of lots of new homes, which I'm excited about, because I want to welcome people to where we live. I want to share the space. I also want to see better stewardship of the space. I am personally a God fearing woman and when I look at it it's like the land isn't even ours, it's his and the way we treat our land is terrible and it breaks my heart to see people bulldoze over topsoil that took a hundred years to develop -- when that just keeps happening. So, I guess I just -- my plea is for the developers -- for you guys -- and for you guys, because you make these decisions, to look at it through a lens of stewardship. What are we doing here? Like long-term how is this affecting the ecosystem to -- somehow to -- to -- to look at that differently, because if we just keep filling it in what's -- what is that going to do? Yeah. So, thank you guys for your service. Thank you for serving us.

Seal: Thank you. Appreciate it. Come on up.

Edmondson: Hi, there. I'm Tanya Edmondson. I live at 3086 South Silvertip Lane, Meridian, Idaho. I'm over in the Bear Creek Subdivision. I live right up at the corner of Stoddard and Victory. Have seen the traffic increase there quite a bit. For the most part I try to avoid Victory because of the nature of that road and the angles and the corners and, in fact, even right now coming out of Stoddard it is a -- almost a blind corner with trying to get on there to get on to Victory. But, then, as you come around the corner and you go past the proposed area, I know that one of the proposals was to do right turns, but it's -- if they are coming back home they are not going to want to go straight and, then, you end up at Stoddard and Victory and where do you turn around there -- there is no place to turn around and you would be ending up down in the subdivisions, down by the school, or keep going down Victory, which is -- continues to be a two lane road, still no place to turn around without going through some other subdivision and to do a turn around. So, that was one of my big concerns. The other thing I heard tonight was some stuff about, you know, it's not going to ever be a -- a nature reserve and, you know, that would be like me telling you to go do -- raise -- you know, get rid of your house, so I can build my garden. No, what we are asking for is let's leave that option open. You know, I recognize that's not what we are here for tonight to specifically say that is for an approval or a denial of this particular thing. But let's leave that option open. This -- this is not a good lot for this and I'm sorry that the developers got this lot that they bought and they are trying to figure out how to make some money on it. I get that. But this lot is not a good one for putting a lot of houses on. We really need to keep looking for some other better uses of it. Thank you.

Seal: Thank you. Anybody else? No takers? I don't think we have anybody left online. Anybody online want to raise their hand? That's a no there as well. All right. With that would the applicant like to come back up.

Holt: I'm happy to address any questions that the Commission --

Seal: Go -- go right ahead. I was just going to say -- so, it's not going to be a bird reserve. You are stuck on that, but -- probably bad humor at this point, so --

Holt: Yeah. I was going to say I didn't vote for you, but that's because you are appointed.

Seal: I was going to say, that's -- yeah. I was going to say I'm just -- I'm just a volunteer.

Wheeler: So, it's -- is it Justin? Is that right? Did I get it right?

Holt: It's with a D. But I have been called worse as you can probably tell.

Wheeler: No. No. No. No ones calling anything bad like that. That's not the Meridian way and --

Holt: But Dustin. Yes.

Wheeler: Okay. Dustin. Sorry about that. Okay. So, just a couple quick things; right? So, one of the things is that that access point going to the west on there, that wasn't something that you wanted to do is make a connectivity for a road off to the west out of there next to it. Do you know what I'm talking about?

Holt: Oh, down in our southwest corner?

Wheeler: Yeah.

Holt: Yes.

Wheeler: Is there -- what's the -- what's kind of the reasoning of the idea behind that?

Holt: I think you heard straight from Karen that she has zero interest in developing her property. So, I'm happy to put a stub there. I'm happy to put utilities there. If that's what you want. I -- what I can't do is connect to Peoria.

Wheeler: Okay.

Holt: I can't force her to allow me to connect to Peoria. So, then, I ask myself is it -- is it necessary for me? No. If it satisfies the -- the Comprehensive Plan and -- and your needs, sure, we will put a stub road there.

Wheeler: Okay. All right. And, then, staff, I had it -- I had just a quick question here. On the open space requirements, I'm -- I'm kind of getting some stuff that's a little bit conflicted here. Has he -- has the developer met the open space requirements of 15 percent?

Allen: Mr. Chair, Commissioner Wheeler, Commissioners, the applicant has met the requirements. They are proposing exactly the minimum that's required.

Wheeler: Okay. Okay. Good. Okay. And, then, you know, this has been a tough piece of dirt to try to -- try to take care of and to develop and everything like that for sure and there has been a lot of opportunities with it and they just -- they are hard to stick, because of some of these things that you are hearing and some of the things that are there with it, especially with the Ridenbaugh Canal, the access on it, that windy corner -- I mean it's just -- it's a hard -- hard piece for sure. Those were just -- I guess those were some of the more -- I guess that's really my main questions on that then. So, thank you very much.

Seal: Anyone else? Questions? Concerns? No? Okay. Thank you, sir. Appreciate it. I will now take a motion to close the public testimony for File No. H-2022-0051.

Grace: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close public hearing for File No. H-2022-0051, Klein Huis at Victory at Meridian. All those in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Who would like to go first? Commissioner Grace, you want to open?

Grace: Sure. Well, I am mindful of the recommendations of staff and I, too, picked up on a lot of language about being not -- not cohesive and compatible. The adverse effect on neighboring property and some other -- some other comments from staff. I also feel like I have heard my fellow citizens pretty loud and clear on this and I am not -- I -- I don't get voted in. I get appointed. So, I -- I say that only to suggest that I think part of our -- our role is to be mindful of the public's will. So, based on all that I think I am -- I'm in -- I am not in favor. I'm in favor of denying this application.

Seal: Okay. Commissioner Lorcher?

Lorcher: Ball Venture does some amazing things for our community. So, you have been -- you have made some great additions to what we have. This is your land. You have the right to be able to do what you see fit with it. But I don't think you are listening to our community where this high density at this particular time is in the best interest of our city. So -- it's going to be developed. We just need to accept that. Eventually it's going to happen. But this particular project at this particular time with this particular density, with the limited access and not having full approval from the irrigation company, not having full approval from ITD, I think I would also be in favor of denial at this time.

Wheeler: Yeah. Mr. Chair?

Seal: Go right ahead.

Wheeler: It's really hard to go against when -- when staff recommends denial on multiple fronts. Sometimes it's on one or two things, sometimes it can be worked out a little differently, something is creative. But this is -- there is just a lot of things that just aren't matching up on it and that's just really hard to move forward when, you know, they are the ones vetting, they are the ones taking -- talking with other agencies in order to see the -- the compatibility or the way that it aligns the best and it's just hard to say yes to that -- on that reason. I do think that, you know, this is a town that -- this is an area that people want to move to, so we are going to get more housing for sure and we will need -- there will be more apartment complexes built. There will be more single family residence homes that will be built. That's going to happen. So, we just need to remember not to always have the -- the statement of, you know, not in my backyard kind of thing, we are going to -- it's going to be there sometime, someday, some way, because this is a great place to be and this is a really tough part. I remember, just so you guys as developers understand, in a former life when I used to be similar where you guys are at, we looked at this in 2008 and it's been trying to be developed ever -- before that even. It is just a

tough piece and I like your creativity, though, that you are bringing and trying to match it up. Just continue down that path and maybe someday some way it can. But it's -- it's a -- it's a tough piece of dirt for sure. But with all the things that are a part of it, it's -- it's hard to say yes to this.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: After considering all staff, applicant, and public testimony I move to recommend denial to the City Council File No. H-2022-0051 as presented during the hearing of October 20th for the following reasons: High density. High traffic. Public testimony. And staff report.

Wheeler: Second.

Seal: It's been moved and seconded to recommend denial of File No. H-2022-0051 as presented during the -- as presented, with the -- with the reasons mentioned. All in favor say aye. Any opposed? Okay. The file is denied.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher.

Lorcher: I motion we adjourn.

Grace: Second.

Seal: It's been moved and seconded that we adjourn. All in favor say aye. And none opposed to that. We are adjourned. Thank you all.

MEETING ADJOURNED AT 10:22 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
ANDREW SEAL - CHAIRMAN

\_\_\_\_\_|\_\_\_\_\_|\_\_\_\_\_  
DATE APPROVED

ATTEST:

\_\_\_\_\_  
CHRIS JOHNSON - CITY CLERK



## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for Denial of a Conditional Use Permit for Bridge at The Village at Meridian (H-2022-0069) by Meridian CenterCal, LLC, located at 3210 E. Longwing Ln.



**CITY OF MERIDIAN  
FINDINGS OF FACT, CONCLUSIONS OF LAW,  
DECISION, AND ORDER**



**Date of Order:** November 3, 2022  
**Case No.:** H-2022-0069  
**Applicant:** Meridian CenterCal, LLC  
**In the Matter of:** Request for a conditional use permit to exceed the maximum building height delineated in Unified Development Code section 11-2B-3A of 65 feet for the C-G zoning district

Pursuant to testimony and evidence received regarding this matter at the public hearing before the Planning and Zoning Commission of the City of Meridian (“Commission”) on October 20, 2022, as to this matter, the Commission enters the following findings of fact, conclusions of law, decision, and order.

**A. Findings of Fact.**

1. The facts pertaining to the Applicant’s property, the Applicant’s request, and the process are set forth in the staff report for Case No. H-2022-0069, which is incorporated herein by reference.
2. Pursuant to Unified Development Code (“UDC”) section 11-2B-3A and Table 11-2B-3, the maximum building height in the C-G zoning district is 65 feet, but additional height may be approved through the City’s alternative compliance procedures, by adding additional open space, or via a conditional use permit.
3. The Applicant proposes to construct a multi-story building (“Project”) in the C-G zoning district with an average elevation of 78 feet and a high point of 85 feet.
4. The Applicant is requesting a conditional use permit to exceed the maximum building height delineated in the UDC.
5. The Commission held a public hearing on October 20, 2022, concerning the Applicant’s request for a conditional use permit.
6. The Applicant failed to show that the height of the Project is compatible with the existing character of the general vicinity, including, but not limited to, other residential projects in the general vicinity and other buildings within The Village at Meridian.
7. If granted, the conditional use permit would enable the Applicant to construct more residential units than would otherwise be feasible, which would, in turn, generate additional parking demand; the Applicant failed to show how the additional parking demand would impact existing parking at The Village at Meridian.

8. Based on the foregoing, the Commission is unable to make a finding that the Project is compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.

**B. Conclusions of law.**

1. The Commission takes judicial notice of the UDC; the City of Meridian Comprehensive Plan; and all current zoning maps.
2. The Commission takes judicial notice of the Local Land Use Planning Act (“LLUPA”), codified at Chapter 65, Title 67, Idaho Code.
3. When considering a request for a conditional use permit, the Commission shall base its decision on certain factors, including whether “the design, construction, operation and maintenance [of the proposed project] 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.” UDC § 11-5B-6(E)(3).

**C. Order.** Pursuant to the above findings of fact and conclusions of law, the Commission hereby denies the Applicant’s request for a conditional use permit because the Commission is unable to make the finding that the Project is compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity.

**D. Final decision.** Upon approval by majority vote, this is a final decision of the Commission.

**E. Judicial review.** Pursuant to Idaho Code section 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code section 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting review by the City Council of the City of Meridian as provided by UDC section 11-5A-7, seek judicial review of this final decision as provided by Chapter 52, Title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

**F. Notice of right to regulatory takings analysis.** Pursuant to Idaho Code sections 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

**IT IS SO ORDERED** by the Planning and Zoning Commission of the City of Meridian, Idaho, on this 3rd day of November, 2022.

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Andrew Seal, Chairperson

Attest:

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Joy Hall, Deputy City Clerk



## AGENDA ITEM

**ITEM TOPIC:** Findings of Fact, Conclusions of Law for the Conditional Use Permit (CUP) for EICU Ten Mile Branch (H-2022-0068), for a new drive-through for a financial institution located within 300 feet of a residential use on approximately 1.23 acres of land in the C-G zoning district, by Steven Peterson, CLH Architects & Engineers

**CITY OF MERIDIAN  
FINDINGS OF FACT, CONCLUSIONS OF LAW  
AND  
DECISION & ORDER**



**In the Matter of the Request for Conditional Use Permit (CUP) for a new drive-through for a financial institution located within 300 feet of a residential use on approximately 1.23 acres of land in the C-G zoning district, by Steven Peterson, CLH Architects & Engineers.**

**Case No(s). H-2022-0068**

**For the Planning & Zoning Commission Hearing Date of: October 20, 2022 (Findings on November 3, 2022)**

**A. Findings of Fact**

1. Hearing Facts (see attached Staff Report for the hearing date of October 20, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of October 20, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of October 20, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of October 20, 2022, incorporated by reference)

**B. Conclusions of Law**

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian Planning & Zoning Commission takes judicial notice of its Unified Development Code codified at Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Amended Comprehensive Plan of the City of Meridian, which was adopted April 19, 2011, Resolution No. 11-784 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this decision, which shall be signed by the Chairman of the Commission and City Clerk and then a copy served by the Clerk

upon the applicant, the Planning Department, the Public Works Department and any affected party requesting notice.

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of October 20, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

#### C. Decision and Order

Pursuant to the Planning & Zoning Commission's authority as provided in Meridian City Code § 11-5A and based upon the above and foregoing Findings of Fact which are herein adopted, it is hereby ordered that:

1. The applicant's request for Conditional Use Permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of October 20, 2022, attached as Exhibit A.

#### D. Notice of Applicable Time Limits

##### Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. 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. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-5B-6.F.1, the Director may authorize a single extension of the time to commence the use not to exceed one (1) two (2) year period. Additional time extensions up to two (2) years as determined and approved by the Commission may be granted. With all extensions, the Director or Commission may require the conditional use comply with the current provisions of Meridian City Code Title 11.

#### E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

#### F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of October 20, 2022.

By action of the Planning & Zoning Commission at its regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2022.

COMMISSIONER ANDREW SEAL, CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER MARIA LORCHER, VICE CHAIRMAN VOTED \_\_\_\_\_

COMMISSIONER NATE WHEELER VOTED \_\_\_\_\_

COMMISSIONER STEVEN YEARSLEY VOTED \_\_\_\_\_

COMMISSIONER PATRICK GRACE VOTED \_\_\_\_\_

COMMISSIONER MANDI STODDARD VOTED \_\_\_\_\_

\_\_\_\_\_  
Andrew Seal, Chairman

Attest:

\_\_\_\_\_  
Chris Johnson, City Clerk

Copy served upon the Applicant, the Planning and Development Services divisions of the Community Development Department, the Public Works Department and the City Attorney.

By: \_\_\_\_\_ Dated: \_\_\_\_\_  
City Clerk's Office



**STAFF REPORT**

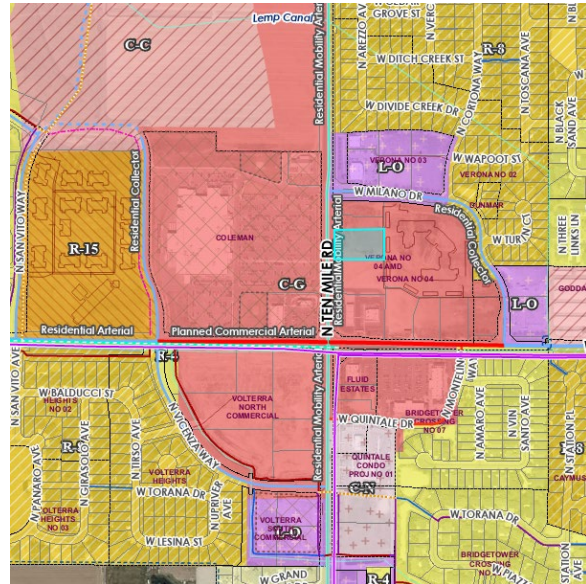
**COMMUNITY DEVELOPMENT DEPARTMENT**

HEARING DATE: 10/20/2022

TO: Planning & Zoning Commission  
 FROM: Joseph Dodson, Associate Planner  
 208-884-5533

SUBJECT: H-2022-0068  
 East Idaho Credit Union (EICU) Ten Mile Branch – CUP

LOCATION: Located at 3087 W. Milano Drive, near the northeast corner of Ten Mile and McMillan Roads, in the SW 1/4 of the SW 1/4 of Section 26, Township 4N, Range 1W.



**I. PROJECT DESCRIPTION**

Conditional Use Permit (CUP) for a new drive-through for a financial institution located within 300 feet of a residential use on approximately 1.23 acres of land in the C-G zoning district, by Steven Peterson, CLH Architects & Engineers.

**II. SUMMARY OF REPORT**

A. Project Summary

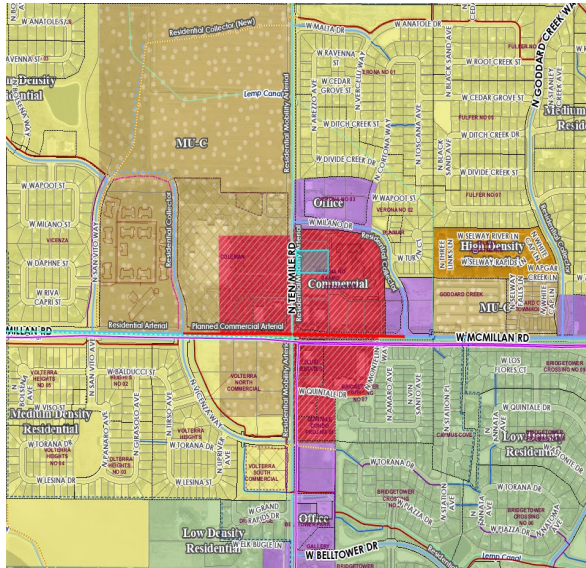
Description	Details	Page
Acreage	1.23 acres	
Future Land Use Designation	Commercial	
Existing Land Use	Vacant/undeveloped	
Proposed Land Use(s)	Financial Institution with drive-through services	
Current Zoning	General Retail and Service Commercial District (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date	June 23, 2022	
History (previous approvals)	H-2019-0126 (Ten Mile & McMillan MDA); PBA-2021-0007; H-2022-0011 (Ten Mile & McMillan MDA).	



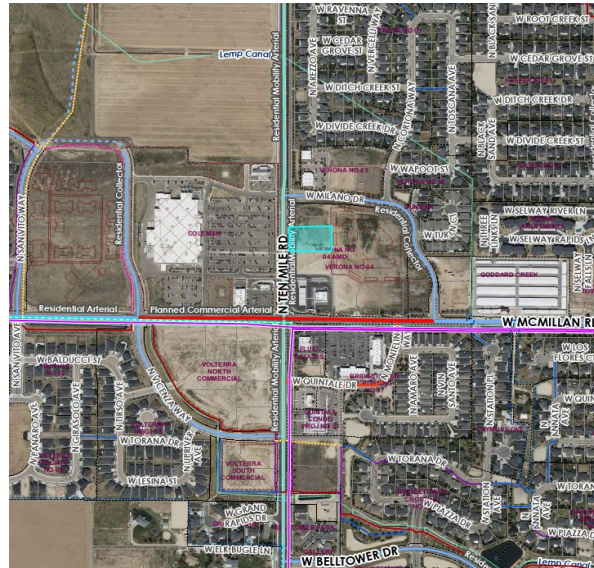
**EXHIBIT A**

**A. Project Area Maps**

**Future Land Use Map**



**Aerial Map**



**III. APPLICANT INFORMATION**

**A. Applicant:**

Steven Peterson, CLH Architects & Engineers – 2484 Washington Blvd., Ste. 510, Ogden UT 84401

**B. Owner:**

East Idaho Credit Union – 865 S. Woodruff Avenue, Idaho Falls, ID 83401

**C. Representative:**

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>
Newspaper Notification	10/5/2022
Radius notification mailed to properties within 500 feet	9/29/2022
Site Posting Date	9/23/2022
Next Door posting	9/30/2022

## EXHIBIT A

### V. STAFF ANALYSIS

#### Comprehensive Plan:

##### COMMERCIAL LAND USES

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. Sample zoning include: C-N, C-C, and C-G.

*The subject site is one of multiple commercial zoned and designated properties that frame the intersection of Ten Mile and McMillan Roads. Therefore, there are a myriad of commercial uses existing and under construction with more to come as this area continues to develop. The proposed use of a financial institution with a drive-through fits within the professional services use designated within the Commercial designation in the Comprehensive Plan, as noted above. The proposed use, in conjunction with the already approved or constructed uses, satisfy the general Commercial future land use designation for this area. Staff finds the proposed project is generally consistent with the Comprehensive Plan.*

##### SITE DESIGN AND CODE ANALYSIS

The proposed drive-through is for a financial institution that is within 300-feet of a residential use to the east (McMillan Independent Senior Living Facility) currently under construction (H-2020-0004), which requires Conditional Use Permit approval (CUP) per UDC Table 11-2B-2. *There are also a number of vehicular dominated uses to the south (a vehicle washing facility and a fuel sales facility) but they did not require CUP approval as they are specific uses that are principally permitted in the C-G zoning district. Nonetheless, the nature of the nearby uses are vehicle dominated similar to that of a drive-through which should be taken into account with the analysis of this project.*

**Specific Use Standards:** The proposed drive-through establishment is subject to the specific use standards listed in UDC [11-4-3-11](#), Drive-Through Establishment. A site plan is required to be submitted that demonstrates safe pedestrian and vehicular access and circulation on the subject site and between adjacent properties. At a minimum, the plan is required to demonstrate compliance with the following standards: *Staff's analysis is in italics.*

- 1) Stacking lanes have sufficient capacity to prevent obstruction of driveways, drive aisles and the public right-of-way by patrons;

*The proposed drive-through has a one-way drive aisle that circles the proposed building and leads to four (4) covered drive-through lanes for drive-up services for the bank. Therefore, the stacking lane is approximately 185 feet in length from the start of the aisle to the drive-up facilities. Due to the site design and length of available stacking Staff believes the stacking lane has sufficient capacity to serve the use without obstructing driveways and drive aisles by patrons. The Applicant should ensure there is adequate signage to direct patrons through the one-way stacking lane.*

- 2) The stacking lane shall be a separate lane from the circulation lanes needed for access and parking, except stacking lanes may provide access to designed employee parking.

*Per the submitted site plan, the stacking lane is separate from any circulation lanes on the subject site. Staff does not foresee the stacking lanes impeding the circulation lanes, especially due to the proposed design and length of the stacking lane.*

- 3) The stacking lane shall not be located within ten (10) feet of any residential district or existing residence;

*The stacking lane is not located within 10' of any residential district or residence.*

## EXHIBIT A

4) Any stacking lane greater than one hundred (100) feet in length shall provide for an escape lane; and

*The stacking lane is approximately 185 feet in length so an escape lane is required and proposed. According to the submitted plans, a minimum 12-foot wide escape lane is proposed outside of the drive-through lane sphere of influence. Staff finds the submitted plans depict compliance with this standard.*

5) The site should be designed so that the drive-through is visible from a public street for surveillance purposes.

*Both the stacking lane and the drive-up windows/kiosks are visible from Ten Mile Road to the west because the lane and services are on the west and south side of the building, respectively.*

**Based on the above analysis, Staff deems the proposed drive-through to be in compliance with the specific use standards as required.**

The proposed use of a financial institution is subject to the specific use standards listed in UDC 11-4-3-17. The proposed site plan appears to show compliance with all of the standards and will be further verified with the future Certificate of Zoning Compliance (CZC) application. At the time of CZC review, Meridian Police Department will also assist in verification of compliance to the specific use standards and with UDC 11-3A-16 for self-service uses, specifically in regards to visibility of the drive-up ATM or any walk-up ATM. Staff has analyzed the submitted site and landscape plans against UDC 11-3A-16 and finds the proposed site design to be compliant.

**Access:** Two driveway accesses are proposed to the site via the shared north/south driveway along the east boundary of the site; this access is a shared access for all of the properties within this commercial subdivision that front on the abutting arterial streets (the senior living facility does not access this shared drive aisle). The shared access drive connects to both Ten Mile Road south of the subject site and also to Milano Drive north of the site.

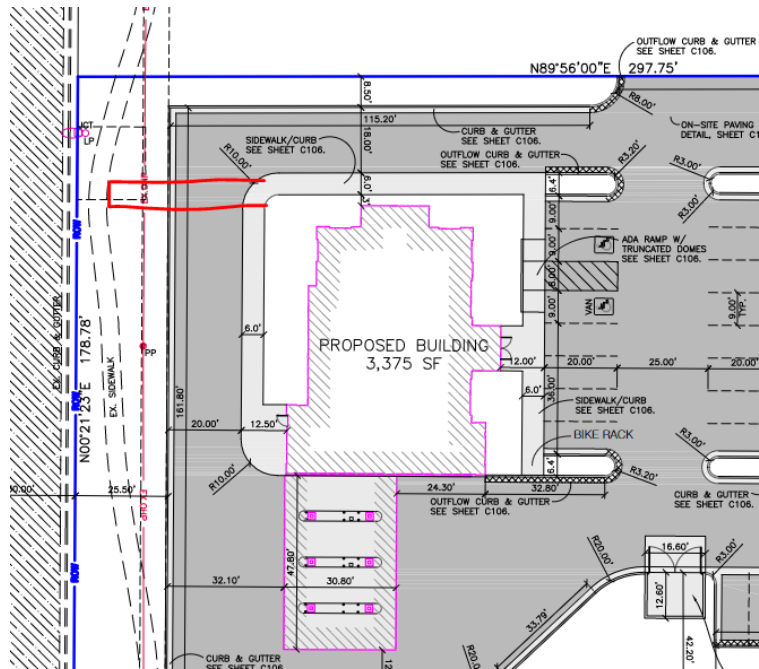
**Parking:** A minimum of one (1) parking space is required to be provided for every 500 square feet of gross floor area for nonresidential uses. The proposed building is shown as 3,375 square feet requiring a minimum of 7 parking spaces—the submitted site plan shows 38 proposed parking spaces exceeding UDC minimums.

The recorded Declaration of Easements, Covenants, Conditions and Restrictions for this development establish cross-parking and cross-access easements for lots within the development (Inst. 2021-129579). This lot is proposed to share some drive aisles and parking areas with the lot directly to the north that is currently undeveloped. Due to the existing agreement and easements, staff finds the parking is sufficient for the proposed use.

A minimum of one (1) bicycle parking space is required to 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](#). A bike rack is labeled on the site plan and its design will be verified with the future CZC application.

## EXHIBIT A

**Pedestrian Walkways:** No pedestrian walkway is depicted on the site plan from the arterial/perimeter sidewalk along N. Ten Mile Rd. to the main building entrance as required by UDC 11-3A-19B.4a. Therefore, the Applicant should revise the site plan to depict this required sidewalk. Specifically, Staff recommends this sidewalk connection be made near the northwest corner of the site to add the sidewalk connection to the proposed sidewalk on the north side of the building. See snip below:



Consistent with UDC 11-3A-19B.4b, the pedestrian facility should be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks where this pedestrian connection traverses the drive-through lane.

**Landscaping:** Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C. Landscaping is depicted on the landscape plan in Section VII.B in planter islands within the parking area as required.

In addition, a minimum 5-foot wide landscape buffer is required to be provided along the perimeter of the parking or other vehicular use areas as set forth in UDC 11-3B-8C.1. The submitted landscape plan shows the required perimeter buffers along the north, east, and south boundaries. However, it is unclear what the reddish/brown hatched design is depicting on the submitted landscape plan for the planting areas. **With the CZC submittal, the landscape plan will be reviewed to ensure compliance with the landscape material standards outlined in UDC 11-3B-5.**

Street buffer landscaping, including a sidewalk, along N. Ten Mile Rd. was installed with development of the overall subdivision. The submitted landscape plans show this buffer remaining as it currently exists. Therefore, the submitted plans show compliance with this requirement.

**Mechanical Equipment:** All mechanical equipment and outdoor service equipment should be incorporated into the overall design of buildings and landscaping so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets as set forth in UDC [11-3A-12](#). If mechanical equipment is proposed to be roof-mount, all equipment should be screened and out of view as noted above.

## EXHIBIT A

**Building Elevations:** The Applicant submitted conceptual building elevations for the proposed financial institution. The building elevations depict three (3) main materials of cement lap siding, brick veneer, and stone/rock veneer. In addition, the site plan depicts appropriate wall modulation along each side of the building. The Applicant did not submit color renderings but based on the conceptual elevations, Staff anticipates the building will comply with all Architectural Standards Manual (ASM) standards.

**Certificate of Zoning Compliance and Design Review:** A Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) applications are required to be submitted for the proposed building prior to submittal of a building permit application to ensure consistency with the conditions in Section VIII and UDC standards.

### VI. DECISION

#### A. Staff:

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

#### B. The Meridian Planning & Zoning Commission heard this item on October 20, 2022. 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: Steve Peterson, Applicant Architect

b. In opposition: None

c. Commenting: Steve Peterson

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. Location of required pedestrian connection from arterial sidewalk to internal sidewalks with a desire for it to be coordinated with staff for adequate pedestrian safety;

b. Design of escape lane and when it should or should not start within the drive-through lane.

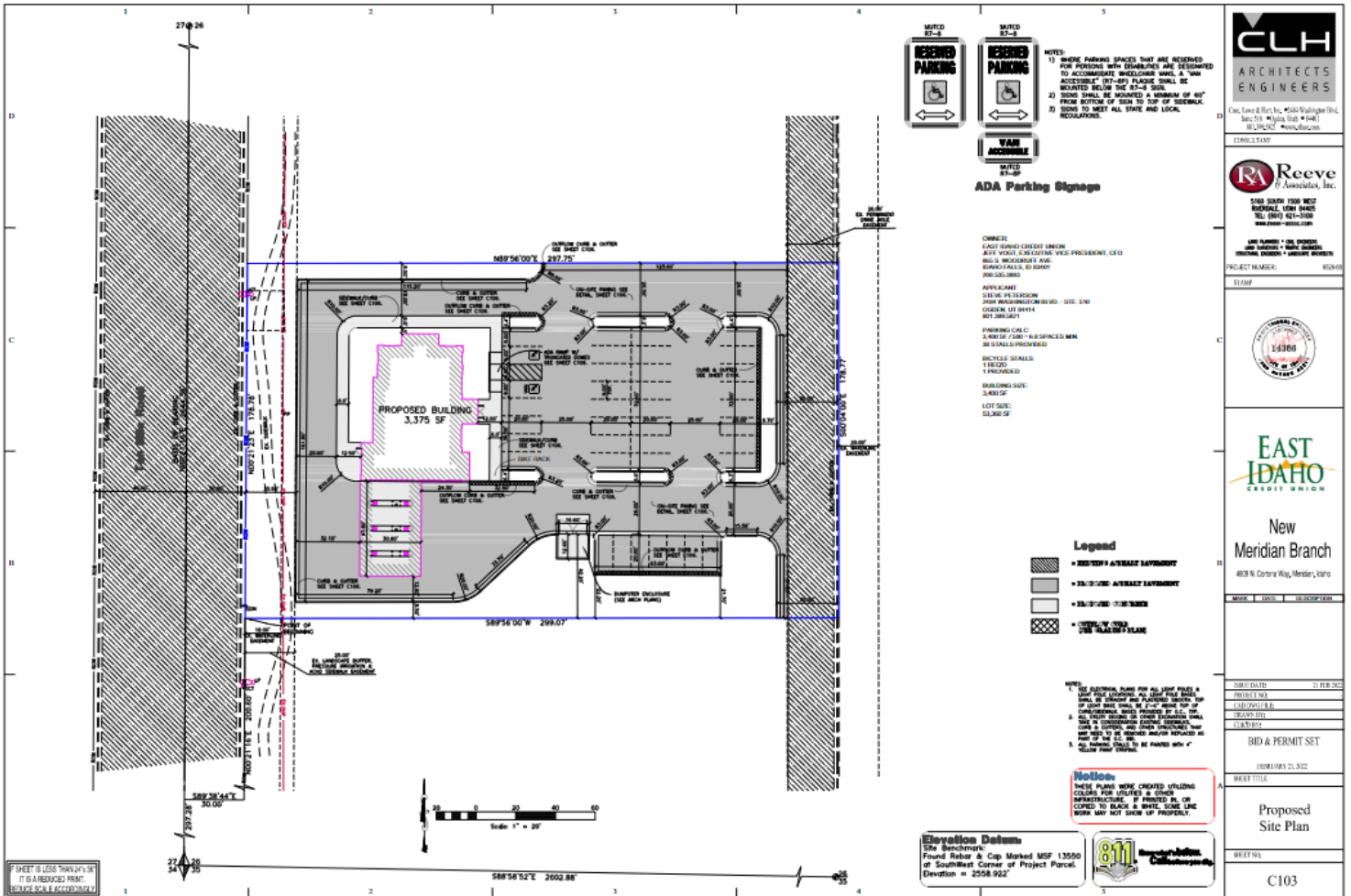
##### 4. Commission change(s) to Staff recommendation:

a. None

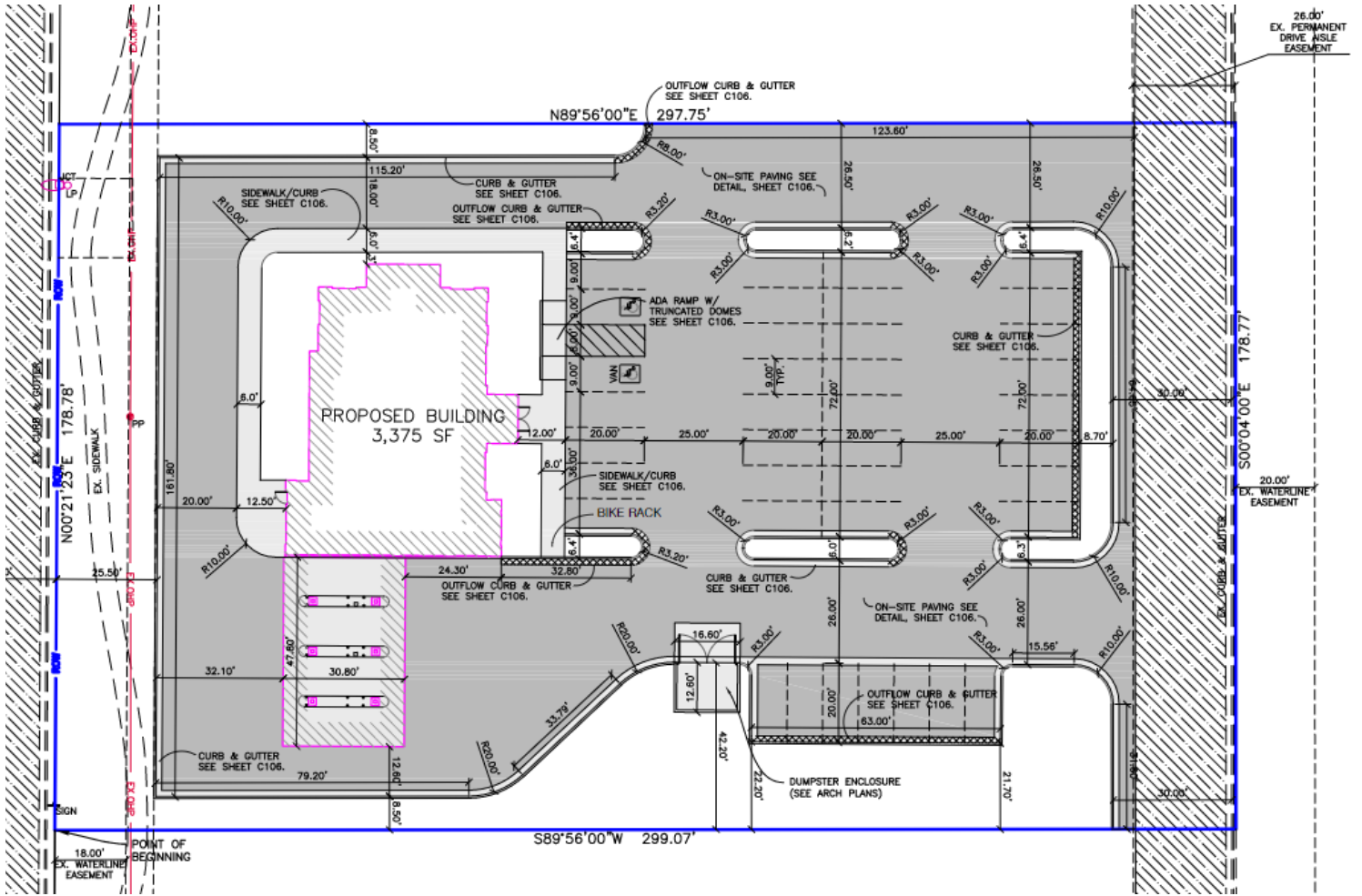
# EXHIBIT A

## VII. EXHIBITS

### A. Site Plan (signed: 4/18/2022)



# EXHIBIT A



# EXHIBIT A

## B. Landscape Plan (signed: 4/18/2022)

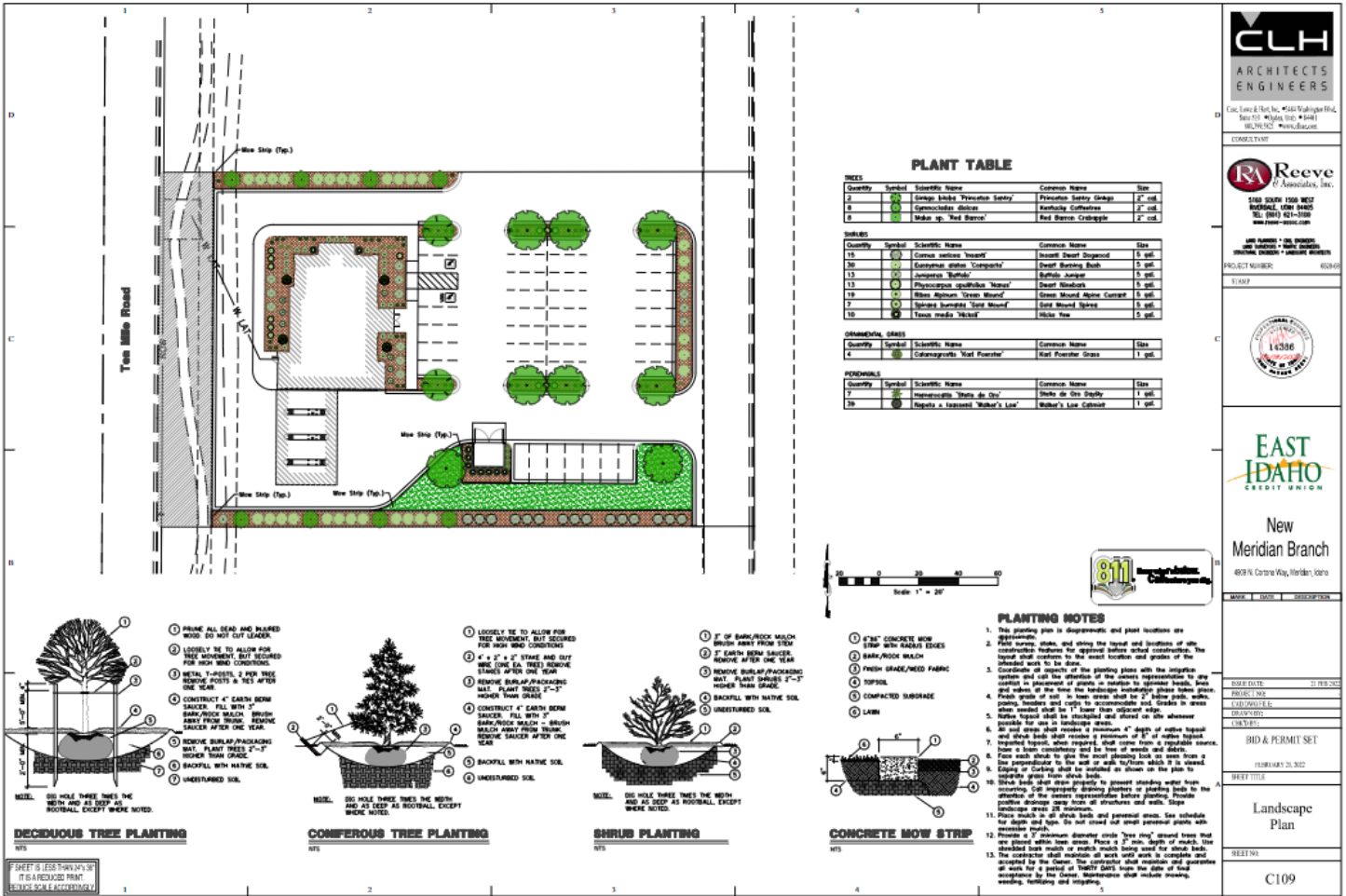
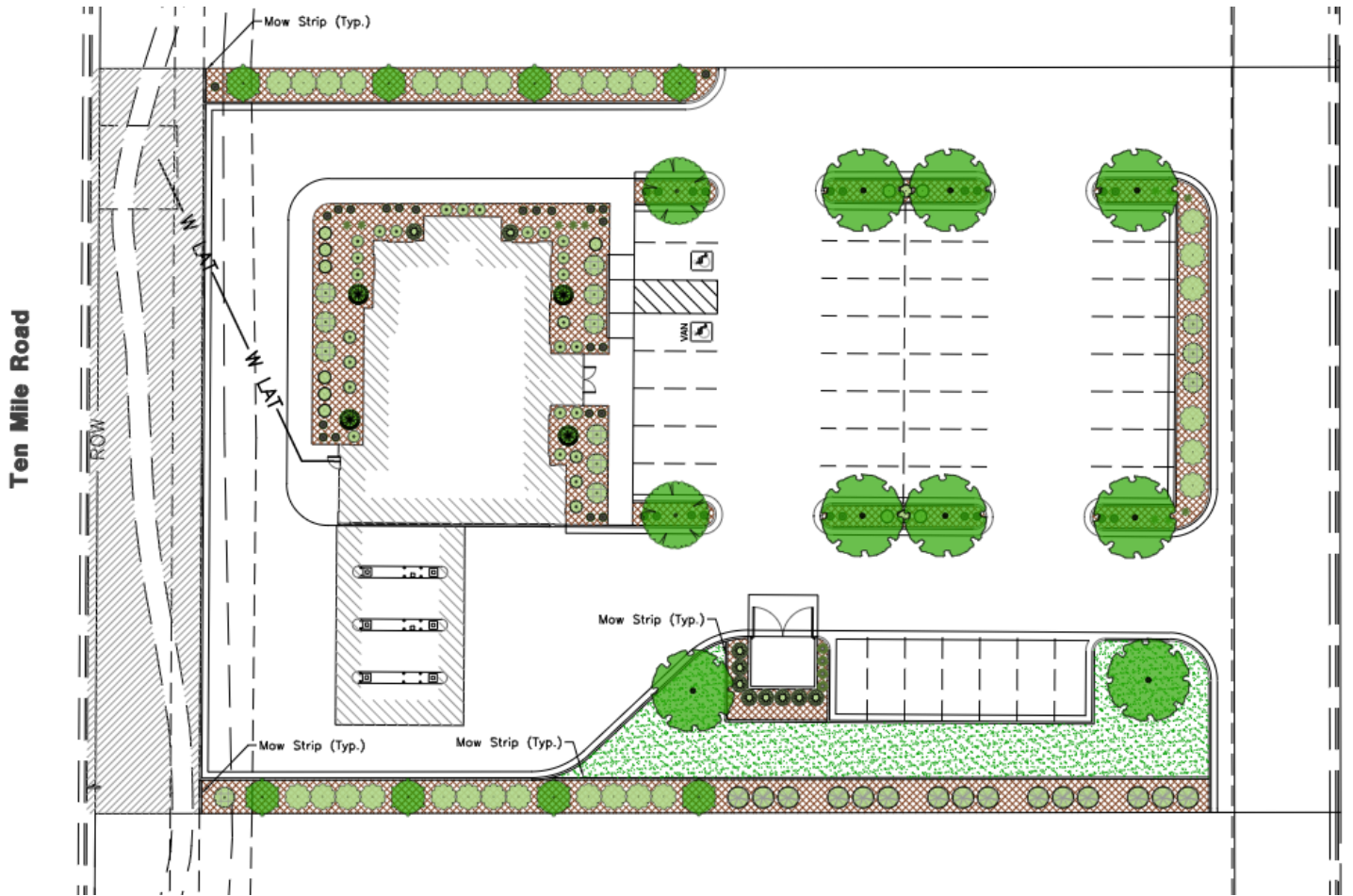


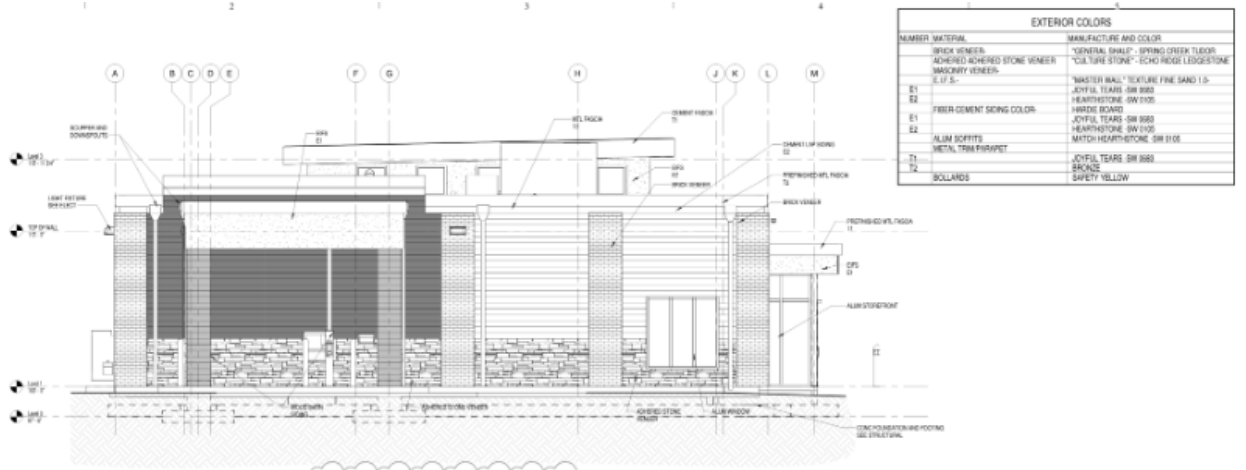


EXHIBIT A

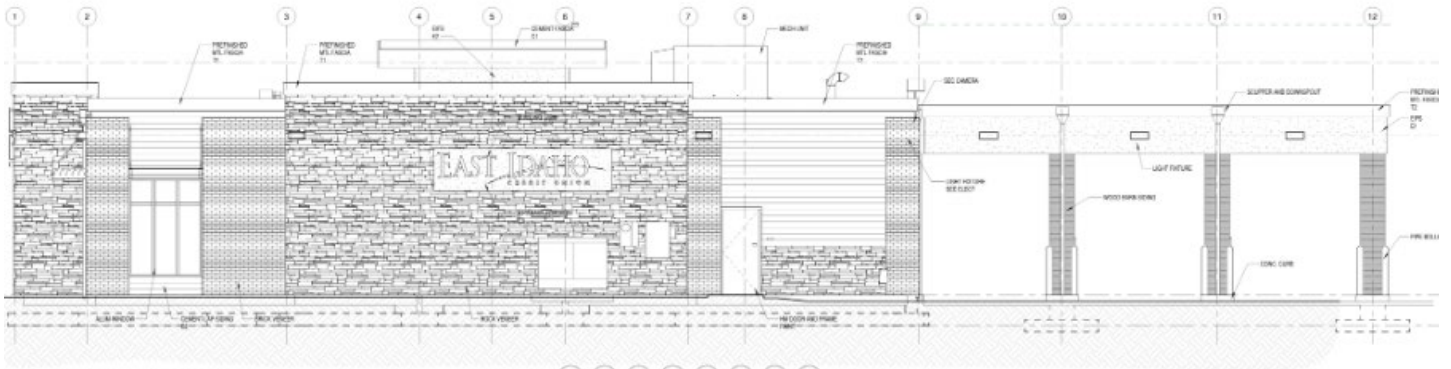


# EXHIBIT A

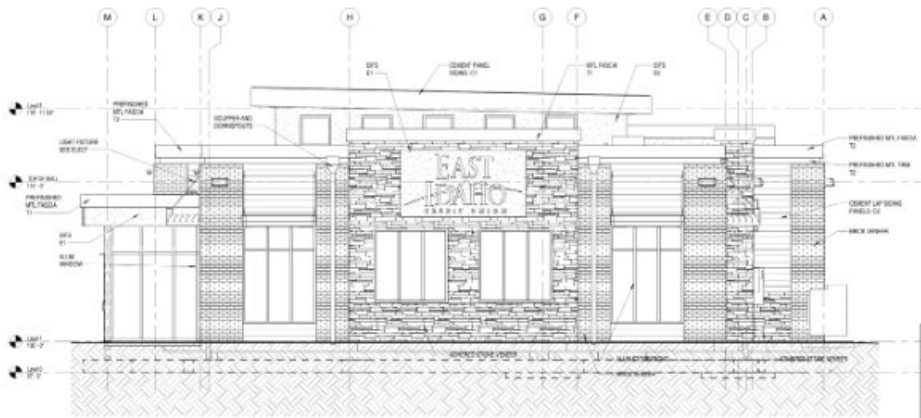
## C. Conceptual Building Elevations



# EXHIBIT A



**C1 WEST EXTERIOR ELEVATION**  
1/4" = 1'-0"



**A1 NORTH EXTERIOR ELEVATION**  
1/4" = 1'-0"

EXTERIOR COLORS		
NUMBER	MATERIAL	MANUFACTURE AND COLOR
	BRICK VENEER	GENERAL SHALE - SPRING CREEK TLEOR
	ARCHED BRICKED STONE VENEER	CULTURE STONE - BUCH ROUSE LEDGECUTONE
	MASONRY VENEER	
E1		"WATER WALL" TEXTURE FINE SAND 1.0
E2		JOTHIL TEARS - SM 9883
		HEARTSTONE - SM 1006
		WINDSE BOARD
E1		JOTHIL TEARS - SM 9883
E2		HEARTSTONE - SM 1006
		MATCH HEARTHSTONE - SM 1006
T1	ALUM SOFFITS	JOTHIL TEARS - SM 9883
T2	METAL TRIM/WRAPUP	BRONZE
	BOLLARDS	SAFETY YELLOW

220 12/26/2019 (2)

## EXHIBIT A

### VIII. CITY/AGENCY COMMENTS & CONDITIONS

#### A. PLANNING

1. Future development of this site shall comply with all previous approvals: AZ-03-005; PP-07-022; FP-08-010; A-2019-0290 (PBA, ROS #12081); PBA-2021-0007 (ROS #12991); H-2019-0126 (MDA); H-2022-0011 (MDA).
2. The site plan submitted with the future Certificate of Zoning Compliance application shall be revised as follows:
  - a. Depict the required pedestrian connection from the arterial sidewalk to the main building entrance near the northwest corner of the property as depicted in Section V above, per UDC 11-3A-19B.4a— the pedestrian facility should be distinguished from the vehicular driving surface through the use of pavers, colored or scored concrete, or bricks where this pedestrian connection traverses the drive-through lane.
  - b. Include exhibits and locations of signage for the one-way drive through lane along the north and west boundaries.
3. The landscape plan submitted with the future Certificate of Zoning Compliance application shall be revised as follows:
  - a. Depict the required pedestrian connection as noted above in Section VIII.A.2a.
  - b. Ensure compliance with UDC 11-3B-5 for all landscaped areas and comply with the parking lot landscaping standards in accord with UDC 11-3B-8C.
  - c. Existing landscaping shall be protected during construction in accord with UDC 11-3B-10C.3.
4. Comply with the standards listed in UDC [11-4-3-11](#) – Drive-Through Establishment is required.
5. Comply with the standards listed in UDC [11-4-3-17](#) – Financial Institution.
6. Comply with the standards listed in UDC [11-3A-16](#) for self-services uses (i.e. automatic teller machines).
7. Certificate of Zoning Compliance and Administrative Design Review applications shall be submitted and approved for the proposed use prior to submittal of a building permit application.
8. 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.

#### B. PUBLIC WORKS

1. Flow is committed
2. No existing sewer service to parcel.
3. If bringing main to parcel, sewer services cannot be connected by cleanout. Cleanout should be replaced with manhole.
4. Manholes must have a 14' wide access road.

## EXHIBIT A

5. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.
6. Ensure no sewer services pass through infiltration trenches.
7. There is no existing water meter at the west side of the site. The existing 8" stub to the site ends in a blow-off. Call out removal of the blow-off and tie in water meter to the 8" stub.
8. The existing water meter and water easement do not line up. If the existing water line on the property does not have an easement a 20' easement must be provided.

### C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274619&dbid=0&repo=MeridianCity>

## IX. FINDINGS

Conditional Use Findings (UDC 11-5B-6): 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.**

*Commission finds the site is large enough to accommodate the proposed development and meet all dimensional and development regulations of the C-G zoning district.*

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 financial institution with drive-through lanes will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section VIII of this report.*

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 design, construction, operation and maintenance of the proposed use will be compatible with other uses in the general neighborhood, with the existing and intended character of the vicinity and will not adversely change the essential character of the 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.**

*Commission finds the proposed use will not adversely affect other properties in the vicinity if it complies with the conditions in Section VIII of this report.*

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.**

*Commission 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.**

## EXHIBIT A

*Commission 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.**

*Commission 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. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)**

*Commission finds the proposed use will not result in the destruction, loss or damage of any such features.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Prairiefire Subdivision (H-2022-0053) by Patrick Connor, located at 3539 N Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N Locust Grove Rd.

Application Materials: <https://bit.ly/H-2022-0053>

A. Request: Annexation and Zoning of 3.16 acres of land from RUT in Ada County to the R-8 zoning district. B. Request: Preliminary Plat consisting of 22 building lots and 1 common lot.

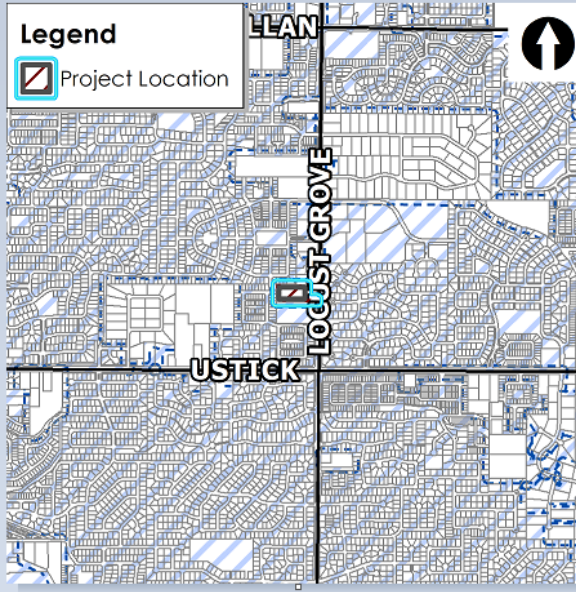
HEARING DATE: November 3, 2022

TO: Planning & Zoning Commission

FROM: Bill Parsons, Current Planning Supervisor  
208-884-5533

SUBJECT: Prairiefire  
H-2022-0053

LOCATION: 3539 N. Locust Grove Rd., near the northwest corner of E. Ustick Rd. and N. Locust Grove Rd., in the SE ¼ of the SE ¼ of Section 31, Township 4N, Range 1E. (Parcel #S0531449500)



**I. PROJECT DESCRIPTION**

Annexation of 3.16 acres of land with an R-8 zoning district; and preliminary plat consisting of 22 building lots and 1 common lot on 3.16 acres of land in the R-8 zoning district for Prairiefire Subdivision.

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details	Page
Acreage	3.16 acres	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use	Single-family residential (SFR)/ag	
Proposed Land Use(s)	SFR	
Current Zoning	Rural Urban Transition (RUT) in Ada County	
Proposed Zoning	R-8 (Medium Density Residential)	
Lots (# and type; bldg/common)	22 building/1 common	
Phasing plan (# of phases)	1	
Number of Residential Units (type of units)	22 single-family detached units	
Density (gross & net)	6.96 units/acre (gross)	
Open Space (acres, total [%] / buffer / qualified)	0.37 acres	



Amenities	0.37 acres of common area with a 5' micropathway providing pedestrian access to the commercial property and Locust Grove	
Physical Features (waterways, hazards, flood plain, hillside)	None	

### B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
• Existing Conditions	There is (1) existing stub street to this property from the west (i.e. E. Prairiefire Street).	
• CIP/IFYWP	<ul style="list-style-type: none"> <li>• Locust Grove Road is listed in the IFYWP and CIP to be widened to 3-lanes from Ustick Road to McMillan Road with design in 2025 and construction in the future.</li> <li>• McMillan Road is listed in the CIP to be widened to 3-lanes from Meridian Road to Locust Grove Road between 2031 and 2035.</li> <li>• Meridian Road is listed in the CIP to be widened to 3-lanes from McMillan Road to Ustick Road between 2026 and 2030.</li> <li>• The intersection of Locust Grove Road and Ustick Road is listed in the CIP to be widened to 7-lanes on the north leg, 6-lanes on the south, 6-lanes east, and 6-lanes on the west leg, and signalized between 2026 and 2030.</li> </ul>	

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via the extension of existing stub street from the adjacent neighborhood.	
Proposed Road Improvements	None	
Fire Service	<i>See Section IX.C</i>	
Police Service	<i>No comments received.</i>	

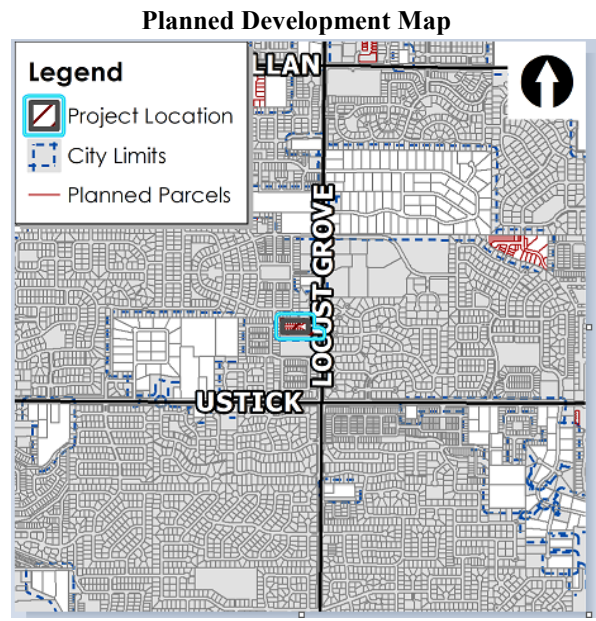
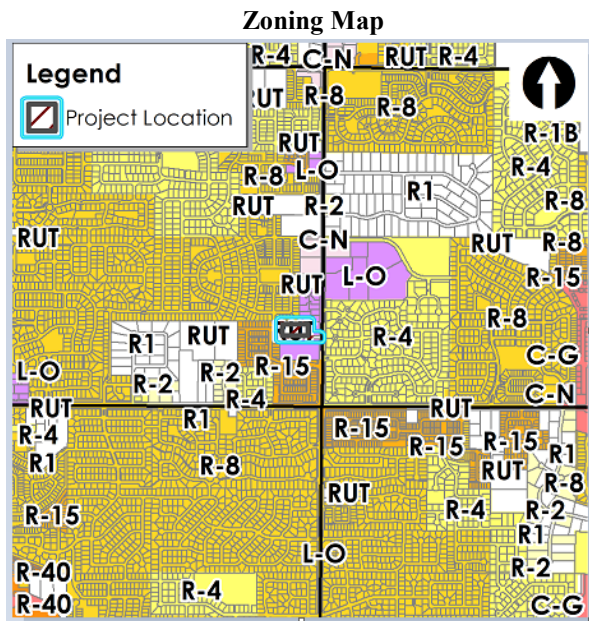
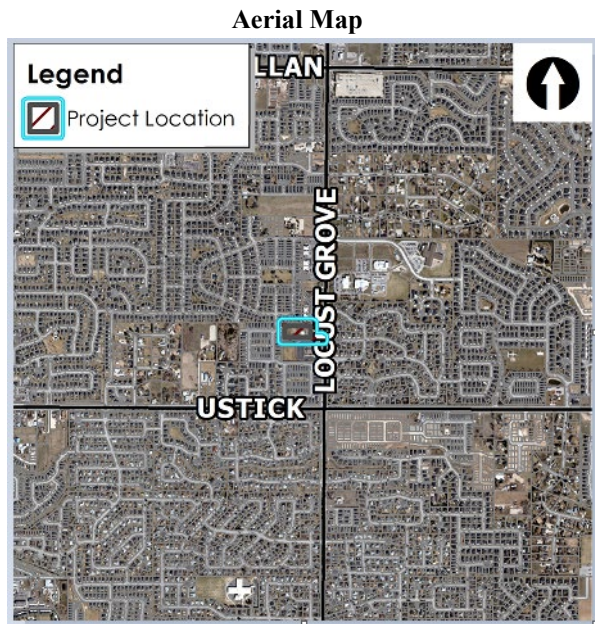
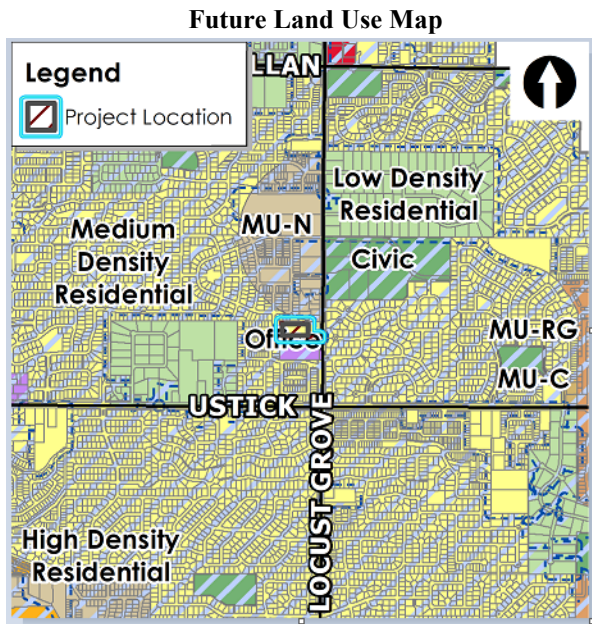
West Ada School District	<i>No comments received.</i>	
Distance (elem, ms, hs)		
Capacity of Schools		
# of Students Enrolled		

Wastewater		
• Distance to Sewer Services	As per Master Plan, sewer must connect to the east from Locust Grove Road	
• Sewer Shed		
• Estimated Project Sewer ERU's	Additional 1224 gpd committed to model.	
• WRRF Declining Balance	WRRF decline balance is 14.42 MGD.	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	See Public Works' Site-Specific Conditions in Section IX	
Water		
• Distance to Services	Connect water to existing main at fire station instead of connecting to North Locust Grove Road.	

- Impacts/Concerns

See Public Works' Site-Specific Conditions in Section IX

### C. Project Maps



## III. APPLICANT INFORMATION

### A. Applicant:

Patrick Connor – 701 S. Allen St., #104, Meridian, ID 83642

B. Owner:

Providence Properties, LLC – 701 S. Allen Street, #104, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	9/21/2022	
Radius notification mailed to property owners within 500 feet	9/15/2022	
Public hearing notice sign posted on site	10/18/2022	
Nextdoor posting	9/15/2022	

V. COMPREHENSIVE PLAN ANALYSIS

**LAND USE:** This property is designated as Medium Density Residential (MDR) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

The subject property is an enclave surrounded by single-family residential properties to the west and north and a church to the south with limited office to the east, located on land also designated MDR on the FLUM. The Applicant proposes a 22-lot subdivision for single-family residential detached homes at a gross density of 6.96 dwelling units per acre, which is within the desired density range of the MDR designation.

**Goals, Objectives, & Action Items:** Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian’s present and future residents.” (2.01.02D)

*The proposed single-family detached dwellings will contribute to the variety of housing options in this area and within the City as desired. Single-family detached homes currently exist to the north and west, commercial is located to the north, a church is located to the south, and a Meridian Fire Station #3 is located directly to the east. This development is proposed to be an age-restricted 55+ community and the applicant’s narrative states they have an agreement in place to merge this development with the Heritage Grove HOA.*

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

*City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21.*

- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A)

*The proposed medium-density single-family homes contribute the variety of residential categories within the surrounding area as desired. However, staff finds a better transition could be achieved along the north boundary.*

***Staff recommends that the applicant remove Lot 11, Block 1 along the northern property boundary so the lots can be widened for a better transition and provide more visibility on the pathway connection to the commercial development.***

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

*The proposed infill development will likely not impact the existing abutting homeowners to the west and north in this development; although, there could be some incremental impacts associated with lot sizes proposed along the north, the impacts associated with this development are already primarily established and there would be negligible impacts on the single family residential to the west.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)

*A 5-foot wide sidewalk is required along both sides of E. Prairiefire Street to provide a link between Prairiefire Subdivision and Heritage Grove Subdivisions. Additionally, a 5-foot wide micro-pathway is proposed on the west side of the development providing access to the commercial subdivision to the north and N. Locust Grove Road.*

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

*Urban sewer and water infrastructure and curb, gutter and sidewalks are required to be provided with development of the subdivision.*

- “Eliminate existing private treatment and septic systems on properties annexed into the City and instead connect users to the City wastewater system; discourage the prolonged use of private treatment septic systems for enclave properties.”

*If annexed, the existing home and other outbuildings will be required to abandon the existing septic system and connect to the City wastewater system.*

- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)

*Development of the subject infill parcel will maximize public services.*

## **VI. STAFF ANALYSIS**

### **A. ANNEXATION (AZ)**

The Applicant proposes to annex 3.16 acres of land with an R-8 zoning district. A legal description and exhibit map for the annexation area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat was submitted showing how the property is proposed to be subdivided and developed with 22 single-family residential detached dwelling units at a gross density of 6.96 units per acre (see Sections VIII.B, E).

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-8 zoning district.

The subject property is an enclave surrounded by existing single-family residential detached homes to the north (Quenzer Commons), west (Heritage Grove), east (Summerfield), church to the south and office park to the north. As noted above in Section V, development of infill properties is supported provided it doesn't negatively impact the abutting, existing development.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **If this property is annexed, Staff recommends a DA is required with the provisions discussed herein and included in Section IX.A.**

#### **B. PRELIMINARY PLAT (PP):**

The proposed preliminary plat consists of 22 building lots and 6 common lots on 3.16 acres of land in the proposed R-8 zoning district. Proposed lots range in size from 4,002 to 4,938 square feet (s.f.) (or 0.091 to 0.113 acres). The proposed gross density of the subdivision is 6.96 units per acre. The subdivision is proposed to develop in a single phase as shown in Section VIII.B.

**Existing Structures/Site Improvements:** There is an existing home and several outbuildings on the property that are proposed to be removed with the development. **Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the district are required to be removed.**

**Dimensional Standards (UDC 11-2):** The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district. The proposed plat appears to comply with the dimensional standards of the district.

**Access:** Access is proposed from the extension of existing local stub street (i.e. W. Prairiefire St.) from the west. **Access is prohibited from N. Locust Grove Road.**

**Landscaping (UDC 11-3B):** A 25-foot wide buffer is required along material roads per UDC Table [11-2A-6](#). Common open space landscaping is proposed as shown on the landscape plan in Section VIII.C. All micro-pathways shall meet the requirements of UDC 11-3B including landscape strips of at least 5-foot in width on either side and one tree per 100 linear feet per the standards listed in UDC [11-3B-12C](#); **the landscape plan should be revised accordingly.**

**A Tree Mitigation Plan shall be submitted with the final plat detailing all existing trees and methods of mitigation outlined by the City Arborist before any trees are to be removed as set forth in UDC [11-3B-10C.5](#).**

**Common Open Space & Site Amenities (UDC 11-3G-3):** Because this site is below 5 acres in size, open space and site amenities are not required per UDC 11-3G-3A. However, the Applicant is providing 0.37 acres (16,117.20 square feet) of common area to provide pedestrian access to the commercial properties located to the north and N. Locust Grove Road to the east. This area will be landscaped with trees, shrubs, and include a 5-foot micropath.

**Staff recommends that the applicant remove Lot 11, Block 1 along the northern property boundary. The micropath connection on the northern portion of the common lot adjacent to the commercial development is hidden behind Lot 11, Block 1 creating a potential safety issue for**

**pedestrians. Pedestrian pathways on common lots shall be designed to reduce the incidence of crime and improve the quality of life.**

**Sidewalks (11-3A-17):** Five-foot wide attached sidewalks are proposed along E. Prairiefire Street cul-de-sac and a detached sidewalk along N. Locust Grove Road within the development in accord with UDC standards.

**Fencing:** The landscape plan includes a fencing plan. The plan includes 6-foot-high solid vinyl fencing along the western periphery of the site along the east side of common lot 12 adjacent to the adjoining commercial property; 6-foot tan vinyl fencing with 2-feet of open vision screening is depicted on one side of the common open space along the micro-pathway. The fencing appears to meet the requirements of 11-3A-6 and 11-3A-7.

**Utilities (UDC 11-3A-21):** Connection to City water and sewer services is required in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances.

**Pressurized Irrigation System (UDC 11-3A-15):** Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15. The applicant intends on connecting to the existing pressurized irrigation system developed with the Heritage Grove Subdivision.

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

**Building Elevations: Six (6) conceptual building elevations were submitted that demonstrate the style of homes proposed for this development (see Section VIII.F). A mix of single-story and single-story with a bonus room homes are proposed; however, staff believes the proposed elevations are not consistent with the Heritage Commons Subdivision development. Staff has included a few sample elevations below that demonstrate the style of the homes in the Heritage Grove development. Therefore, Staff recommends the Applicant submit revised elevations that are consistent with the homes within the Heritage Commons Subdivision *prior* to the Council hearing.**

## VII. DECISION

### A. Staff:

Staff recommends approval of the proposed annexation with the requirement of a Development Agreement, and preliminary plat per the provisions in Section IX in accord with the Findings in Section X.

VIII. EXHIBITS

A. Annexation Legal Description and Exhibit Map



IDAHO  
SURVEY  
GROUP

9955 W Emerald St  
Boise, ID 83704

Phone: (208) 846-8570  
Fax: (208) 884-5399

Prairiefire Subdivision  
Annexation  
Boundary Description

Project Number 22-165

May 4, 2022

A parcel of land situated in the southeast quarter of the southeast quarter of Section 31, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho more particularly described as follows:

Commencing at the southeast corner of Section 31, Township 4 North, Range 1 East, Boise Meridian which bears S00°31'11"W, 2659.04 feet from the east quarter-section corner; Thence N00°31'11"E, 1059.08 feet along the east line of the southeast quarter of the southeast quarter of Section 31 to the POINT OF BEGINNING:

Thence N89°46'17"W, 661.38 feet to the east boundary of Heritage Grove Subdivision No. 4 (Book 111 of Plats at Pages 15913 through 15915, records of Ada County, Idaho);

Thence N00°34'07"E, 270.44 feet along the east boundary of Heritage Grove Subdivision No. 4 to the south boundary of Quenzer Commons Subdivision No. 6 (Book 91 of Plats at Pages 10710 through 10712, records of Ada County, Idaho);

Thence S89°46'17"E, 474.39 feet along the south line of Quenzer Commons Subdivision No. 6 and Brockton Subdivision (Book 93 of Plats at Pages 11101 and 11102, records of Ada County, Idaho);

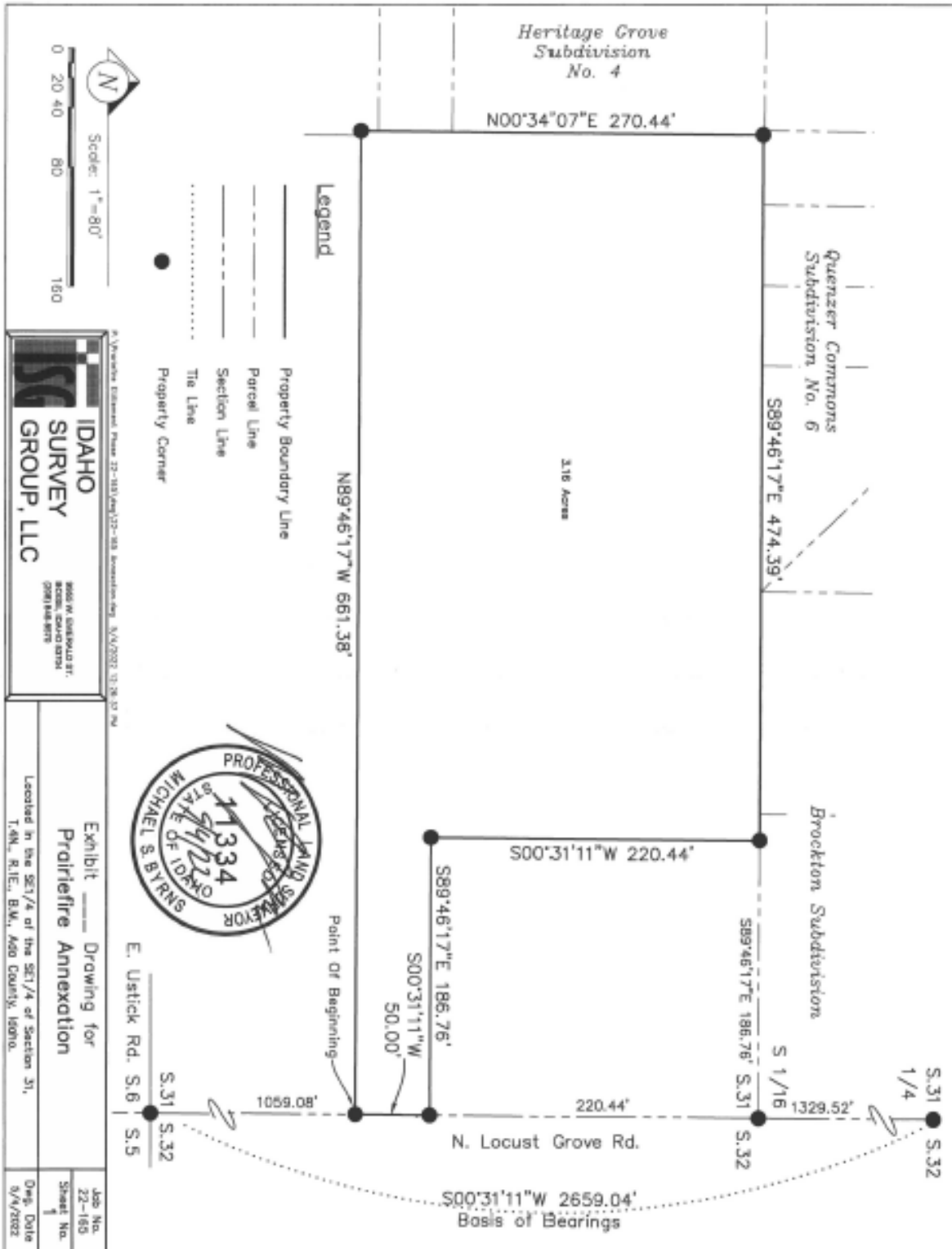
Thence S00°31'11"W, 220.44 feet;

Thence S89°46'17"E, 186.76 feet to the east line of the southeast quarter of the southeast quarter;

Thence S00°31'11"W, 50.00 feet along the east line of the southeast quarter of the southeast quarter to the POINT OF BEGINNING.

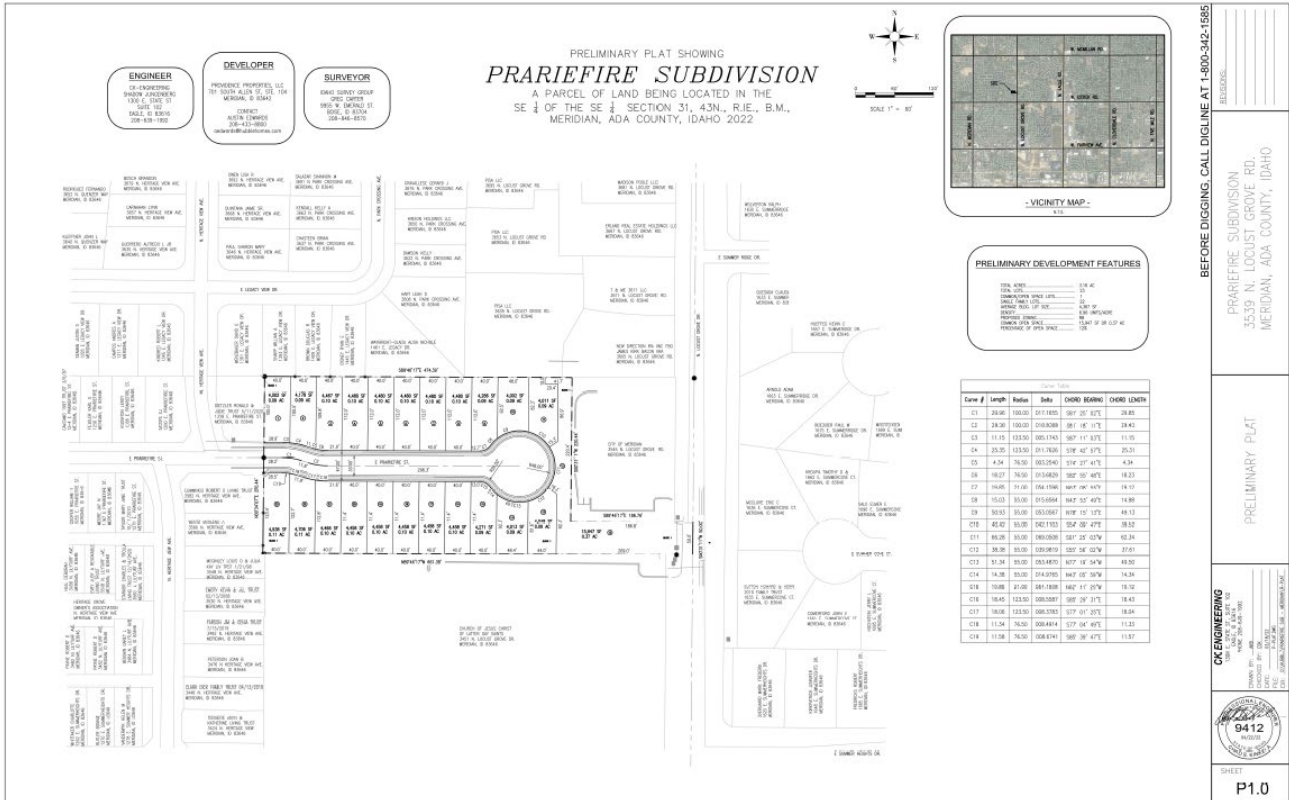
The above-described parcel contains 3.16 acres, more or less.







B. Preliminary Plat (dated: 6/15/22)



BEFORE DIGGING, CALL DIGLINE AT 1-800-342-1585

REGIONS:

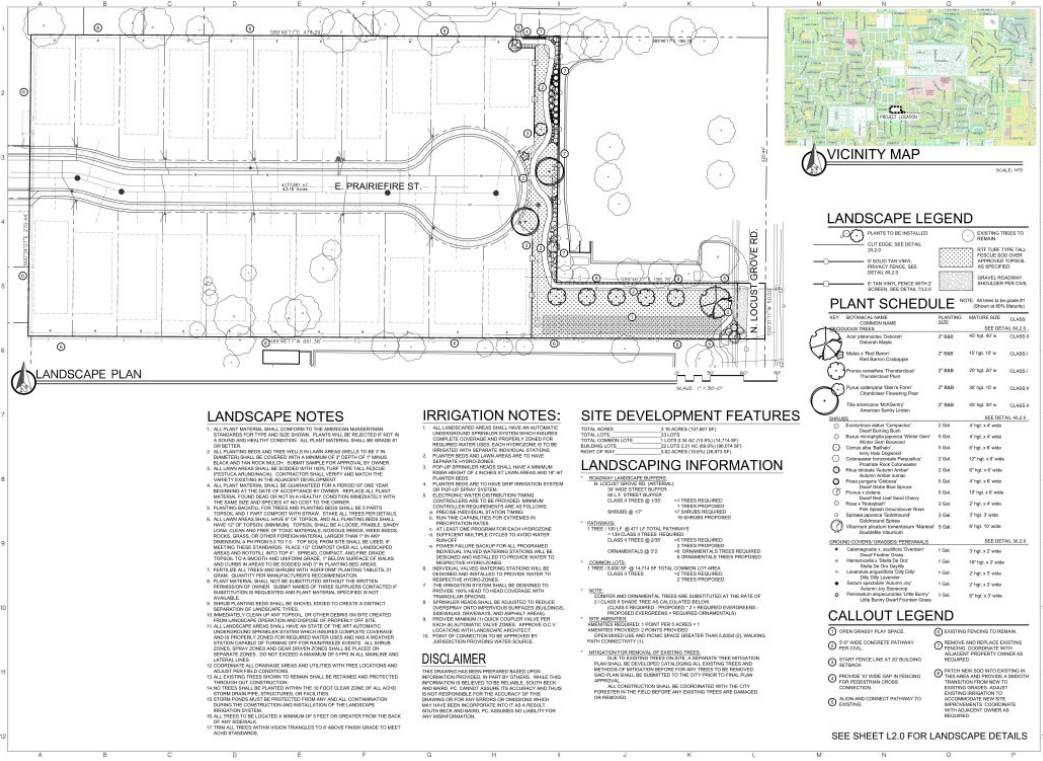
PRARIEFIRE SUBDIVISION  
3539 N. LOCUST GROVE RD.  
MERIDIAN, ADA COUNTY, IDAHO

PRELIMINARY PLAT

CK-ENGINEERING  
3539 N. LOCUST GROVE RD.  
MERIDIAN, IDAHO 83446  
PHONE: 208-878-1922  
WWW.CK-ENGINEERING.COM

SHEET  
**P1.0**

C. Landscape Plan (dated: 6/16/2022)



**PRELIMINARY**

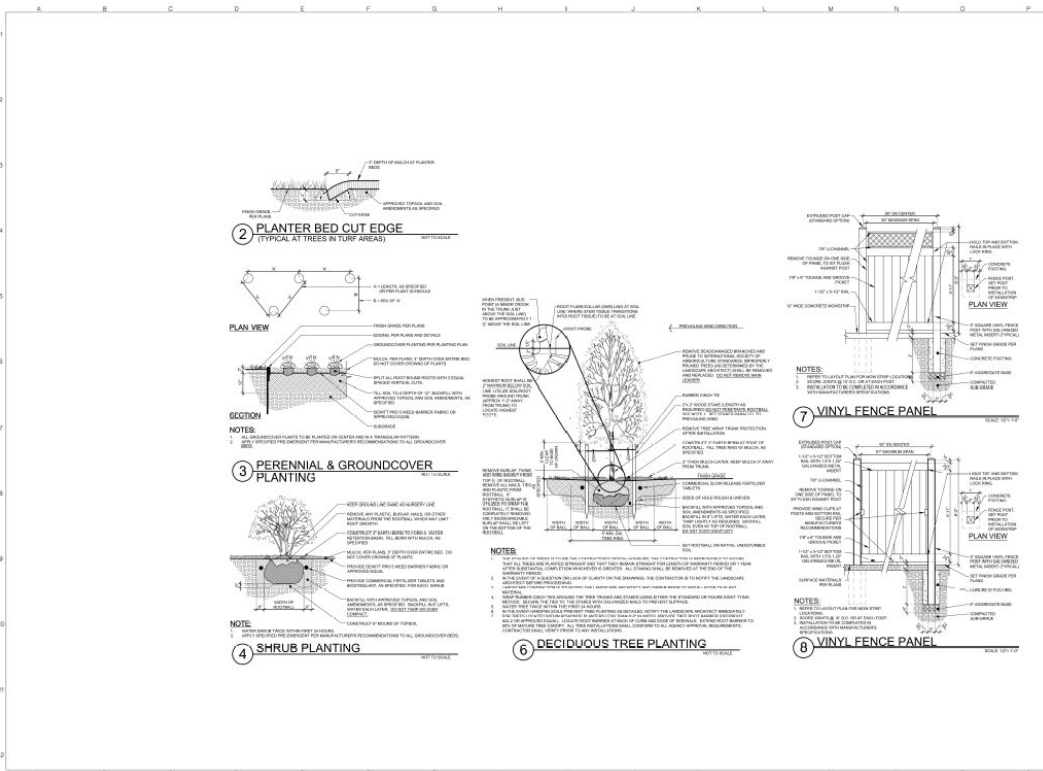
**SOUTH BAIRD**

**Prarie Fire Subdivision**

**8839 N. Locust Grove Rd., Meridian, Id 83848**

**L1.0**

**PRELIMINARY PLAN**



**PRELIMINARY**

**SOUTH BAIRD**

**Prarie Fire Subdivision**

**8839 N. Locust Grove Rd., Meridian, Id 83848**

**L2.0**

**PRELIMINARY PLAN**

D. Conceptual Building Elevations (NOT APPROVED)

### Prairiefire Subdivision Home Renderings

*These plans are subject to change to incorporate front porches and upgraded architectural elevations*





## IX. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, common open space/site amenity exhibit and conceptual building elevations included in Section VIII and the provisions contained herein.
2. The final plat shall include the following revisions:
  - a. Remove Lot 11, Block 1 to increase the size of all lots along the northern property boundary to provide a better-quality transition with the existing homes in the Quenzer Commons Subdivision and increase visibility on the micropath connection to the commercial development to the north.
3. The landscape plan submitted with the final plat shall include the following revisions:
  - a. Depict landscaping along the micropath in accord with the standards listed in [UDC 11-3B-12C](#).
  - b. Remove Lot 11, Block 1 along the northern property boundary so the lots can be widened for a better transition and provide more visibility on the pathway connection to the commercial development.
  - c. Include mitigation calculations on the plan for existing trees that are proposed to be removed in accord with the standards listed in UDC [11-3B-10C.5](#). The Applicant shall coordinate with the City Arborist (Kyle Yorita [kyorita@meridiancity.org](mailto:kyorita@meridiancity.org)) to determine mitigation requirements *prior* to removal of existing trees from the site.

4. Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the R-8 zoning district shall be removed.
5. The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC Table 11-2a-6 for the R-8 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Direct lot access to N. Locust Grove Road is prohibited in accord with UDC 11-3A-3.
9. The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B.
10. The Applicant shall submit revised elevations that are consistent with the homes within the Heritage Commons Subdivision *prior* to the Council hearing.
11. The applicant and/or assigns shall have the continuing obligation to provide irrigation that meets the standards as set forth in UDC 11-3B-6 and to install and maintain all landscaping as set forth in UDC 11-3B-5, UDC 11-3B-13 and UDC 11-3B-14.
13. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer's signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

## **B. PUBLIC WORKS**

### **1. Site Specific Conditions of Approval**

### **2. General Conditions of Approval**

- 2.1 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 than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 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.
- 2.3 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. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 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.

- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 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.
- 2.7 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.
- 2.8 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.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 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.
- 2.13 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.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 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.
- 2.17 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.
- 2.18 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.

- 2.19 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.
- 2.20 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](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. 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.
- 2.22 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=270452&dbid=0&repo=MeridianCity1%20>

**D. POLICE DEPARTMENT**

No comments at this time.

**E. PARK'S DEPARTMENT**

No pathway requirements

**F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

[NMID Comments](#)

**G. ADA COUNTY DEVELOPMENT SERVICES (ACDS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=269136&dbid=0&repo=MeridianCity>

**H. WEST ADA SCHOOL DISTRICT (WASD)**

No comments were received from WASD.

**I. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=269137&dbid=0&repo=MeridianCity&cr=1>

## X. FINDINGS

### A. 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;**

*Staff finds the Applicant's request to annex the subject property with R-8 zoning and develop single-family detached dwellings on the site at a gross density of 6.96 units per acre is consistent with the density desired in the MDR designation for this property; the preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed map amendment to R-8 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.*

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

*Staff finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent single-family residential homes/uses in the area.*

**4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and**

*Staff finds City services are available to be provided to this development. Comments were not received from WASD on this application so Staff is unable to determine impacts to the school district.*

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

*Staff finds the proposed annexation is in the best interest of the city if revisions are made to the development plan as recommended.*

### B. Preliminary Plat (UDC 11-6B-6)

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

**1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)**

*Staff finds the proposed plat is in conformance with the UDC and the Comprehensive Plan.*

**2. Public services are available or can be made available and are adequate to accommodate the proposed development;**

*Staff finds public services can be made available to the subject property and will be adequate to accommodate the proposed development.*



3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;  
*Staff finds there are no roadways, bridges or intersections in the general vicinity that are in the IFYWP or the CIP.*
4. There is public financial capability of supporting services for the proposed development;  
*Staff finds there is public financial capability of supporting services for the proposed development.*
5. The development will not be detrimental to the public health, safety or general welfare; and  
*Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.*
6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)  
*Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Hadler Neighborhood (H-2022-0064) by Laren Bailey, Conger Group, located at 7200 S. Locust Grove Rd., approximately 1/2 mile south of the Locust Grove and Lake Hazel intersection on the east side of Locust Grove Rd.

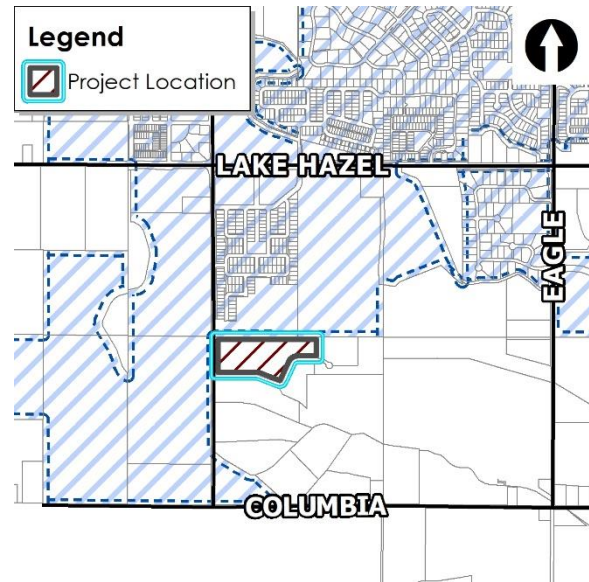
Application Materials: <https://bit.ly/H-2022-0064>

A. Request: Annexation and Zoning of approximately 20.5 acres of land from RUT to the R-15 zoning district. B. Request: Preliminary Plat consisting of 145 building lots (52 single-family attached lots & 93 detached single-family lots) and 11 common lots on approximately 20 acres of land in the requested R-15 zoning district.

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 11/3/2022  
 TO: Planning & Zoning Commission  
 FROM: Joe Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: H-2022-0064  
 Hadler Neighborhood  
 LOCATION: Located at 7200 S. Locust Grove Road, approximately 1/2 mile south of the Locust Grove and Lake Hazel intersection on the east side of Locust Grove, in the N 1/2 of the SW 1/4 of Section 5, Township 2N, Range 1E.



**I. PROJECT DESCRIPTION**

Request for Annexation and Zoning of approximately 20.5 acres of land from RUT to the R-15 zoning district and a Preliminary Plat consisting of 145 building lots (52 single-family attached lots & 93 detached single-family lots) and 11 common lots on approximately 20 acres of land in the requested R-15 zoning district, by Laren Bailey, Conger Group.

**II. SUMMARY OF REPORT**

A. Project Summary

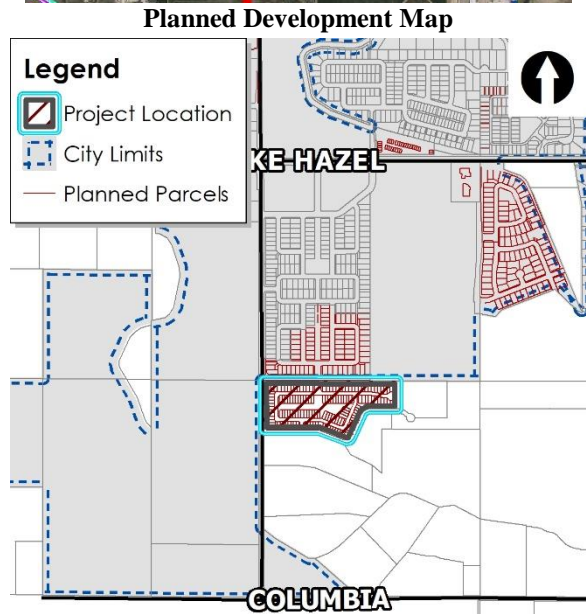
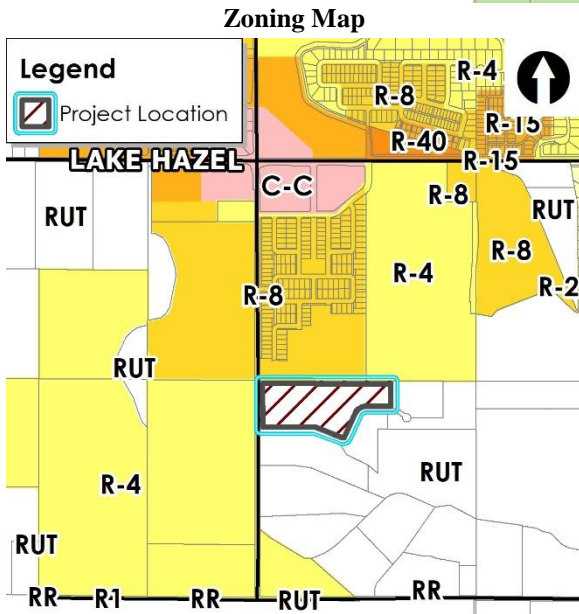
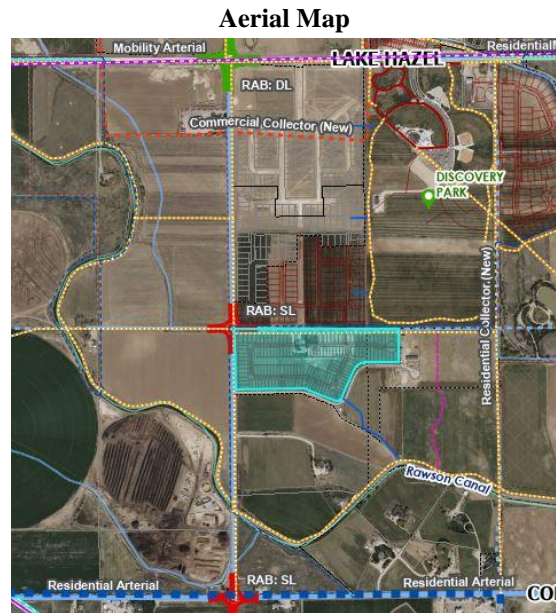
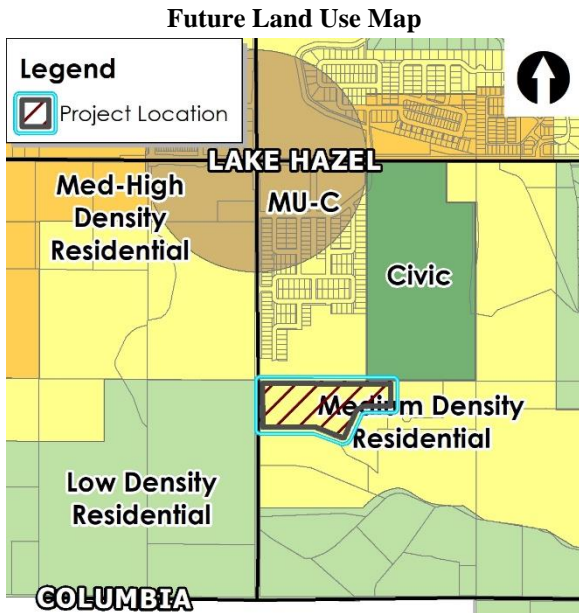
Description	Details	Page
Acres	AZ – 20.5 acres; PP – 20 acres	
Future Land Use Designation	Medium Density Residential (MDR, up to 3-8 du/ac)	
Existing Land Use(s)	County residential	
Proposed Land Use(s)	Detached Single-family Residential and Attached Single-family Residential	
Lots (# and type; bldg./common)	156 total lots – 145 residential building lots and 11 common lots	
Phasing Plan (# of phases)	Proposed as two (2) phases	
Number of Residential Units	145 single-family units (52 attached, 93 detached)	
Density	Gross – 7.25 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	Approximately 3.5 acres of open space proposed (approximately 17.5%)	
Amenities	Three (3) qualifying amenities are proposed – picnic area, playground, and a water feature (fountain)	

Description	Details	Page
Neighborhood meeting date	July 21, 2022	
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via new local street connections to E. Via Roberto Lane, a new collector street along the entire north boundary. Via Roberto connects to S. Locust Grove (arterial street) at the northwest corner of the property. This collector street is not yet constructed; the adjacent developer (Brighton) is approved to construct this collector with their project (Apex Southeast) to the north of the subject site.	
Stub Street/Interconnectivity/Cross Access	No existing stub streets. Applicant is proposing two stub streets with this project; one to the northeast corner and one to the southern boundary.	
Existing Road Network	No	
Capital Improvements Plan/Integrated Five Year Work Plan	<p>Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Locust Grove Road to Eagle Road in 2022.</p> <p>Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road and includes a roundabout at the Eagle Road and Taconic Drive intersection in 2024.</p> <p>The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023.</p> <p>Lake Hazel Road is listed in the CIP to be widened to 5-lanes from SH-69 to Locust Grove Road between 2036 and 2040.</p>	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> <li>Fire Response Time</li> <li>Accessibility</li> </ul>	<p>4.1 miles from Fire Station #4—within 1 mile of Fire Station #7, currently under construction.</p> <p>The project currently lies <i>outside</i> of the Meridian Fire response time goal of 5 minutes. It will be within the response time goal once Station #7 is constructed in summer of 2023.</p> <p>Proposed project meets all required road widths and turnaround dimensions but requires a secondary emergency access to construct more than 30 homes.</p>	
Water & Wastewater		
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	<p>See Public Works Site Specific Conditions in Section VIII.</p> <p><b>NOTE: Water is not currently available and must be provided to project by adjacent development to the north, Apex Southeast.</b></p>	

C. Project Area Maps



**III. APPLICANT INFORMATION**

**A. Applicant:**

Laren Bailey, Conger Group – 4824 W. Fairview Avenue, Boise, ID 83706

**B. Property Owner:**

Blackcat1 LLC – 1979 N. Locust Grove, Meridian, ID 83646

**C. Representative:**

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/19/2022	
Radius notification mailed to properties within 500 feet	10/13/2022	
Site Posting	10/21/2022	
Nextdoor posting	10/13/2022	

**V. STAFF ANALYSIS**

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

Medium Density Residential (MDR) – This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

*The subject 20 acres currently contains a large home and other outbuildings with access being from a private driveway to Locust Grove in the location of the future Via Roberto Lane. The subject site is abutted by an arterial street to the west, S. Locust Grove, and a future collector street along the north, E. Via Roberto Lane. Access to the site is proposed via a new local street access to Via Roberto in alignment with an approved access on the north side of the street within Apex Southeast Subdivision. Abutting the property to the east and south are large county parcels that share the same future land use designation of MDR. The City’s newest park, Discovery Park, abuts the property at the northeast corner of the site offering close proximity to one of the largest parks in Meridian.*

*The Applicant is proposing 145 building lots on 20 acres of land within the R-15 zoning district which constitutes a gross density of 7.25 units per acre, near the maximum density allowed within the MDR designation. For comparison, the adjacent project to the north, Apex Southeast (H-2020-0057), was approved with half the density as is proposed with Hadler and an average lot size of approximately 7,000 square feet, compared to 3,600 square foot average lot size within this development. Staff notes these development facts of the adjacent project because it shares the same future land use designation of MDR but also includes an area of mixed-use designation while proposing a less dense project. It should be noted that the Applicant for this project is proposing a higher open space percentage for the project than what was proposed with Apex Southeast.*

*The adjacent county parcels to the south and east do not contain a residence and instead are used as pasture for rescued horses. Because of this, Staff does not find it necessary for this Applicant to transition the housing density adjacent to these properties. However, Staff does have concerns with the proposed street layout in regards to the stub street locations. The Applicant is proposing a stub street near the north east corner of the property which is a logical and needed location. The Applicant is also proposing a stub street to the south boundary for future connectivity that Staff does not have concern with. Staff is concerned with the existing property layout of the adjacent county parcels in relation to the proposed stub streets. Specifically, Staff believes an additional stub street should be added along the southeast boundary in place of Lots 28 & 29, Block 2. Adding this stub street will provide for two stub streets to properties currently owned by the same entity and will not force future road development to avoid such a long stretch of property line without an intersecting street.*

*In addition to vehicular connectivity, the Comprehensive Plan desires safe and adequate pedestrian connectivity through and between developments and to-and-from public spaces, like Discovery Park to the northeast. The proposal to include a micro-path from an internal local street to Via Roberto, the collector street along the north boundary, is consistent with the Comprehensive Plan. In alignment with this, the noted revision to add a stub street in this location would also allow for better pedestrian connectivity in this area of the site from the southeast through this development and up to Discovery Park. Furthermore, it allows for the noted open space lot (Lot 30, Block 2) to be fronted by two public streets to increase its visibility and remove the additional concern of this area being a remnant area tucked away in a corner behind building lots. The Comprehensive Plan has specific policies related to these types of design elements (see 4.11.03) that support Staff's position.*

*This revision would add both a vehicular and a pedestrian connection between future subdivisions when the properties to the east and south redevelop—Staff has met with the owner of the property to the southeast and they have a desire to include connectivity and open space adjacent to the noted open space of this subject project so Staff finds it even more prudent to include this stub street in this area.*

*It is also important to note the Applicant is proposing two housing types within the Hadler Neighborhood project, single-family detached and single-family attached (two units attached but on separate building lots). The addition of different lot sizes and housing types is a plus for this project as it introduces a different housing type in this area of the City. However, because of the proposed density, most of the proposed building lot frontages are relatively small (32-38 feet wide) when a 20-foot wide driveway is presumed for each lot. Coinciding with this issue, the Applicant is not proposing the typical 33-foot wide local street section throughout a majority of the site and is instead proposing a 27-foot wide section that allows parking on only one side of the street and not both. The proposed lot frontages and the reduced street section give Staff concern with the availability of parking throughout the site which can create additional emergency response access issues in the future. **The Commission or Council should determine if a solution is needed and if so, Staff recommends the applicant reduce the density by requiring a minimum 40-foot wide lot frontage throughout the site. At a minimum, the Applicant should provide a parking exhibit showing where guest parking could occur for this development.***

*With Staff's recommended revisions, Staff finds the proposed project to be generally consistent with the Comprehensive Plan, as discussed above. Specific Comprehensive Plan policies are discussed and analyzed below.*

The City may require a development agreement (DA) in conjunction with an annexation and rezone pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA that encompasses the land proposed to be annexed and zoned with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone and annexation approval. **A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.***

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

In alignment with the discussion above, Staff finds the following Comprehensive Plan policies applicable to this project; additional staff analysis to the specific policy may be warranted and is in *italics*:

- “Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *City water &*

*sewer are not currently available to the site; both sewer and water must be made available to this site by the developer of Apex Southeast to the north. Public works has discussed the requirements and outlined the path to receiving services in the Public Works specific conditions in Section VIII.B. Fire Station #7 will be within ½ mile of the project and the project will be located wholly within the response time goal of the City—Station #7 is slated to be completed in later Summer 2023.*

*The subject site lays within the Kuna School District and not the West Ada School District. City Staff reached out to the Kuna School District for the purpose of obtaining a response to this project as they have not opted into our automatic transmittals. According to this interaction, all of their schools are over capacity and they have stated they cannot accommodate additional school-aged children. However, Staff is not aware of development slowing in Kuna due to these school capacity issues. The subject site is within walking distance of Discovery Park to the northeast which provides for a multitude of recreation opportunities.*

*Staff finds that the existing and planned development of the immediate area create appropriate conditions for levels of service to and for this proposed project.*

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian's present and future residents.” (2.01.02D).
- “With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A).
- “Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F).
- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City. (2.01.01G).
- “Elevate and enhance the quality and connectivity of residential site and subdivision planning.” (2.02.01).
- “Support construction of multi-use facilities that can be used by both schools and the community.” (2.03.01B).
- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A).
- “Ensure that new development and subdivisions connect to the pathway system.” (4.04.01A). *The Applicant is proposing regional pathways along its west and north boundaries to total approximately 2,212 linear feet of pathway (nearly half a mile).*
- “Provide options for passive recreational opportunities not typically supplied by parks and facilities such as jogging, walking, and bicycling.” (4.04.01B). *Applicant is proposing micro-paths within the large central open space that have efficient access to the proposed regional pathway network around the perimeter of the project creating ample opportunity for these passive recreational elements.*
- “Work with public and private development and management groups to promote and implement Crime Prevention through Environmental Design (CPTED) strategies.” (4.11.03). *For the most part, Staff finds the project complies with this policy. The exception is the noted area along the southeast boundary (Lot 30, Block 2) that Staff is*



*recommending be opened up more and be fronted by two public streets by adding an additional stub street to the southeast boundary. Currently, this area is largely tucked behind buildable lots which decreases its visibility from the public street, an integral point CPTED strategies aim to alleviate. If the Applicant replaces Lots 28 & 29 with a stub street and slightly increases the green space, this issue is resolved.*

- “Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C).

***Staff finds the aforementioned analysis and policies in general makes the project consistent with the Comprehensive Plan.***

C. Existing Structures/Site Improvements:

According to GIS imagery, there is an existing large home and other outbuildings that will be removed upon development of Hadler Neighborhood. No other site improvements are known.

D. Proposed Use Analysis:

The proposed use is detached single-family and attached single-family residential with a minimum lot size of approximately 3,000 square feet and an average lot size of approximately 3,600 square feet, based on the submitted plat (Exhibit VII.B). These residential uses are permitted uses in the requested R-15 zoning district per UDC Table 11-2A-2. The Applicant has noted the development is expected to develop in two phases with the number of lots in each phase appearing to be similar (Applicant has not provided the actual lot numbers within each phase but the exhibit appears to show slightly more lots in phase 1 than in phase 2). Because the only public road access allowed for this development is from Via Roberto, no more than 30 homes can be constructed. Therefore, the Applicant has proposed a temporary emergency access within phase 1 located on a future building lot, Lot 23, Block 1, along the west boundary. Meridian Fire has approved this temporary emergency access to allow more than 30 homes to be constructed off of one access.

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

The residential lots are shown to meet all UDC dimensional standards per the submitted plat. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). All lots are shown to meet the minimum lot size requirement of 2,000 square feet. There is no minimum street frontage requirement for the R-15 zoning district so, as discussed above, the Applicant is proposing lots with either 32 feet or 38 feet of frontage with a few lots having slightly more frontage. The Applicant is also proposing three (3) common drives within the development; two along the west boundary and one at the southeast corner of the project.

*The three (3) proposed common drives depict 3 lots taking access from each of them and include at least 5 feet of landscaping adjacent to the abutting lot not taking access from the common drive. The proposed common drive design complies with UDC 11-6C-3D requirements.*

*The Applicant is proposing the north east-west local street (shown as W. Vantage Pointe Drive) within the project to be a long, relatively straight roadway. This street is shown with two intersecting streets on it which allows it to comply with UDC 11-6C-3 requirements for block length measurement. However, the overall roadway is still long and straight. For this reason, ACHD is requiring traffic calming along this street with future final plat submittals. Staff agrees with this and is recommending a condition of approval consistent with the ACHD condition.*

F. Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)):

The Applicant submitted conceptual building elevations for the proposed homes. Note that detached single-family homes do not require Design Review approval but the single-family attached single-family homes do require administrative design review approval prior to building permit submittal. The Applicant is required to submit this Design Review and obtain Planning approval before building permit submittal.

*The submitted elevations depict varying roof profiles and colors with the same or similar field materials of lap siding and stone accents for the detached homes. All of the attached single-family elevations depict single-story homes with lap siding and stone accents. Overall, Staff finds the submitted elevations to comply with the minimum standards but hopes future elevations depict more variation in finish materials to help delineate the building facades along public streets.*

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

Access is proposed via a new local street (shown as S. Peak Avenue) connection to E. Via Roberto on the south side of this roadway in alignment with the approved collector street access to the Apex Southeast Subdivision on the north side of Via Roberto. Via Roberto is approved to be constructed with the Apex Southeast development except for the required detached sidewalk on the Hadler side of the street. ACHD has approved the Applicant's proposal to complete Via Roberto with 8-foot parkway and detached 10-foot pathway its south side but notes if Brighton does not complete Via Roberto consistent with their approvals, Hadler is required to construct Via Roberto as half of a 36-foot wide collector street plus an additional 12 feet of pavement.

*There are no existing stub streets adjacent to the site as Via Roberto is not yet constructed. The Applicant is proposing two stub streets according to the submitted plat; one near the north east corner of the property and one to the south boundary near the southwest area of the project. Staff has no concern with the two proposed stub streets or their locations. However, as noted within the Comprehensive Plan section above, Staff is recommending an additional stub street be added in place of Lots 28 & 29, Block 2. Adding this stub street will provide for two stub streets to properties currently owned by the same entity to the east and will not force future road development to avoid such a long stretch of property line without an intersecting street (the south/southeast boundary of this project). This revision would likely result in the loss of one building lot and remove one common drive from the project, two points that Staff finds are positive consequences of improving future road connectivity in this area.*

The Applicant is proposing two different street sections within this development, a 27-foot and a 33-foot street section; both have been approved by ACHD. The 33-foot street section is proposed for the segment of E. Vantage Point Drive east of the access to Via Roberto along the north half of the site and for the stub street to the south boundary. All other streets are proposed with the 27-foot street section that allows parking on only one side of the street where no driveways exist. Staff notes the Applicant is also proposing a permanent cul-de-sac at the terminus of Vantage Pointe Drive at the northeast boundary because this segment of this street segment is greater than 150 feet in length. **Staff has concerns with the proposed reduced street section width in conjunction with the relatively skinny lots proposed, as discussed within the Comprehensive Plan section above.**

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence.

*According to the submitted elevations, each home is proposed with a two-car garage which presumes a 3 or 4-bedroom home and would require a minimum 20-foot wide driveway for each building lot. In addition, as discussed above, some of the streets within this development are proposed as 27-foot wide street sections which only allows parking on one side of the street instead of both sides as allowed on the standard 33-foot section.*

I. Sidewalks & Pathways (UDC [11-3A-17](#) & UDC [11-3A-8](#)):

5-foot wide attached sidewalks are proposed along the internal local streets consistent with UDC requirements. The Applicant is proposing a 10-foot wide detached multi-use pathway along E. Via Roberto and an attached 10-foot wide sidewalk/pathway along S. Locust Grove; the pathway widths are consistent with the UDC, the Meridian Master Pathways Plan, and exceeds ACHD requirements but the location of the sidewalk along Locust Grove does not comply with Master Pathways plan as there is a desire to detach these sidewalks/pathways along arterial streets to improve pedestrian safety. The Applicant is required to place the multi-use pathways within public access easements adjacent to the public streets unless they are within ACHD right-of-way.

*The pathway along Locust Grove appears to be attached to Locust Grove which does not comply with the UDC or Master Pathways Plan. So, the Applicant should revise the plat and landscape plan to depict this 10-foot pathway to be located within the required 25-foot buffer to Locust Grove and at least four (4) feet outside of the ultimate ROW to ensure the pathway remains detached.*

J. Landscaping (UDC [11-3B](#)):

A 25-foot wide street buffer along S. Locust Grove, an arterial street, and a 20-foot wide street buffer along E. Via Roberto, a collector street, are required and should be landscaped per the standards in UDC Table 11-3B-7C. All landscape areas should be landscaped per UDC 11-3B-5, general landscaping standards. Lastly, according to the submitted plans, the Applicant is proposing micro-paths which should be landscaped in accord with UDC 11-3B-12 standards.

*The Applicant is showing a 25-foot wide common lot along Locust Grove that is a 22.5-foot wide common lot along Via Roberto consistent with code requirements. The landscape buffers are depicted with trees in excess of code and include landscape beds with shrubs and other vegetative ground cover, consistent with UDC 11-3B-7. Therefore, Staff finds the proposed street buffers comply with all UDC requirements. In addition, all open space areas are shown with trees, sod, and other landscaping in excess of minimum code requirements.*

K. Fencing (UDC [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7.

*According to the submitted landscape plans, the Applicant is proposing 6-foot vinyl privacy fencing along the perimeter of the property and the rear lot lines and 5-foot tall wrought iron open vision fencing adjacent to any common open space areas. Both fencing types and their proposed locations comply with UDC standards.*

L. Open Space and Amenities (UDC [11-3G](#)):

The proposed project is approximately 20 acres in size requiring a minimum amount of open space based on the requested zoning. Per UDC Table 11-3G-3, the R-15 area requires a minimum of 15% qualified open space. Per the calculations, the minimum amount of qualified open space required is 3 acres. According to the submitted plans, the Applicant is proposing 3.49 acres of qualified open space, exceeding the minimum amount required. The proposed 3.49 acres equates to approximately 17.45% qualified open space.

*The qualified open space proposed consists of ½ of the arterial street buffer to Locust Grove, the full collector street buffer to Via Roberto, the large central open space area, and the smaller common open space area along the southeast boundary. However, Staff is not sure if the landscape buffers to the adjacent public streets meet the enhanced buffer requirements outlined in UDC 11-3G-3B.3 to count towards the open space. Previously, these areas automatically qualified towards the minimum open space but this is no longer the case with the latest open space code updates. The Applicant appears to comply with the first two points outlined in code but may not comply with the last two points: enhanced amenities with social interaction characteristics; and, enhanced context with the surroundings.*

- a. Enhanced landscaping as set forth in Article 11-3B, Landscaping Requirements;
- b. Multi-use pathways;
- c. Enhanced amenities with social interaction characteristics;
- d. Enhanced context with the surroundings.

***Staff recommends the Applicant provide evidence these buffers are enhanced beyond a sidewalk and trees. For example, boulders, additional vegetation, decorative elements, additional micro-pathways, etc. The burden of proof for the proposed common open space to qualify falls on the Applicant and not on Staff.***

***If these buffers do not count towards the minimum qualified open space, approximately 1 acre of land must be removed from the calculation leaving approximately 2.5 acres of qualified open space which does not comply with the minimum qualified open space requirement. Therefore, the Applicant should provide evidence that the proposed street buffers are qualified open space prior to the Commission hearing OR apply for Alternative Compliance to reduce the amount of qualified open space required due to the project's proximity to Discovery Park to the northeast.***

*The centralized open space area is depicted with playground equipment, a gazebo with picnic benches, and multiple seating areas all connected to the surrounding local streets via 5-foot wide micro-pathways. Staff supports the design of the central open space area. As discussed within the Comprehensive Plan section above, the other common open space area (Lot 30, Block 2) is approximately 9,300 square feet in size and is tucked behind multiple building lots. Staff does not have concern with the size of this open space lot but is concerned with its location being a remnant piece and tucked away. Because of these concerns, Staff recommends the adjacent Lot 29, Block 2 be removed and added to the open space lot to increase the visibility of this open space area and include an additional micro-path connection to the southeast boundary.*

UDC 11-3G-4 dictates the minimum amenity points required for projects over 5 acres in size. The project size of 20 acres requires a minimum of four (4) amenity points (1 point for every 5 acres). According to the submitted plans and narrative, the Applicant is proposing the following qualifying amenities: picnic area, playground, and a water feature (fountain). According to UDC Table 11-3G-4, the proposed amenities amount to seven (7) amenity points and exceed the minimum amenity point requirements for a project of this size. Staff finds the proposed amenities within this development are sufficient due to the size of the property, their locations, the pedestrian connectivity, and because of the proximity to Discovery Park to the northeast that offers additional recreational opportunities for future residents in this area of the City.

**M. Waterways (UDC 11-3A-6):**

According to GIS imagery, there is an open irrigation ditch that runs along the shared north boundary of this site and the Apex Southeast Subdivision to the north. It is not a labeled ditch on the City's GIS and it can be presumed it is being tiled and relocated as part of the construction of Via Roberto Lane by the adjacent developer, Brighton. The Applicant of Alden Ridge is also required to comply with UDC 11-3A-6 and ensure this irrigation facility along the north boundary is tiled or relocated.

N. Utilities (*UDC 11-3A-21*):

The Applicant is proposing and is required to extend necessary public utilities for the proposed project. Public Works has reviewed the subject applications for compliance with their standards and finds them to be in general compliance except for specific conditions outlined in Section VIII.B of this report. However, it should be noted that both water and sewer services must be provided to this development through the adjacent development to the north (Apex Southeast) and are currently not available.

**VI. DECISION**

A. Staff:

Staff recommends approval of the requested annexation and preliminary plat applications with the requirement of a Development Agreement per the conditions of approval in Section VIII of this report per the Findings in Section IX of this staff report.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

## VII. EXHIBITS

### A. Annexation and Zoning Legal Descriptions and Exhibit Maps



IDAHO  
SURVEY  
GROUP

9955 W Emerald St  
Boise, ID 83704

Phone: (208) 846-8570  
Fax: (208) 884-5399

#### Hadler Subdivision Annexation Description

Project Number 21-360 July 13, 2022

Lot 1, Block 1 of Rescue Ranch Subdivision (Book 106 of Plats at Pages 14734 through 14736, records of Ada County, Idaho), and a portion of the adjacent public right-of-way of S. Locust Grove Road, situated in the north half of the southwest quarter of Section 5, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at southwest corner of Section 5, Township 2 North, Range 1 East, Boise Meridian; Thence N00°04'42"W, 2655.92 feet to the west quarter-section corner of Section 5, the POINT OF BEGINNING:

Thence S89°52'50"E, 37.00 feet along the east-west centerline of Section 5 to the east line of S. Locust Grove Road and the northwest corner of Lot 1;

Thence continuing S89°52'50"E, 1618.16 feet along the boundary of Lot 1;

Thence S00°04'42"E, 335.88 feet along the boundary of Lot 1;

Thence 12.01 feet on a non-tangent curve to the left having a radius of 225.00 feet, a central angle of 03°03'27", a chord bearing of N88°20'52"W, and a chord length of 12.01 feet along the boundary of Lot 1;

Thence N89°52'36"W, 313.32 feet along the boundary of Lot 1;

Thence 143.71 feet on a curve to the left having a radius of 125.00 feet, a central angle of 65°52'19", a chord bearing of S57°11'14"W, and a chord length of 135.93 feet along the boundary of Lot 1;

Thence S24°15'05"W, 307.54 feet along the boundary of Lot 1;

Thence 75.80 feet on a curve to the right having a radius of 50.00 feet, a central angle of 86°51'39", a chord bearing of S67°40'54"W, and a chord length of 68.75 feet along the boundary of Lot 1;

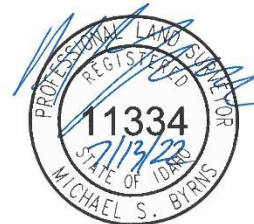
Thence N68°53'16"W, 342.09 feet along the boundary of Lot 1;

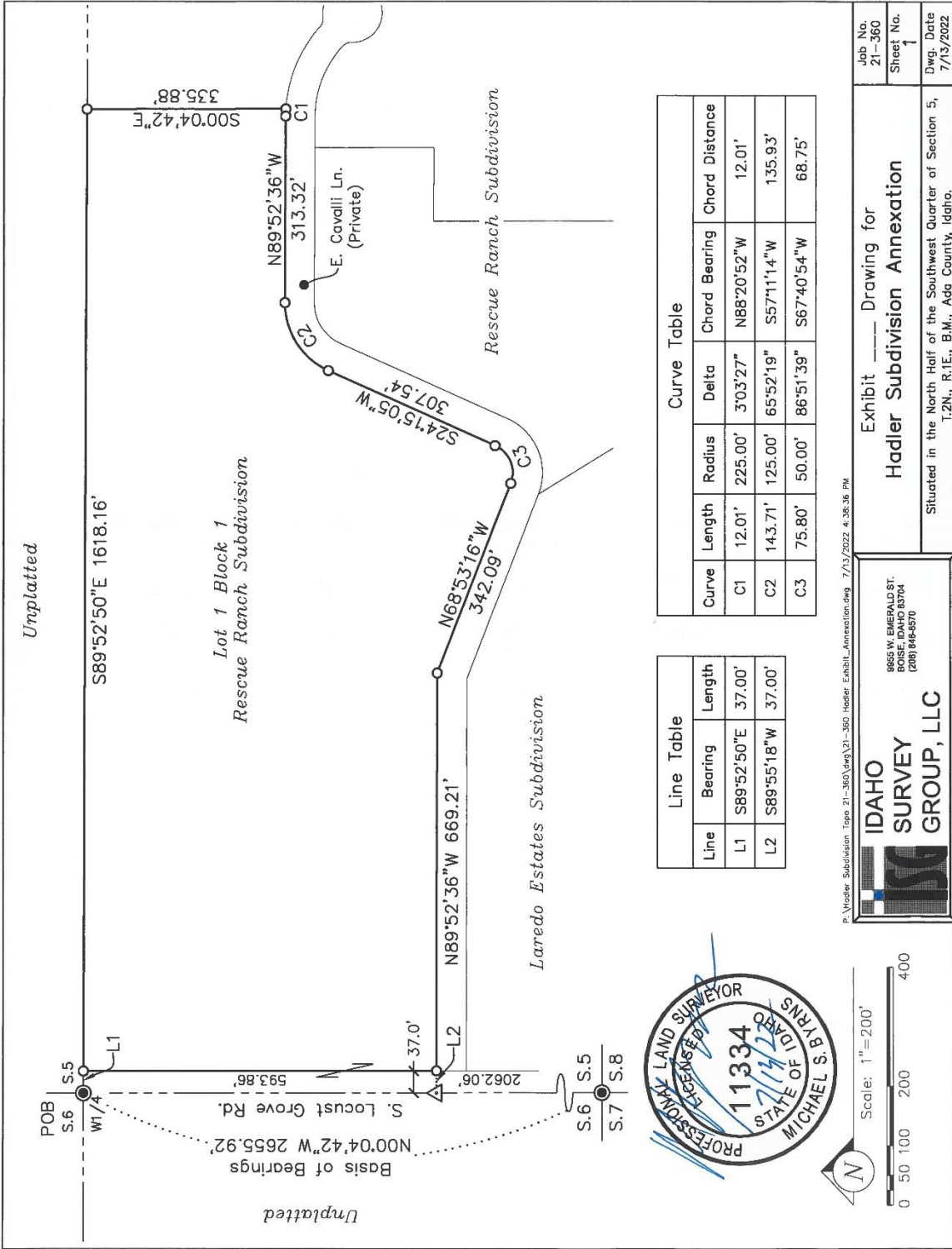
Thence N89°52'36"W, 669.21 feet along the boundary of Lot 1 to the east right-of-way line of S. Locust Grove Road;

Thence S89°55'18"W, 37.00 feet to the west line of Section 5;

Thence N00°04'42"W, 593.86 feet along the west line of Section 5 to the POINT OF BEGINNING.

The above-described parcel contains 20.51 acres, more or less.



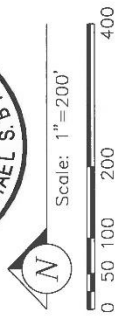


Line Table

Line	Bearing	Length
L1	S89°52'50"E	37.00'
L2	S89°55'18"W	37.00'

Curve Table

Curve	Length	Radius	Delta	Chord Bearing	Chord Distance
C1	12.01'	225.00'	3°03'27"	N88°20'52"W	12.01'
C2	143.71'	125.00'	65°52'19"	S57°11'14"W	135.93'
C3	75.80'	50.00'	86°51'39"	S67°40'54"W	68.75'



P:\Hadler Subdivision\Topic 21-360\Drawings\21-360 Hadler Exhibit Annexation.dwg 7/13/2022 4:38:36 PM

**IDAHO SURVEY GROUP, LLC**  
 8665 W. EMERALD ST.  
 BOISE, IDAHO 83704  
 (208) 948-8570

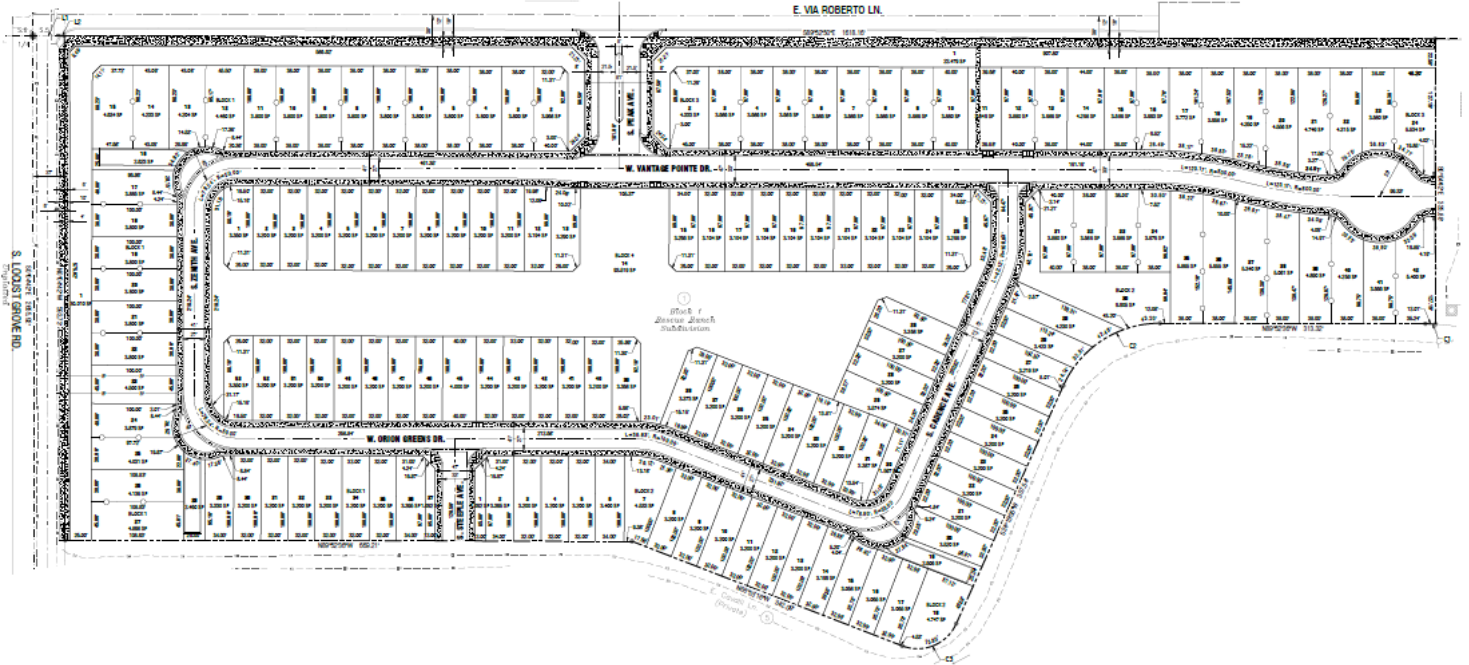
Exhibit \_\_\_\_\_ Drawing for  
**Hadler Subdivision Annexation**

Situated in the North Half of the Southwest Quarter of Section 5,  
 T.2N., R.1E., B.M., Ado County, Idaho.

Job No. 21-360  
 Sheet No. 1  
 Dwg. Date 7/13/2022







C. Landscape Plans (date: 7/29/2022)



**HADLER SUBDIVISION**  
 MERIDIAN, ID PRELIMINARY PLAT LANDSCAPE PLAN

**CIVIL ENGINEER**  
 CHAL PROVISIONAL, PLLC  
 BEN THOMAS  
 1243 E. ORION BLVD, STE 101  
 BOISE, IDAHO 83712

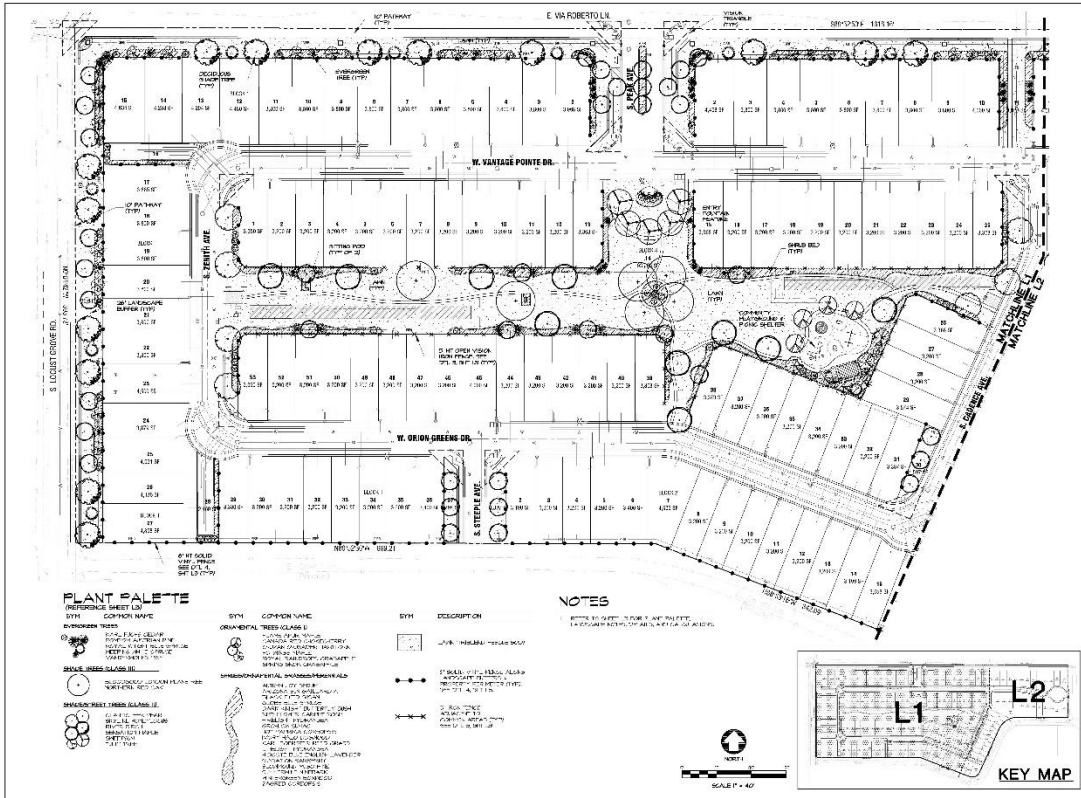
**DEVELOPER**  
 DEVOL, LLC  
 JIM CONGER  
 4824 W. FARMVIEW AVE.  
 BOISE, IDAHO 83706

**JULY 29, 2022**  
 NORTH  
 SCALE 1" = 50'



Site Planning / Landscape Architecture  
 4824 W. Farmview Ave., Ste 101 Boise, ID 83706  
 PH: 406.446.0100





Sheet Description Date  
 101.2 1/1/22

**JENSEN BILLITS**  
 ARCHITECTS

216 North  
 Landscape Architects  
 1025 S. 10th St., Ste. 100  
 Meridian, ID 83452  
 208.333.1111  
 www.jensenbillits.com

**HADLER SUBDIVISION  
 PRELIMINARY PLAT LANDSCAPE  
 MERIDIAN, IDAHO**

Job Number 2001

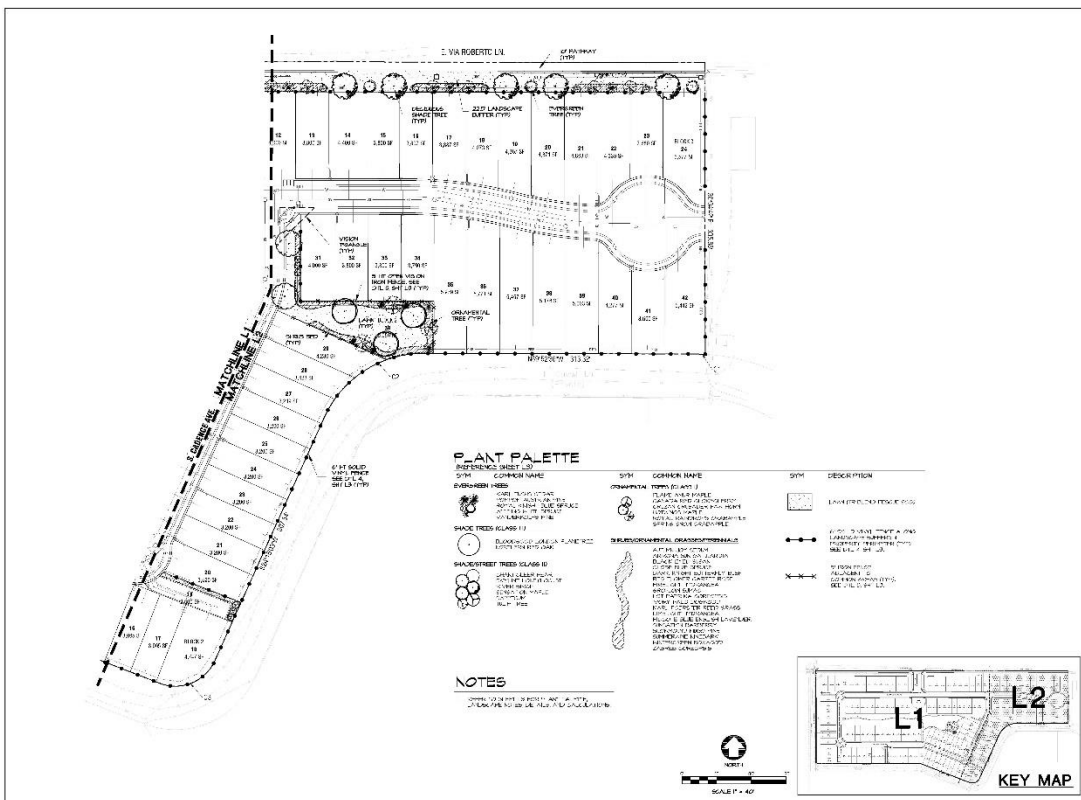
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 JMB ASB/DM

Scale AS SHOWN

Sheet Title  
**LANDSCAPE  
 PLAN**

Sheet Number  
**L1**

1 of 3 Sheets



Sheet Description Date  
 101.2 1/1/22

**JENSEN BILLITS**  
 ARCHITECTS

216 North  
 Landscape Architects  
 1025 S. 10th St., Ste. 100  
 Meridian, ID 83452  
 208.333.1111  
 www.jensenbillits.com

**HADLER SUBDIVISION  
 PRELIMINARY PLAT LANDSCAPE  
 MERIDIAN, IDAHO**

Job Number 2001

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 JMB ASB/DM

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Sheet Title  
**LANDSCAPE  
 PLAN**

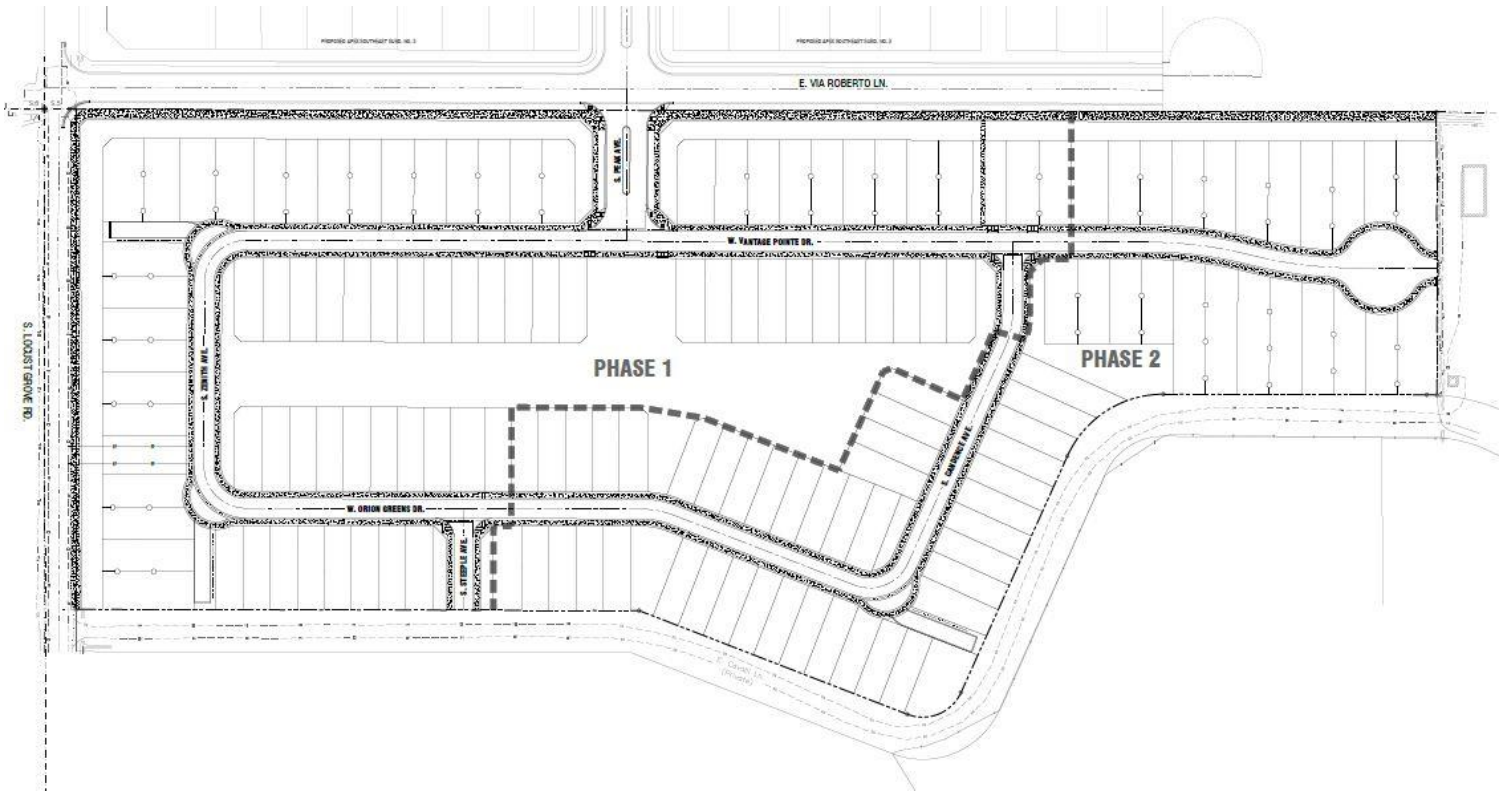
Sheet Number  
**L2**

2 of 3 Sheets

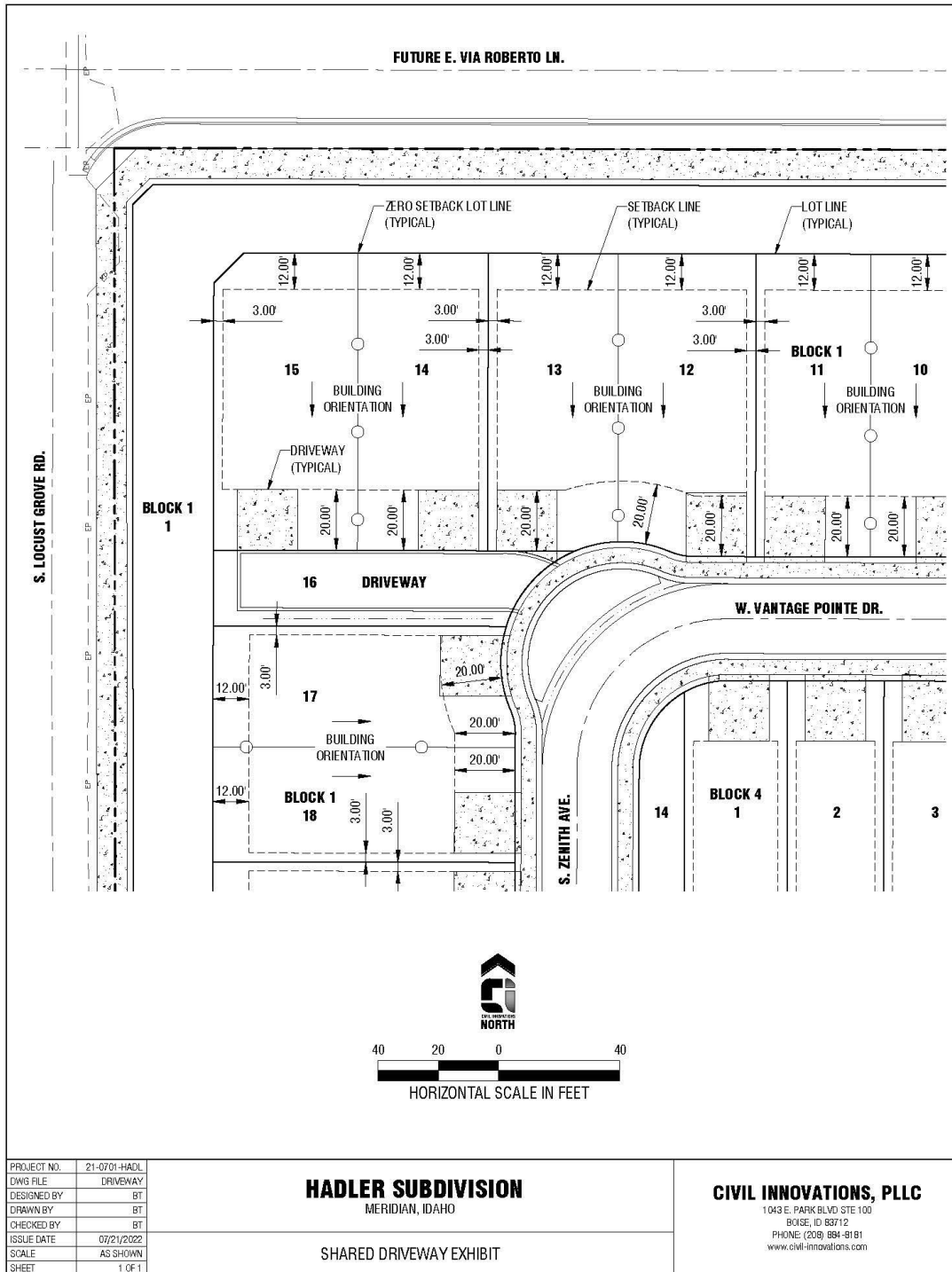
### D. Open Space Exhibit:



E. Phasing Plan:



F. Common Drive Exhibits:



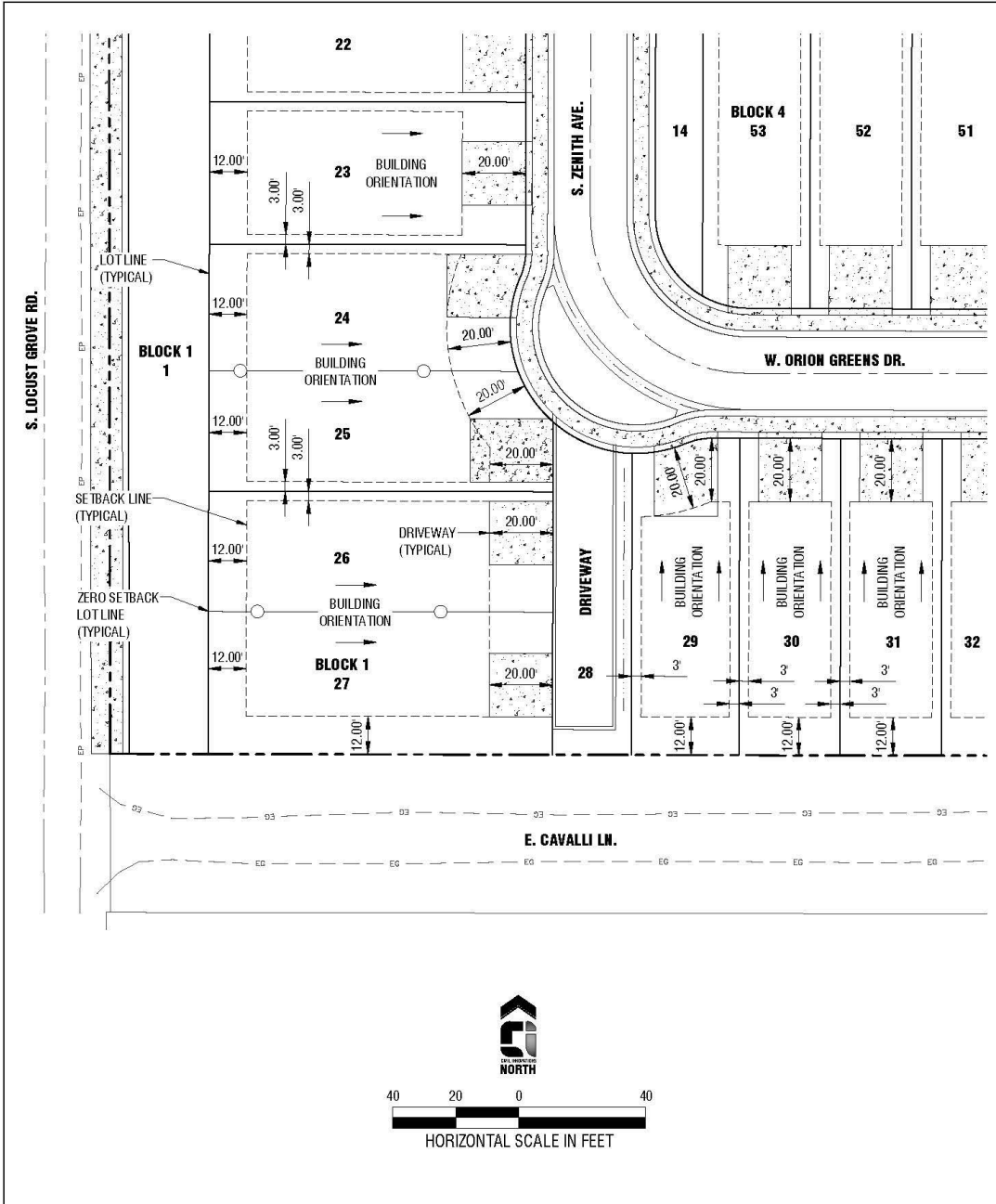
PROJECT NO.	21-0701-HADL
DWG FILE	DRIVEWAY
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	07/21/2022
SCALE	AS SHOWN
SHEET	1 OF 1

**HADLER SUBDIVISION**  
MERIDIAN, IDAHO

SHARED DRIVEWAY EXHIBIT

**CIVIL INNOVATIONS, PLLC**

1043 E. PARK BLVD STE 100  
BOISE, ID 83712  
PHONE: (208) 894-9181  
www.civil-innovations.com



PROJECT NO.	21-0701-HADL
DWG FILE	DRIVEWAY
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	07/21/2022
SCALE	AS SHOWN
SHEET	1 OF 1

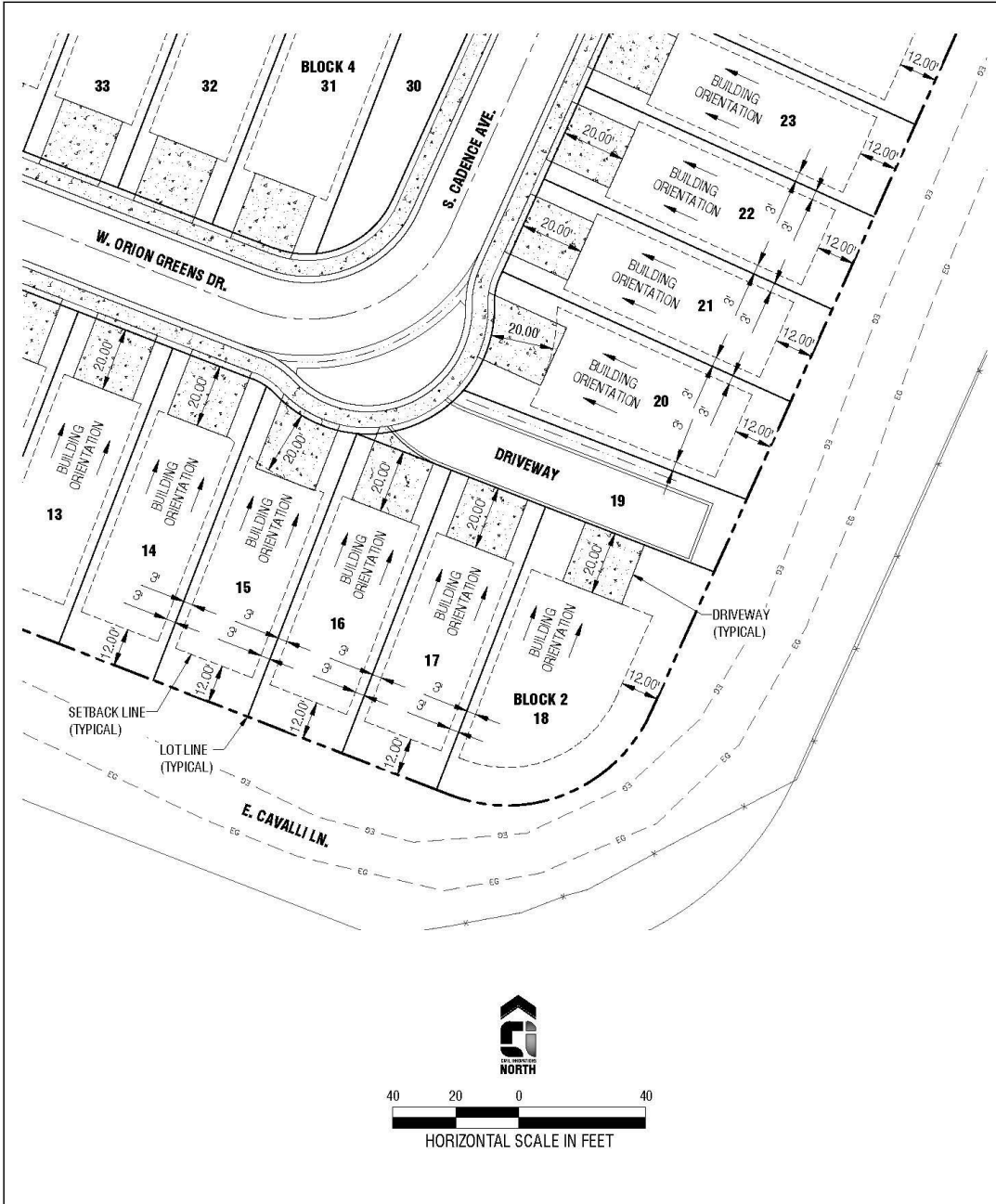
**HADLER SUBDIVISION**  
MERIDIAN, IDAHO

SHARED DRIVEWAY EXHIBIT

**CIVIL INNOVATIONS, PLLC**

1043 E. PARK BLVD STE 100  
BOISE, ID 83712  
PHONE: (208) 884-8181  
www.civil-innovations.com





PROJECT NO.	21-0701-HADL
DWG FILE	DRIVEWAY
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	07/21/2022
SCALE	AS SHOWN
SHEET	1 OF 1

**HADLER SUBDIVISION**  
MERIDIAN, IDAHO

SHARED DRIVEWAY EXHIBIT

**CIVIL INNOVATIONS, PLLC**

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PHONE: (208) 884-8181  
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G. Conceptual Building Elevations



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s)/developer at the time of annexation ordinance adoption, and the developer. **A final plat will not be accepted until the DA is executed and the Annexation and Zoning ordinance is approved by City Council.**

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

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, common drive exhibits, and conceptual building elevations included in Section VII and the provisions contained herein.
- b. The existing home and outbuildings shall be removed upon phase 1 development, as proposed.
- c. The rear and/or sides of homes visible from S. Locust Grove and E. Via Roberto Lane (Lots 2-27, Block 1 & Lots 2-24, Block 3) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

#### **Preliminary Plat Conditions:**

2. The preliminary plat included in Section VII.B, dated October 18, 2022, shall be revised as follows prior to submitting for Final Plat approval:
  - a. Replace Lots 28 & 29, Block 2 with an additional stub street to the southeast property boundary for future vehicular and pedestrian connectivity.
  - b. Direct lot access to S. Locust Grove and E. Via Roberto Lane is prohibited except for the emergency access to Locust Grove and the approved access to Via Roberto, in accord with UDC 11-3A-3.
  - c. Add a plat note stating that Lot 23, Block 1 is a non-buildable lot until such time that an additional Fire approved public street connection is provided.
  - d. Consistent with ACHD conditions of approval, provide traffic calming measures along W. Vantage Point Drive to help mitigate its long and straight design.
  - e. Depict the 10-foot pathway along S. Locust Grove to be located within the required 25-foot street buffer and located at least four (4) feet outside of the ultimate ROW to ensure the pathway remains detached, consistent with UDC 11-3B-7C.1a.
3. The landscape plan included in Section VII.C, dated July 29, 2022, shall be revised as follows prior to submitting for Final Plat approval:
  - a. Revise the landscape plan to match the revisions made to the street section of Vantage Pointe Drive on the latest preliminary plat.

- b. Make the necessary revisions to the landscape plans to match the plat revisions noted above in VIII.A2.
  - c. Depict the 10-foot pathway along S. Locust Grove to be located within the required 25-foot street buffer and located at least four (4) feet outside of the ultimate ROW to ensure the pathway remains detached, consistent with UDC 11-3B-7C.1a.
4. Prior to the Commission hearing, the Applicant shall provide evidence that the proposed street buffers are qualified open space OR apply for Alternative Compliance prior to the City Council hearing to request a reduction to the amount of qualified open space required.
  5. Prior to the Commission hearing, the Applicant shall provide a parking exhibit showing available parking within the subject development.
  6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district.
  7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
  8. The Applicant shall comply with all ACHD conditions of approval.
  9. The Applicant shall ensure the irrigation ditch along the north boundary is tiled and/or relocated consistent with UDC 11-3A-6 standards.
  10. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
  11. Prior to the City Engineer's signature on each final plat, a 14-foot wide public pedestrian easement shall be submitted to the Planning Division and recorded for the multi-use pathways along S. Locust Grove and E. Via Roberto as required by the Park's Department, unless ACHD requires an easement within their right-of-way.
  12. Prior to applying for building permits, Administrative Design Review is required to be submitted and approved by the Planning Division for the proposed single-family attached units.
  13. 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.
  14. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

**B. PUBLIC WORKS**

**SITE SPECIFIC CONDITIONS:**

1. Must provide sewer to and through to parcel R7406180010.
2. Ensure no sewer services pass through infiltration trenches.
3. There currently are no water mains to the site. Water will be coming from the Apex Southeast Development.
4. Water and sewer in parallel require a minimum 30' easement. Easement width may be greater depending on sewer depth.

5. Where water ties into existing line in E. Via Roberto Ln two vales are required.
6. As part of Apex Southeast, a 12" water main will be brought to the corner of Locust Grove and Via Roberto Ln. Extend 12" water main down Locust Grove to southern property boundary.
7. A second connection to the 12" water main in Locust Grove is required. The City would prefer this connection be made in E. Cavalli Ln with an easement.
8. Must install water blow-off per SD W13 at eastern boundary along Vantage Pointe Dr. and at the southern boundary at Steeple Ave. See changemarks on sheet PE.200 for additional details.
9. At, the corner of Cadence Ave and Orion Greens Drive, the water mains have multiple odd bends; remove unnecessary bends in said water main.
10. Water and sewer at the corner of Zenith Ave and Vantage Pointe needs to be laid out differently. The current configuration adds an extra sewer manhole that isn't needed, multiple water fittings that are not needed, and a sewer service in a common lot when the house access is not from the common lot. See the uploaded "Water and Sewer Comments" pdf for suggestions of a better configuration.
11. Near the common driveway at the southeast corner of the site there is a water service running across a private property that is not being serviced by the meter. The meter should be located in the landscaping area of the common driveway. See changemarks on sheet PE.200.
12. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection, there are shallow cemented soils across the site. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. Applicant should adhere to recommendations including the installation of foundation drains, and the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. Foundation drains are not allowed to drain into the sanitary sewer system, nor the trench backfill for the sewer and/or water service lines.

**GENERAL CONDITIONS:**

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.

5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
7. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. 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.
15. The 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.
16. 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.
17. 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.

18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting ([http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272)). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. 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-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. 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.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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 development plan approval.
24. 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.

**C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275369&dbid=0&repo=MeridianCity>

**D. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276691&dbid=0&repo=MeridianCity&cr=1>

**E. MERIDIAN POLICE DEPARTMENT (MPD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275370&dbid=0&repo=MeridianCity&cr=1>

**F. BOISE PROJECT BOARD OF CONTROL (BPBC)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276388&dbid=0&repo=MeridianCity>

**G. MERIDIAN PATHWAYS – CONDITIONS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275182&dbid=0&repo=MeridianCity>

**H. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278590&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

**A. Annexation and Zoning (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;**

*Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-15 zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-15 zoning district and is consistent with the purpose statement of the requested zone.*

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

*Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare should all conditions of approval be met.*

**4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and**

*Staff finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.*

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

*Staff finds the annexation is in the best interest of the City.*

**B. Preliminary Plat Findings:**



In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

**1. The plat is in conformance with the Comprehensive Plan;**

*Staff finds that the proposed plat is in general compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)*

**2. Public services are available or can be made available and are adequate to accommodate the proposed development;**

*Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)*

**3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;**

*Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.*

**4. There is public financial capability of supporting services for the proposed development;**

*Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)*

**5. The development will not be detrimental to the public health, safety or general welfare; and,**

*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property.*

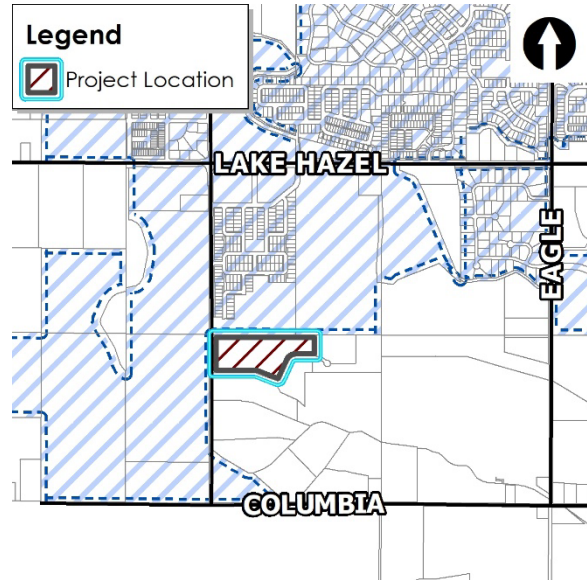
**6. The development preserves significant natural, scenic or historic features.**

*Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.*

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 11/3/2022  
 TO: Planning & Zoning Commission  
 FROM: Joe Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: H-2022-0064  
 Hadler Neighborhood  
 LOCATION: Located at 7200 S. Locust Grove Road, approximately 1/2 mile south of the Locust Grove and Lake Hazel intersection on the east side of Locust Grove, in the N 1/2 of the SW 1/4 of Section 5, Township 2N, Range 1E.



**I. PROJECT DESCRIPTION**

Request for Annexation and Zoning of approximately 20.5 acres of land from RUT to the R-15 zoning district and a Preliminary Plat consisting of 145 building lots (52 single-family attached lots & 93 detached single-family lots) and 11 common lots on approximately 20 acres of land in the requested R-15 zoning district, by Laren Bailey, Conger Group.

**II. SUMMARY OF REPORT**

A. Project Summary

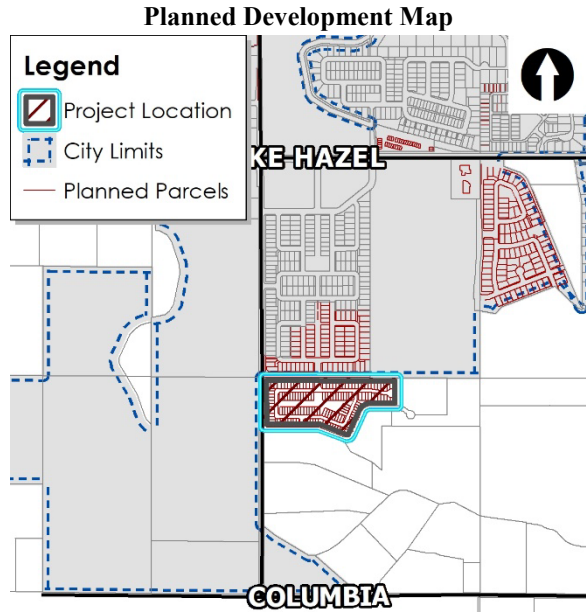
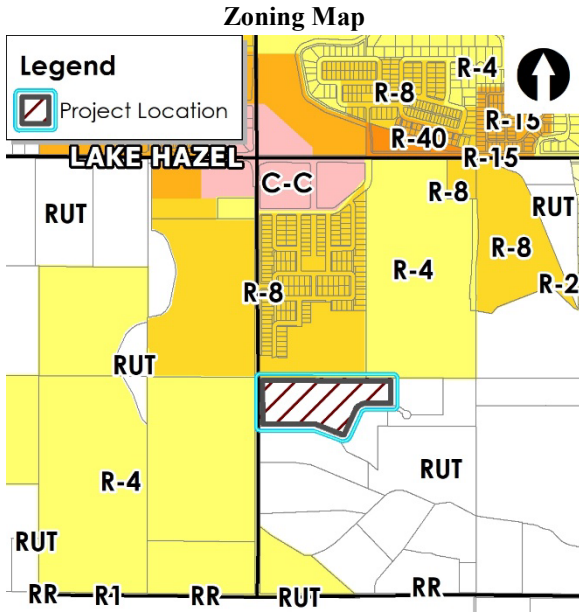
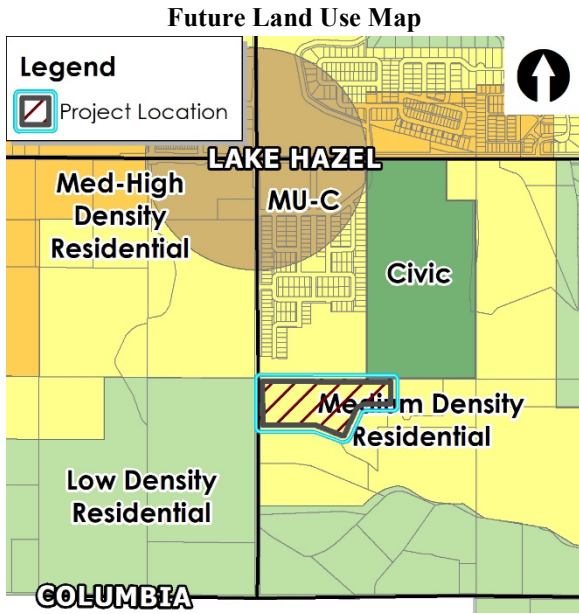
Description	Details	Page
Acreage	AZ – 20.5 acres; PP – 20 acres	
Future Land Use Designation	Medium Density Residential (MDR, up to 3-8 du/ac)	
Existing Land Use(s)	County residential	
Proposed Land Use(s)	Detached Single-family Residential and Attached Single-family Residential	
Lots (# and type; bldg./common)	156 total lots – 145 residential building lots and 11 common lots	
Phasing Plan (# of phases)	Proposed as two (2) phases	
Number of Residential Units	145 single-family units (52 attached, 93 detached)	
Density	Gross – 7.25 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	Approximately 3.5 acres of open space proposed (approximately 17.5%)	

Description	Details	Page
Amenities	Four (4) qualifying amenities are proposed worth 11 amenity points – picnic area, playground, a water feature (fountain), and multi-use pathway segments.	
Neighborhood meeting date	July 21, 2022	
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via new local street connections to E. Via Roberto Lane, a new collector street along the entire north boundary. Via Roberto connects to S. Locust Grove (arterial street) at the northwest corner of the property. This collector street is not yet constructed; the adjacent developer (Brighton) is approved to construct this collector with their project (Apex Southeast) to the north of the subject site.	
Stub Street/Interconnectivity/Cross Access	No existing stub streets. Applicant is proposing two stub streets with this project; one to the northeast corner and one to the southern boundary.	
Existing Road Network	No	
Capital Improvements Plan/Integrated Five Year Work Plan	<p>Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Locust Grove Road to Eagle Road in 2022.</p> <p>Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road and includes a roundabout at the Eagle Road and Taconic Drive intersection in 2024.</p> <p>The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023.</p> <p>Lake Hazel Road is listed in the CIP to be widened to 5-lanes from SH-69 to Locust Grove Road between 2036 and 2040.</p>	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> <li>Fire Response Time</li> <li>Accessibility</li> </ul>	<p>4.1 miles from Fire Station #4—within 1 mile of Fire Station #7, currently under construction.</p> <p>The project currently lies <i>outside</i> of the Meridian Fire response time goal of 5 minutes. <b>It will be within the response time goal once Station #7 is constructed in summer of 2023.</b></p> <p>Proposed project meets all required road widths and turnaround dimensions including a secondary emergency access to construct more than 30 homes.</p>	
Water & Wastewater		
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	<p>See Public Works Site Specific Conditions in Section VIII.</p> <p><b>NOTE: Water and Sewer are currently not available and must be provided to project by adjacent development to the north, Apex Southeast, but the third and final phase of Apex Southeast is approved.</b></p>	

C. Project Area Maps



**III. APPLICANT INFORMATION**

**A. Applicant:**

Laren Bailey, Conger Group – 4824 W. Fairview Avenue, Boise, ID 83706

**B. Property Owner:**

Blackcat1 LLC – 1979 N. Locust Grove, Meridian, ID 83646

- C. Representative:  
Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/19/2022	
Radius notification mailed to properties within 500 feet	10/13/2022	
Site Posting	10/21/2022	
Nextdoor posting	10/13/2022	

**V. STAFF ANALYSIS**

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

Medium Density Residential (MDR) – This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

*The subject 20 acres currently contains a large home and other outbuildings with access being from a private driveway to Locust Grove in the location of the future Via Roberto Lane. The subject site is abutted by an arterial street to the west, S. Locust Grove, and a future collector street along the north, E. Via Roberto Lane. Access to the site is proposed via a new local street access to Via Roberto in alignment with an approved access on the north side of the street within Apex Southeast Subdivision. Abutting the property to the east and south are large county parcels that share the same future land use designation of MDR. The City’s newest park, Discovery Park, abuts the property at the northeast corner of the site offering close proximity to one of the largest parks in Meridian.*

*The Applicant is proposing 145 building lots on 20 acres of land within the R-15 zoning district which constitutes a gross density of 7.25 units per acre, near the maximum density allowed within the MDR designation. For comparison, the adjacent project to the north, Apex Southeast (H-2020-0057), was approved with approximately 3.7 du/ac and an average lot size of approximately 7,000 square feet, compared to 3,600 square foot average lot size within this development. Staff notes these development facts of the adjacent project because it shares the same future land use designation of MDR but also includes an area of mixed-use designation while proposing a less dense project. It should be noted that the Applicant is proposing new housing types for this area of this City and is proposing a higher open space percentage for the project than what was proposed with Apex Southeast.*

*The adjacent county parcels to the south and east do not contain a residence and instead are used as pasture for rescued horses. Because of this, Staff does not find it necessary for this Applicant to transition the housing density adjacent to these properties. However, Staff does have concerns with the proposed street layout in regards to the stub street locations. The Applicant is proposing a stub street near the north east corner of the property which is a logical and needed location. The Applicant is also proposing a stub street to the south boundary for future connectivity that Staff does not have concern with. Staff is concerned with the existing property layout of the adjacent county parcels in relation to the proposed stub streets. Specifically, Staff believes an additional stub street should be added along the southeast*

*boundary in place of Lots 28 & 29, Block 2. Adding this stub street will provide for two stub streets to properties currently owned by the same entity and will not force future road development to avoid such a long stretch of property line without an intersecting street.*

*In addition to vehicular connectivity, the Comprehensive Plan desires safe and adequate pedestrian connectivity through and between developments and to-and-from public spaces, like Discovery Park to the northeast. The proposal to include a micro-path from an internal local street to Via Roberto, the collector street along the north boundary, is consistent with the Comprehensive Plan. In alignment with this, the noted revision to add a stub street in this location would also allow for better pedestrian connectivity in this area of the site from the southeast through this development and up to Discovery Park. Furthermore, it allows for the noted open space lot (Lot 30, Block 2) to be fronted by two public streets to increase its visibility and remove the additional concern of this area being a remnant area tucked away in a corner behind building lots. The Comprehensive Plan has specific policies related to these types of design elements (see 4.11.03) that support Staff's position.*

*This revision would add both a vehicular and a pedestrian connection between future subdivisions when the properties to the east and south redevelop—Staff has met with the owner of the property to the southeast and they have a desire to include connectivity and open space adjacent to the noted open space of this subject project so Staff finds it even more prudent to include this stub street in this area.*

*It is also important to note the Applicant is proposing two housing types within the Hadler Neighborhood project, single-family detached and single-family attached (two units attached but on separate building lots). The addition of different lot sizes and housing types is a plus for this project and this general area as it introduces a different housing type in this area of the City. However, Staff has some concerns with parking because of the combination of the proposed density, that most of the proposed building lot frontages are relatively small (32-38 feet wide) when a 20-foot wide driveway is presumed for each lot, and because the Applicant is proposing a 27-foot wide section that allows parking on only one side of the street and not both. **The Commission or Council should determine if a solution is needed and if so, one option that could help is to require a wider minimum lot frontage than what is currently being proposed. At a minimum, the Applicant should provide a parking exhibit showing where guest parking could occur for this development and quell any concerns of a street section allowing on-street parking on one side versus both sides.***

*With Staff's recommended revisions, Staff finds the proposed project to be generally consistent with the Comprehensive Plan, as discussed above. Specific Comprehensive Plan policies are discussed and analyzed below.*

The City may require a development agreement (DA) in conjunction with an annexation and rezone pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA that encompasses the land proposed to be annexed and zoned with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone and annexation approval. **A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.***

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

In alignment with the discussion above, Staff finds the following Comprehensive Plan policies applicable to this project; additional staff analysis to the specific policy may be warranted and is in italics:

- “Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *City water & sewer are not currently available to the site; both sewer and water must be made available to this site by the developer of Apex Southeast to the north. Public works has discussed the requirements and outlined the path to receiving services in the Public Works specific conditions in Section VIII.B. Fire Station #7 will be within ½ mile of the project and the project will be located wholly within the response time goal of the City—Station #7 is slated to be completed in later Summer 2023.*

*The subject site lays within the Kuna School District and not the West Ada School District. City Staff reached out to the Kuna School District for the purpose of obtaining a response to this project as they have not opted into our automatic transmittals. According to this interaction between Staff, all of their schools are over capacity and they have stated they cannot accommodate additional school-aged children. However, Kuna School District Staff have not submitted any formal comments and Staff is not aware of development slowing in Kuna due to these school capacity issues. The subject site is within walking distance of Discovery Park to the northeast which provides for a multitude of recreation opportunities.*

*Staff finds that the existing and planned development of the immediate area create appropriate conditions for levels of service to and for this proposed project.*

- “Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian's present and future residents.” (2.01.02D).
- “With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A).
- “Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F).
- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City. (2.01.01G).
- “Elevate and enhance the quality and connectivity of residential site and subdivision planning.” (2.02.01).
- “Support construction of multi-use facilities that can be used by both schools and the community.” (2.03.01B).
- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A).
- “Ensure that new development and subdivisions connect to the pathway system.” (4.04.01A). *The Applicant is proposing regional pathways along its west and north boundaries to total approximately 2,212 linear feet of pathway (nearly half a mile).*
- “Provide options for passive recreational opportunities not typically supplied by parks and facilities such as jogging, walking, and bicycling.” (4.04.01B). *Applicant is proposing micro-paths within the large central open space that have efficient access to the proposed regional pathway network around the perimeter of the project creating ample opportunity for these passive recreational elements.*

- “Work with public and private development and management groups to promote and implement Crime Prevention through Environmental Design (CPTED) strategies.” (4.11.03). *For the most part, Staff finds the project complies with this policy. The exception is the noted area along the southeast boundary (Lot 30, Block 2) that Staff is recommending be opened up more and be fronted by two public streets by adding an additional stub street to the southeast boundary. Currently, this area is largely tucked behind buildable lots which decreases its visibility from the public street, an integral point CPTED strategies aim to alleviate. If the Applicant replaces Lots 28 & 29 with a stub street and slightly increases the green space, this issue is resolved.*
- “Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C).

***Staff finds the aforementioned analysis and policies in general makes the project consistent with the Comprehensive Plan.***

C. Existing Structures/Site Improvements:

According to GIS imagery, there is an existing large home and other outbuildings that will be removed upon development of Hadler Neighborhood. No other site improvements are known.

D. Proposed Use Analysis:

The proposed use is detached single-family and attached single-family residential with a minimum lot size of approximately 3,000 square feet and an average lot size of approximately 3,600 square feet, based on the submitted plat (Exhibit VII.B). These residential uses are permitted uses in the requested R-15 zoning district per UDC Table 11-2A-2. The Applicant has noted the development is expected to develop in two phases with the number of lots in each phase appearing to be similar (Applicant has not provided the actual lot numbers within each phase but the exhibit appears to show slightly more lots in phase 1 than in phase 2). Because the only public road access allowed for this development is from Via Roberto, no more than 30 homes can be constructed. Therefore, the Applicant has proposed a temporary emergency access within phase 1 located on a future building lot, Lot 23, Block 1, along the west boundary. Meridian Fire has approved this temporary emergency access to allow more than 30 homes to be constructed off of one access.

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

The residential lots are shown to meet all UDC dimensional standards per the submitted plat. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). All lots are shown to meet the minimum lot size requirement of 2,000 square feet. There is no minimum street frontage requirement for the R-15 zoning district so, as discussed above, the Applicant is proposing lots with either 32 feet or 38 feet of frontage with a few lots having slightly more frontage. The Applicant is also proposing three (3) common drives within the development; two along the west boundary and one at the southeast corner of the project.

*The three (3) proposed common drives depict 3 lots taking access from each of them and include at least 5 feet of landscaping adjacent to the abutting lot not taking access from the common drive. The proposed common drive design complies with UDC 11-6C-3D requirements.*

*The Applicant is proposing the north east-west local street (shown as W. Vantage Pointe Drive) within the project to be a long, relatively straight roadway. This street is shown with two intersecting streets on it which allows it to comply with UDC 11-6C-3 requirements for block length measurement. However, the overall roadway is still long and straight. For this reason,*



*ACHD is requiring traffic calming along this street with future final plat submittals. Staff agrees with this and is recommending a condition of approval consistent with the ACHD condition.*

F. Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)):

The Applicant submitted conceptual building elevations for the proposed homes. Note that detached single-family homes do not require Design Review approval but the single-family attached single-family homes do require administrative design review approval prior to building permit submittal. The Applicant is required to submit this Design Review and obtain Planning approval before building permit submittal.

*The submitted elevations depict varying roof profiles and colors with the same or similar field materials of lap siding and stone accents for the detached homes. All of the attached single-family elevations depict single-story homes with lap siding and stone accents. Overall, Staff finds the submitted elevations to comply with the minimum standards but hopes future elevations depict more variation in finish materials to help delineate the building facades along public streets.*

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

Access is proposed via a new local street (shown as S. Peak Avenue) connection to E. Via Roberto on the south side of this roadway in alignment with the approved collector street access to the Apex Southeast Subdivision on the north side of Via Roberto. Via Roberto is approved to be constructed with the Apex Southeast development except for the required detached sidewalk on the Hadler side of the street. ACHD has approved the Applicant's proposal to complete Via Roberto with 8-foot parkway and detached 10-foot pathway its south side but notes if Brighton does not complete Via Roberto consistent with their approvals, Hadler is required to construct Via Roberto as half of a 36-foot wide collector street plus an additional 12 feet of pavement.

*There are no existing stub streets adjacent to the site as Via Roberto is not yet constructed. The Applicant is proposing two stub streets according to the submitted plat; one near the north east corner of the property and one to the south boundary near the southwest area of the project. Staff has no concern with the two proposed stub streets or their locations. However, as noted within the Comprehensive Plan section above, Staff is recommending an additional stub street be added in place of Lots 28 & 29, Block 2. Adding this stub street will provide for two stub streets to properties currently owned by the same entity to the east and will not force future road development to avoid such a long stretch of property line without an intersecting street (the south/southeast boundary of this project). This revision would likely result in the loss of one building lot and remove one common drive from the project, two points that Staff finds are positive consequences of improving future road connectivity in this area.*

The Applicant is proposing two different street sections within this development, a 27-foot and a 33-foot street section; both have been approved by ACHD as both are considered standard street sections. The 33-foot street section is proposed for the segment of E. Vantage Point Drive east of the access to Via Roberto along the north half of the site and for the stub street to the south boundary. All other streets are proposed with the 27-foot street section that allows parking on only one side of the street where no driveways exist. Staff notes the Applicant is also proposing a permanent cul-de-sac at the terminus of Vantage Point Drive at the northeast boundary because this segment of this street segment is greater than 150 feet in length. **Staff has requested a parking exhibit due to concerns with the proposed 27-foot street section in conjunction with the proposed lot widths, as discussed within the Comprehensive Plan section above. Staff anticipates the parking exhibit to show adequate parking for the development above the minimum requirements outlined in code.**

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence.

*According to the submitted elevations, each home is proposed with a two-car garage which presumes a 3 or 4-bedroom home and would require a minimum 20-foot wide driveway for each building lot. In addition, as discussed above, some of the streets within this development are proposed as 27-foot wide street sections which only allows parking on one side of the street instead of both sides as allowed on the standard 33-foot section.*

I. Sidewalks & Pathways (UDC [11-3A-17](#) & UDC [11-3A-8](#)):

5-foot wide attached sidewalks are proposed along the internal local streets consistent with UDC requirements. The Applicant is proposing a 10-foot wide detached multi-use pathway along E. Via Roberto and an attached 10-foot wide sidewalk/pathway along S. Locust Grove; the pathway widths are consistent with the UDC, the Meridian Master Pathways Plan, and exceeds ACHD requirements but the location of the sidewalk along Locust Grove does not comply with Master Pathways plan as there is a desire to detach these sidewalks/pathways along arterial streets to improve pedestrian safety. The Applicant is required to place the multi-use pathways within public access easements adjacent to the public streets unless they are within ACHD right-of-way.

*The pathway along Locust Grove appears to be attached to Locust Grove which does not comply with the UDC or Master Pathways Plan. So, the Applicant should revise the plat and landscape plan to depict this 10-foot pathway to be located within the required 25-foot buffer to Locust Grove and at least four (4) feet outside of the ultimate ROW to ensure the pathway remains detached.*

J. Landscaping (UDC [11-3B](#)):

A 25-foot wide street buffer along S. Locust Grove, an arterial street, and a 20-foot wide street buffer along E. Via Roberto, a collector street, are required and should be landscaped per the standards in UDC Table 11-3B-7C. All landscape areas should be landscaped per UDC 11-3B-5, general landscaping standards. Lastly, according to the submitted plans, the Applicant is proposing micro-paths which should be landscaped in accord with UDC 11-3B-12 standards.

*The Applicant is showing a 25-foot wide common lot along Locust Grove that is a 22.5-foot wide common lot along Via Roberto consistent with code requirements. The landscape buffers are depicted with trees in excess of code and include landscape beds with shrubs and other vegetative ground cover, consistent with UDC 11-3B-7. Therefore, Staff finds the proposed street buffers comply with all UDC requirements. In addition, all open space areas are shown with trees, sod, and other landscaping in excess of minimum code requirements.*

K. Fencing (UDC [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7.

*According to the submitted landscape plans, the Applicant is proposing 6-foot vinyl privacy fencing along the perimeter of the property and the rear lot lines and 5-foot tall wrought iron open vision fencing adjacent to any common open space areas. Both fencing types and their proposed locations comply with UDC standards.*

L. Open Space and Amenities (UDC [11-3G](#)):

The proposed project is approximately 20 acres in size requiring a minimum amount of open space based on the requested zoning. Per UDC Table 11-3G-3, the R-15 area requires a minimum

of 15% qualified open space. Per the calculations, the minimum amount of qualified open space required is 3 acres. According to the submitted plans, the Applicant is proposing 3.49 acres of qualified open space, exceeding the minimum amount required. The proposed 3.49 acres equates to approximately 17.45% qualified open space.

*The qualified open space proposed consists of ½ of the arterial street buffer to Locust Grove, the full collector street buffer to Via Roberto, the large central open space area, and*

- a. Enhanced landscaping as set forth in Article 11-3B, Landscaping Requirements;
- b. Multi-use pathways;
- c. Enhanced amenities with social interaction characteristics;
- d. Enhanced context with the surroundings.

*the smaller common open space area along the southeast boundary. However, Staff is not sure if the landscape buffers to the adjacent public streets meet the enhanced buffer requirements outlined in UDC 11-3G-3B.3 to count towards the open space. Previously, these areas automatically qualified towards the minimum open space but this is no longer the case with the latest open space code updates that desires for more than the minimum to be included within the required buffers in order to count towards the overall qualified open space for a project. The Applicant appears to comply with the first two points outlined in code but may not comply with the last two points: enhanced amenities with social interaction characteristics; and, enhanced context with the surroundings.*

***Staff recommends the Applicant provide evidence these buffers are enhanced beyond the pathway, trees, and grasses. For example, boulders, additional vegetation, decorative elements, decorative fence/walls, additional micro-pathways, etc. The burden of proof for the proposed common open space to qualify falls on the Applicant and not on Staff.***

***If these buffers do not count towards the minimum qualified open space, approximately 1 acre of land must be removed from the calculation leaving approximately 2.5 acres of qualified open space which does not comply with the minimum qualified open space requirement. Therefore, the Applicant should provide evidence that the proposed street buffers are qualified open space prior to the Commission hearing OR apply for Alternative Compliance to reduce the amount of qualified open space required due to the project's proximity to Discovery Park to the northeast.***

*The centralized open space area is depicted with playground equipment, a gazebo with picnic benches, and multiple seating areas all connected to the surrounding local streets via 5-foot wide micro-pathways. Staff supports the design of the central open space area. As discussed within the Comprehensive Plan section above, the other common open space area (Lot 30, Block 2) is approximately 9,300 square feet in size and is tucked behind multiple building lots. Staff does not have concern with the size of this open space lot but is concerned with its location being a remnant piece and tucked away. Because of these concerns, Staff recommends the adjacent Lot 29, Block 2 be removed and added to the open space lot to increase the visibility of this open space area and include an additional micro-path connection to the southeast boundary.*

UDC 11-3G-4 dictates the minimum amenity points required for projects over 5 acres in size. The project size of 20 acres requires a minimum of four (4) amenity points (1 point for every 5 acres). According to the submitted plans and narrative, the Applicant is proposing the following qualifying amenities: picnic area, playground, a water feature (fountain), and two segments of multi-use pathway equaling approximately ½ mile in length. According to UDC Table 11-3G-4, the proposed amenities amount to eleven (11) amenity points and exceed the minimum amenity point requirements for a project of this size. Staff finds the proposed amenities within this development are sufficient due to the size of the property, their proposed locations within the development, the pedestrian connectivity within the project and to and from the nearby regional park, and because of the general proximity to Discovery Park to the northeast that offers

additional recreational opportunities for future residents of this project and in this general area of the City.

M. Waterways (UDC 11-3A-6):

According to GIS imagery, there is an open irrigation ditch that runs along the shared north boundary of this site and the Apex Southeast Subdivision to the north. It is not a labeled ditch on the City's GIS and it can be presumed it is being tiled and relocated as part of the construction of Via Roberto Lane by the adjacent developer, Brighton. This Applicant is also required to comply with UDC 11-3A-6 and ensure this irrigation facility along the north boundary is tiled or relocated.

N. Utilities (*UDC 11-3A-21*):

The Applicant is proposing and is required to extend necessary public utilities for the proposed project. Public Works has reviewed the subject applications for compliance with their standards and finds them to be in general compliance except for specific conditions outlined in Section VIII.B of this report. However, it should be noted that both water and sewer services must be provided to this development through the adjacent development to the north (Apex Southeast) and are currently not available.

## VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and preliminary plat applications with the requirement of a Development Agreement per the conditions of approval in Section VIII of this report per the Findings in Section IX of this staff report.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

## VII. EXHIBITS

### A. Annexation and Zoning Legal Descriptions and Exhibit Maps



IDAHO  
SURVEY  
GROUP

9955 W Emerald St  
Boise, ID 83704

Phone: (208) 846-8570  
Fax: (208) 884-5399

#### Hadler Subdivision Annexation Description

Project Number 21-360 July 13, 2022

Lot 1, Block 1 of Rescue Ranch Subdivision (Book 106 of Plats at Pages 14734 through 14736, records of Ada County, Idaho), and a portion of the adjacent public right-of-way of S. Locust Grove Road, situated in the north half of the southwest quarter of Section 5, Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at southwest corner of Section 5, Township 2 North, Range 1 East, Boise Meridian; Thence N00°04'42"W, 2655.92 feet to the west quarter-section corner of Section 5, the POINT OF BEGINNING:

Thence S89°52'50"E, 37.00 feet along the east-west centerline of Section 5 to the east line of S. Locust Grove Road and the northwest corner of Lot 1;

Thence continuing S89°52'50"E, 1618.16 feet along the boundary of Lot 1;

Thence S00°04'42"E, 335.88 feet along the boundary of Lot 1;

Thence 12.01 feet on a non-tangent curve to the left having a radius of 225.00 feet, a central angle of 03°03'27", a chord bearing of N88°20'52"W, and a chord length of 12.01 feet along the boundary of Lot 1;

Thence N89°52'36"W, 313.32 feet along the boundary of Lot 1;

Thence 143.71 feet on a curve to the left having a radius of 125.00 feet, a central angle of 65°52'19", a chord bearing of S57°11'14"W, and a chord length of 135.93 feet along the boundary of Lot 1;

Thence S24°15'05"W, 307.54 feet along the boundary of Lot 1;

Thence 75.80 feet on a curve to the right having a radius of 50.00 feet, a central angle of 86°51'39", a chord bearing of S67°40'54"W, and a chord length of 68.75 feet along the boundary of Lot 1;

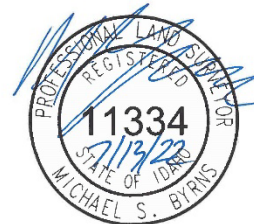
Thence N68°53'16"W, 342.09 feet along the boundary of Lot 1;

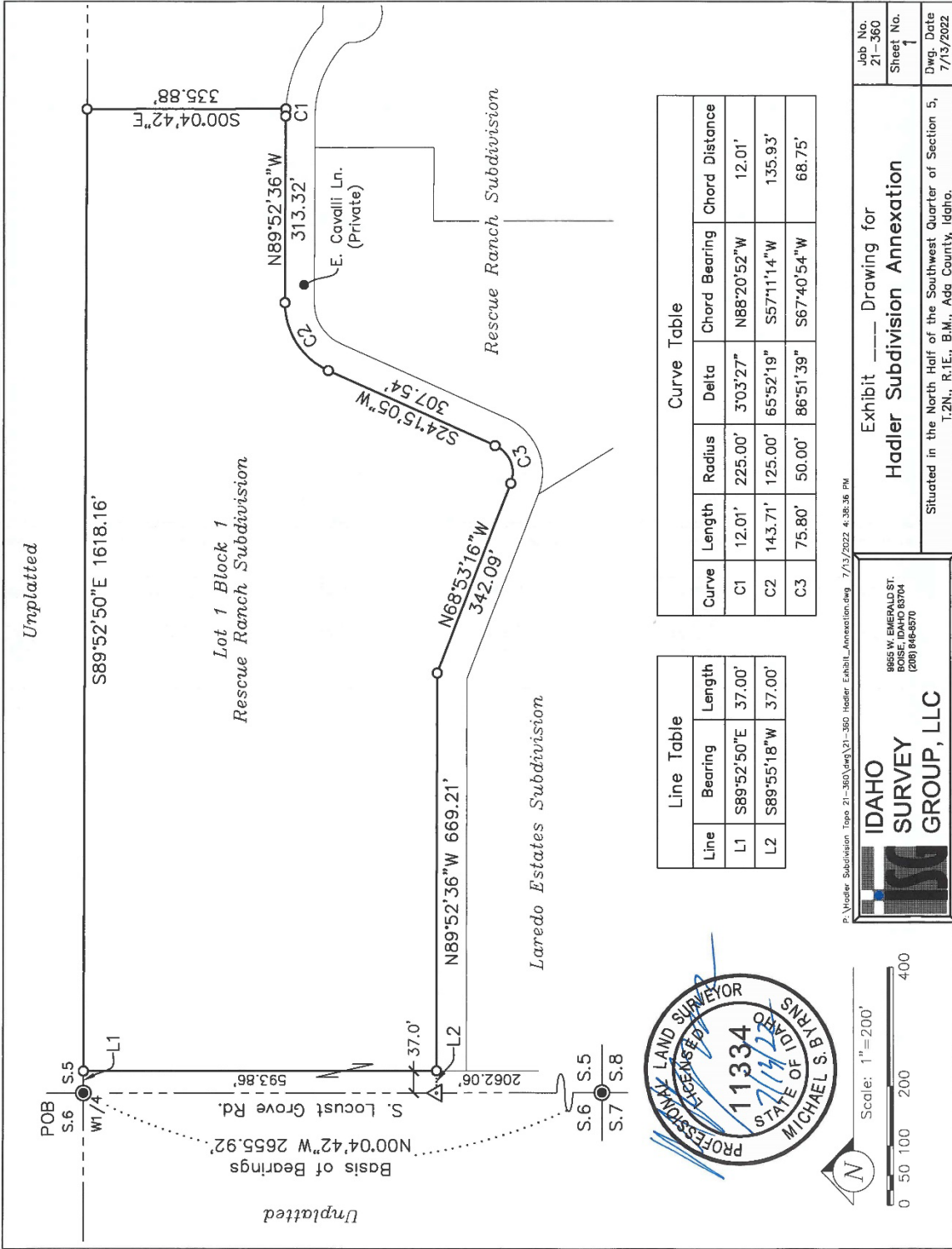
Thence N89°52'36"W, 669.21 feet along the boundary of Lot 1 to the east right-of-way line of S. Locust Grove Road;

Thence S89°55'18"W, 37.00 feet to the west line of Section 5;

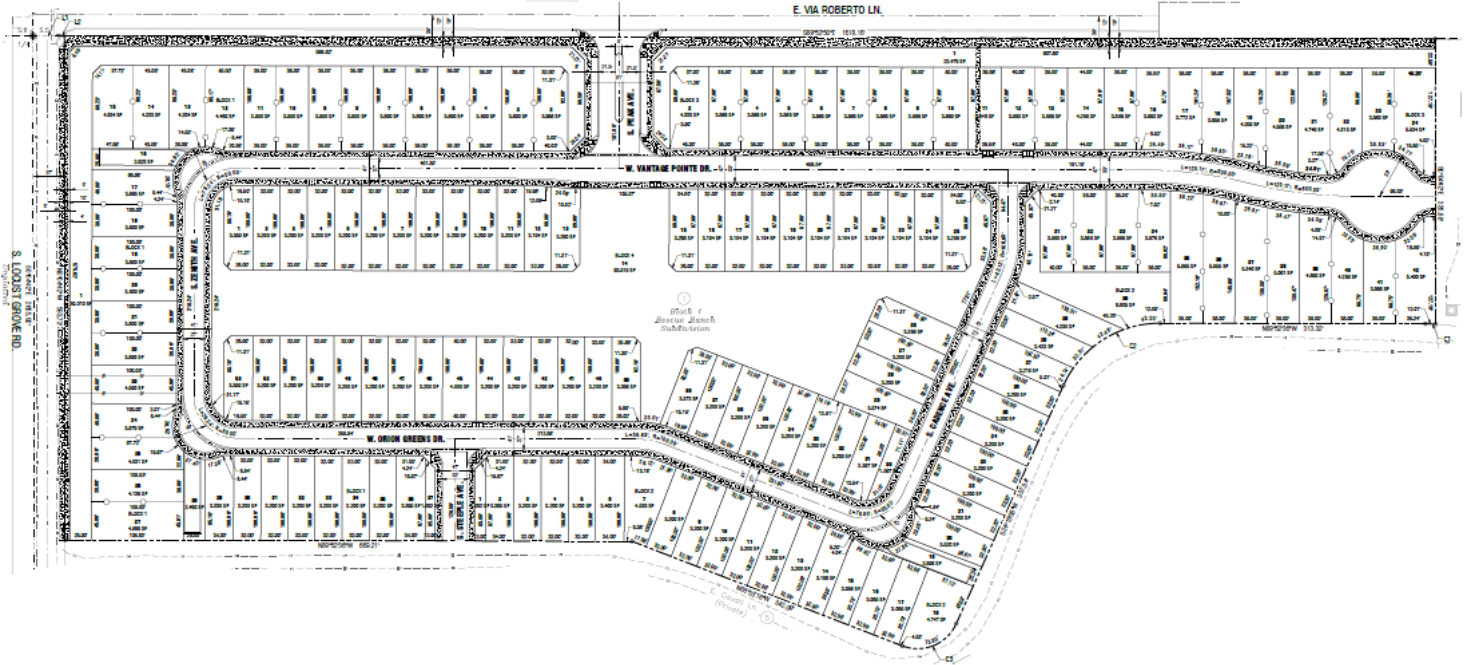
Thence N00°04'42"W, 593.86 feet along the west line of Section 5 to the POINT OF BEGINNING.

The above-described parcel contains 20.51 acres, more or less.











C. Landscape Plans (date: 7/29/2022)



**HADLER SUBDIVISION**  
 MERIDIAN, ID PRELIMINARY PLAT LANDSCAPE PLAN

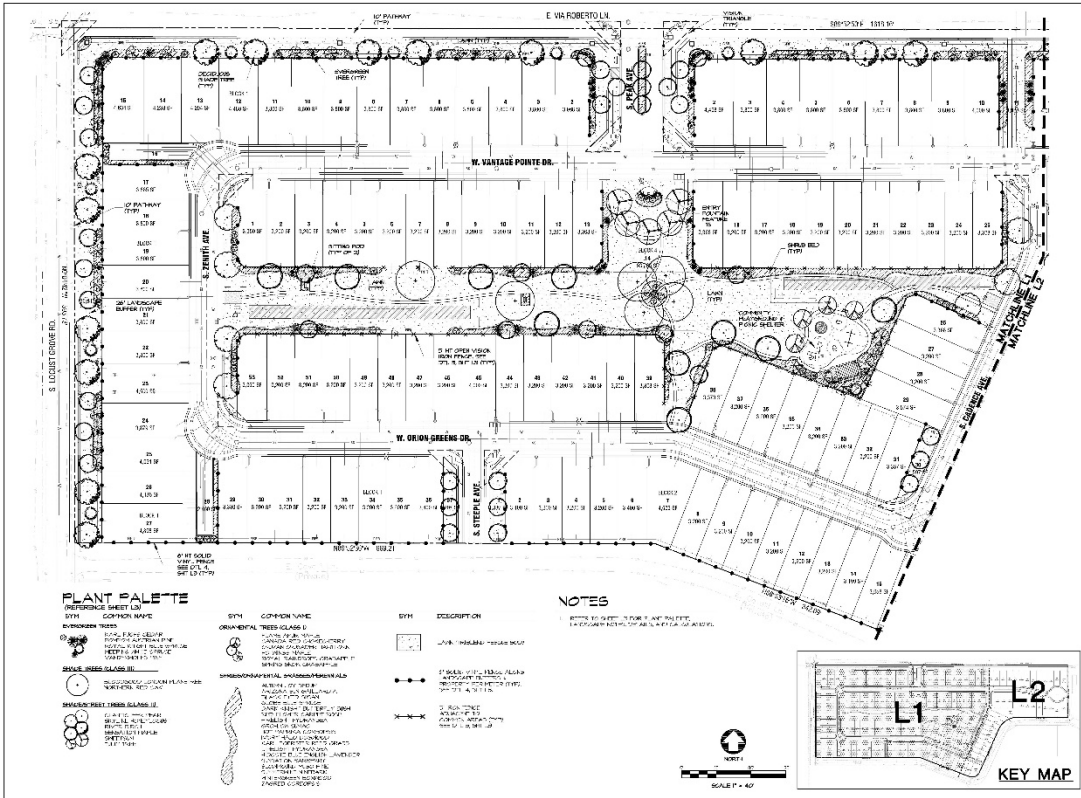
CIVIL ENGINEER  
 CHAL INNOVATIONS, PLLC  
 BEN THOMAS  
 1043 E. GARDEN BLVD, STE 101  
 BOISE, IDAHO 83712

DEVELOPER  
 DEVOL, LLC  
 JIM CONGER  
 4824 W. FARMVIEW AVE.  
 BOISE, IDAHO 83756

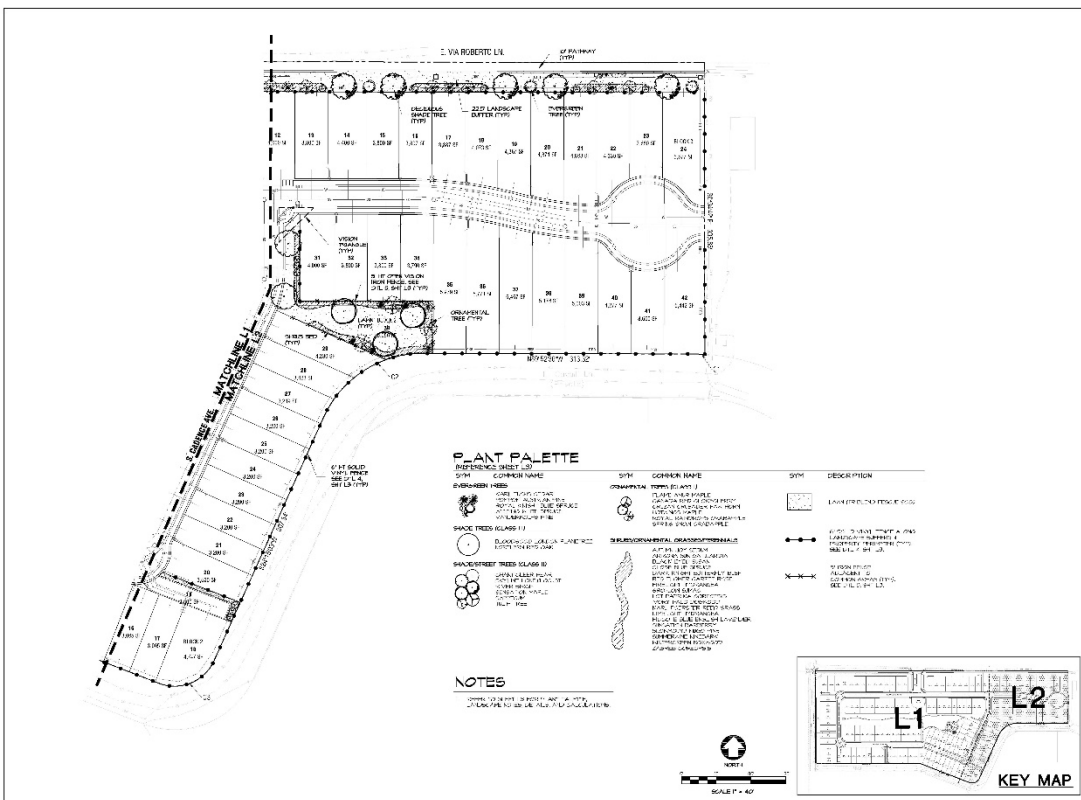
JULY 29, 2022  
 NORTH  
 SCALE 1" = 50'







Sheet Description	Date
101.2	1-11-22
 <b>JENSEN BILLYS</b> ARCHITECTURE 222 S. 10th St., Ste. 100 Meridian, ID 83450 208.333.1111 www.jensenbillys.com	
<b>HADLER SUBDIVISION</b> PRELIMINARY PLAT LANDSCAPE MERIDIAN, IDAHO	
Job Number	2201
Drawn	Checked
JAM	ASB/AM
Scale	AS SHOWN
Sheet Title	LANDSCAPE PLAN
Sheet Number	L1
1 of 3 Sheets	

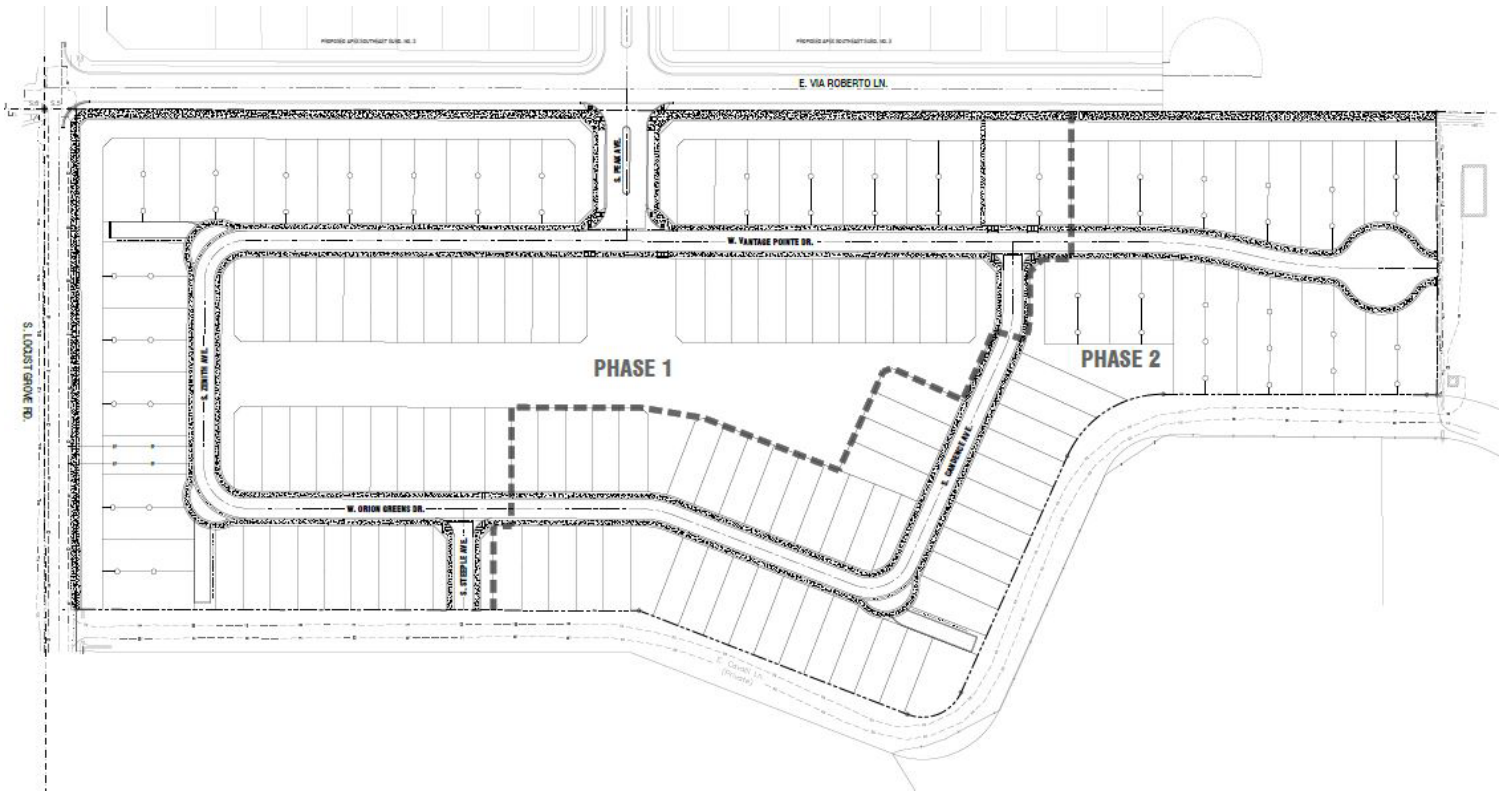


Sheet Description	Date
101.2	1-11-22
 <b>JENSEN BILLYS</b> ARCHITECTURE 222 S. 10th St., Ste. 100 Meridian, ID 83450 208.333.1111 www.jensenbillys.com	
<b>HADLER SUBDIVISION</b> PRELIMINARY PLAT LANDSCAPE MERIDIAN, IDAHO	
Job Number	2201
Drawn	Checked
JAM	ASB/AM
Scale	AS SHOWN
Sheet Title	LANDSCAPE PLAN
Sheet Number	L2
2 of 3 Sheets	

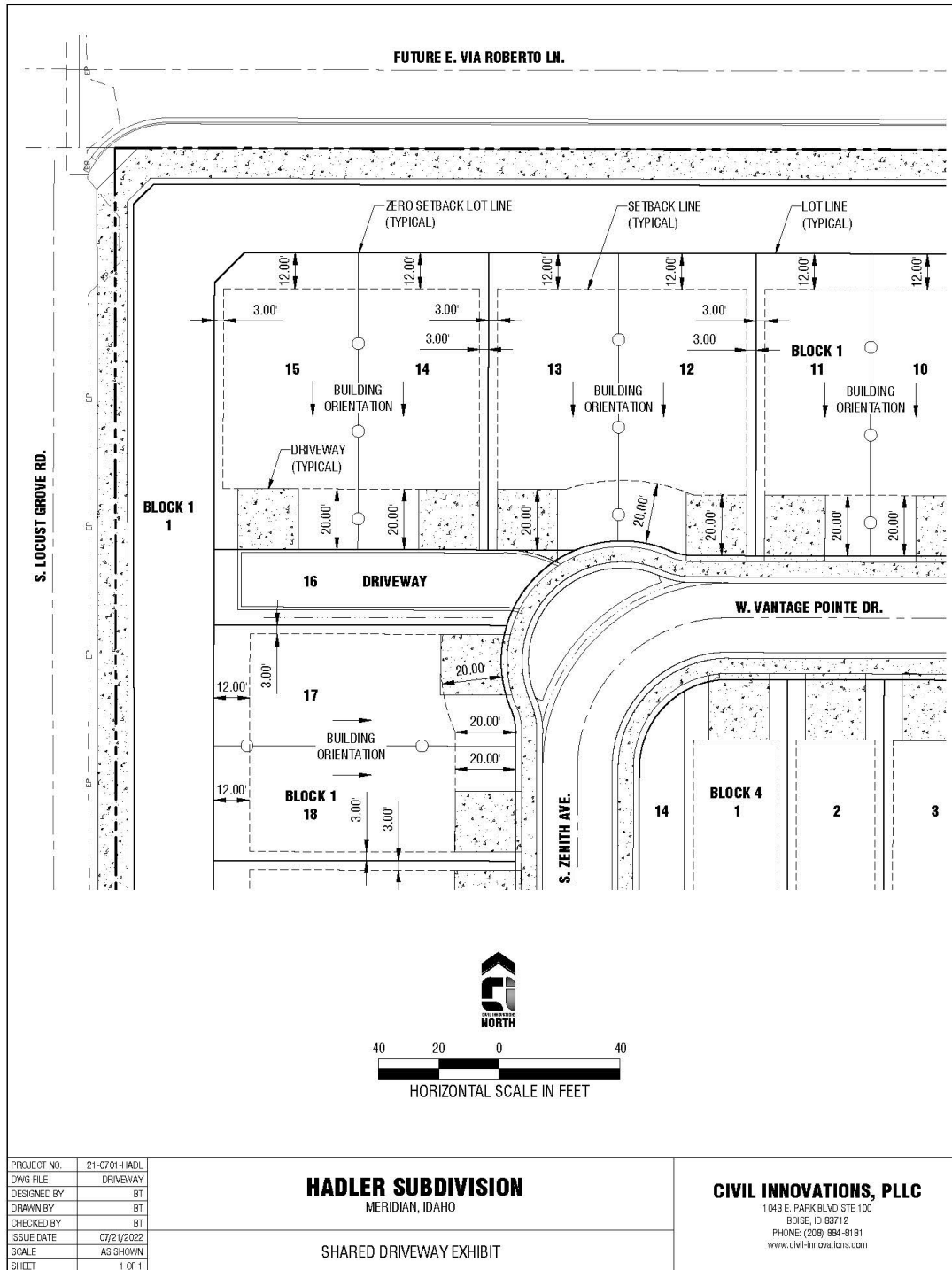
D. Open Space Exhibit:



E. Phasing Plan:



F. Common Drive Exhibits:



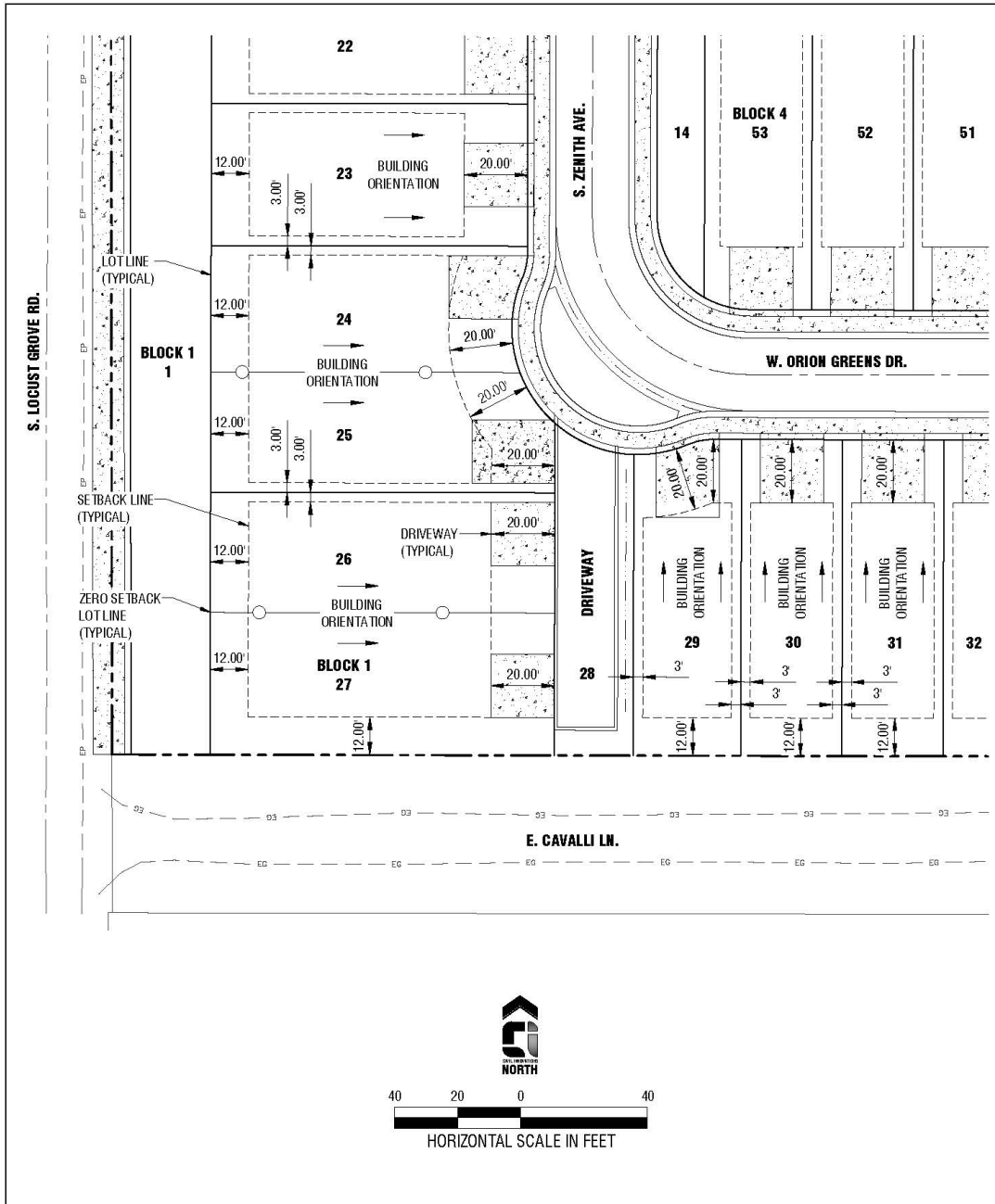
PROJECT NO.	21-0701-HADL
DWG FILE	DRIVEWAY
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	07/21/2022
SCALE	AS SHOWN
SHEET	1 OF 1

**HADLER SUBDIVISION**  
MERIDIAN, IDAHO

SHARED DRIVEWAY EXHIBIT

**CIVIL INNOVATIONS, PLLC**

1043 E. PARK BLVD STE 100  
BOISE, ID 83712  
PHONE: (208) 894-9181  
www.civil-innovations.com



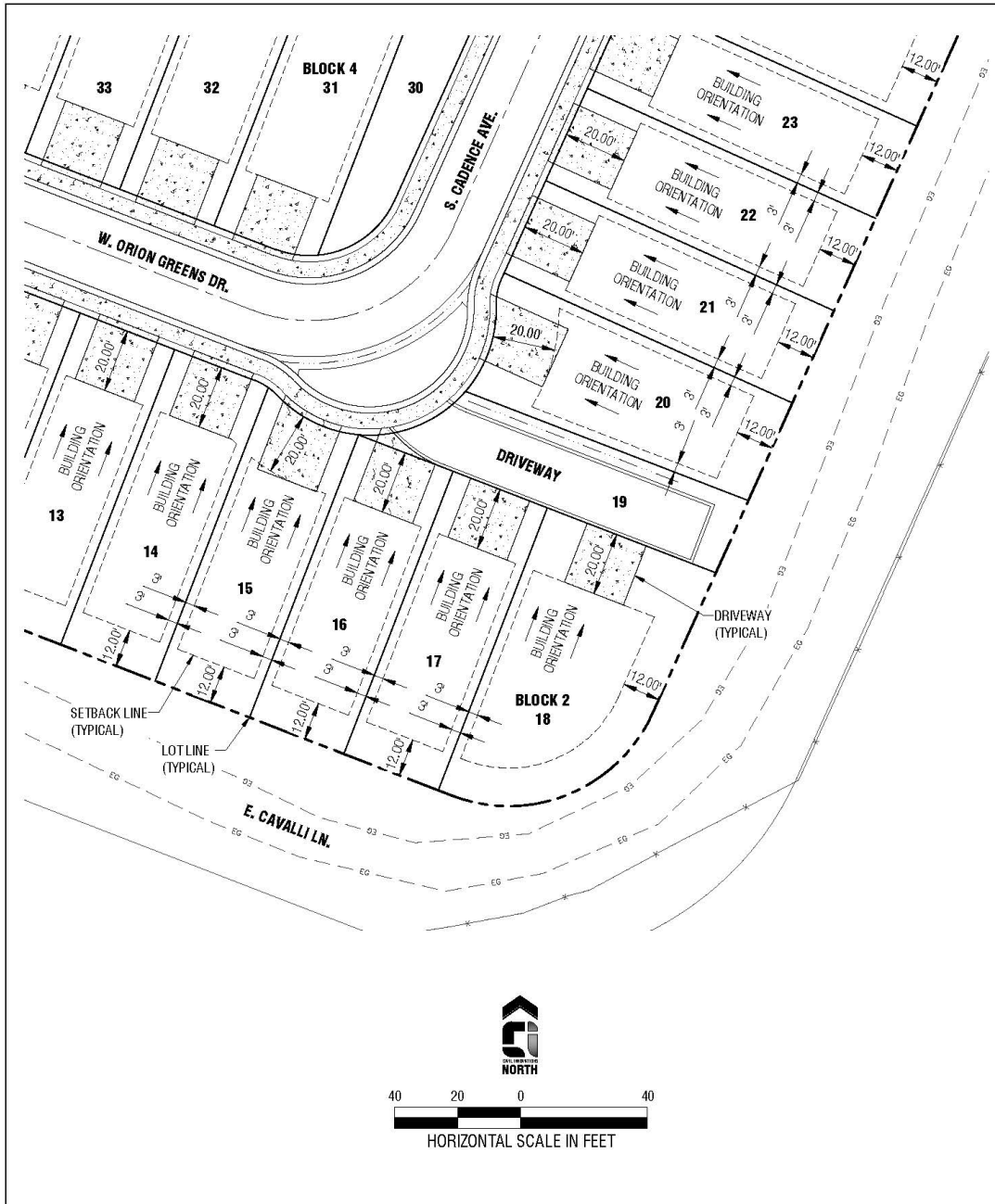
PROJECT NO.	21-0701-HADL
DWG FILE	DRIVEWAY
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	07/21/2022
SCALE	AS SHOWN
SHEET	1 OF 1

**HADLER SUBDIVISION**  
MERIDIAN, IDAHO

SHARED DRIVEWAY EXHIBIT

**CIVIL INNOVATIONS, PLLC**

1043 E. PARK BLVD STE 100  
BOISE, ID 83712  
PHONE: (208) 884-8181  
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PROJECT NO.	21-0701-HADL
DWG FILE	DRIVEWAY
DESIGNED BY	BT
DRAWN BY	BT
CHECKED BY	BT
ISSUE DATE	07/21/2022
SCALE	AS SHOWN
SHEET	1 OF 1

**HADLER SUBDIVISION**  
MERIDIAN, IDAHO

SHARED DRIVEWAY EXHIBIT

**CIVIL INNOVATIONS, PLLC**

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PHONE: (208) 884-8181  
www.civil-innovations.com



G. Conceptual Building Elevations



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s)/developer at the time of annexation ordinance adoption, and the developer. **A final plat will not be accepted until the DA is executed and the Annexation and Zoning ordinance is approved by City Council.**

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

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, common drive exhibits, and conceptual building elevations included in Section VII and the provisions contained herein.
- b. The existing home and outbuildings shall be removed upon phase 1 development, as proposed.
- c. The rear and/or sides of homes visible from S. Locust Grove and E. Via Roberto Lane (Lots 2-27, Block 1 & Lots 2-24, Block 3) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

#### **Preliminary Plat Conditions:**

2. The preliminary plat included in Section VII.B, dated October 18, 2022, shall be revised as follows prior to submitting for Final Plat approval:
  - a. Replace Lots 28 & 29, Block 2 with an additional stub street to the southeast property boundary for future vehicular and pedestrian connectivity.
  - b. Direct lot access to S. Locust Grove and E. Via Roberto Lane is prohibited except for the emergency access to Locust Grove and the approved access to Via Roberto, in accord with UDC 11-3A-3.
  - c. Add a plat note stating that Lot 23, Block 1 is a non-buildable lot until such time that an additional Fire approved public street connection is provided.
  - d. Consistent with ACHD conditions of approval, provide traffic calming measures along W. Vantage Point Drive to help mitigate its long and straight design.
  - e. Depict the 10-foot pathway along S. Locust Grove to be located within the required 25-foot street buffer and located at least four (4) feet outside of the ultimate ROW to ensure the pathway remains detached, consistent with UDC 11-3B-7C.1a.
3. The landscape plan included in Section VII.C, dated July 29, 2022, shall be revised as follows prior to submitting for Final Plat approval:
  - a. Revise the landscape plan to match the revisions made to the street section of Vantage Pointe Drive on the latest preliminary plat.

- b. Make the necessary revisions to the landscape plans to match the plat revisions noted above in VIII.A2.
  - c. Depict the 10-foot pathway along S. Locust Grove to be located within the required 25-foot street buffer and located at least four (4) feet outside of the ultimate ROW to ensure the pathway remains detached, consistent with UDC 11-3B-7C.1a.
4. Prior to the Commission hearing, the Applicant shall provide evidence that the proposed street buffers are qualified open space OR apply for Alternative Compliance prior to the City Council hearing to request a reduction to the amount of qualified open space required.
  5. Prior to the Commission hearing, the Applicant shall provide a parking exhibit showing available parking within the subject development.
  6. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district.
  7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
  8. The Applicant shall comply with all ACHD conditions of approval.
  9. The Applicant shall ensure the irrigation ditch along the north boundary is tiled and/or relocated consistent with UDC 11-3A-6 standards.
  10. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
  11. Prior to the City Engineer's signature on each final plat, a 14-foot wide public pedestrian easement shall be submitted to the Planning Division and recorded for the multi-use pathways along S. Locust Grove and E. Via Roberto as required by the Park's Department, unless ACHD requires an easement within their right-of-way.
  12. Prior to applying for building permits, Administrative Design Review is required to be submitted and approved by the Planning Division for the proposed single-family attached units.
  13. 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.
  14. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

## **B. PUBLIC WORKS**

### **SITE SPECIFIC CONDITIONS:**

1. Must provide sewer to and through to parcel R7406180010.
2. Ensure no sewer services pass through infiltration trenches.
3. There currently are no water mains to the site. Water will be coming from the Apex Southeast Development.
4. Water and sewer in parallel require a minimum 30' easement. Easement width may be greater depending on sewer depth.

5. Where water ties into existing line in E. Via Roberto Ln two vales are required.
6. As part of Apex Southeast, a 12" water main will be brought to the corner of Locust Grove and Via Roberto Ln. Extend 12" water main down Locust Grove to southern property boundary.
7. A second connection to the 12" water main in Locust Grove is required. The City would prefer this connection be made in E. Cavalli Ln with an easement.
8. Must install water blow-off per SD W13 at eastern boundary along Vantage Pointe Dr. and at the southern boundary at Steeple Ave. See changemarks on sheet PE.200 for additional details.
9. At, the corner of Cadence Ave and Orion Greens Drive, the water mains have multiple odd bends; remove unnecessary bends in said water main.
10. Water and sewer at the corner of Zenith Ave and Vantage Pointe needs to be laid out differently. The current configuration adds an extra sewer manhole that isn't needed, multiple water fittings that are not needed, and a sewer service in a common lot when the house access is not from the common lot. See the uploaded "Water and Sewer Comments" pdf for suggestions of a better configuration.
11. Near the common driveway at the southeast corner of the site there is a water service running across a private property that is not being serviced by the meter. The meter should be located in the landscaping area of the common driveway. See changemarks on sheet PE.200.
12. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection, there are shallow cemented soils across the site. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. Applicant should adhere to recommendations including the installation of foundation drains, and the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. Foundation drains are not allowed to drain into the sanitary sewer system, nor the trench backfill for the sewer and/or water service lines.

**GENERAL CONDITIONS:**

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.

5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
7. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. 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.
15. The 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.
16. 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.
17. 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.

18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting ([http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272)). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. 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-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. 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.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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 development plan approval.
24. 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.

**C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275369&dbid=0&repo=MeridianCity>

**D. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276691&dbid=0&repo=MeridianCity&cr=1>

**E. MERIDIAN POLICE DEPARTMENT (MPD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275370&dbid=0&repo=MeridianCity&cr=1>

**F. BOISE PROJECT BOARD OF CONTROL (BPBC)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276388&dbid=0&repo=MeridianCity>

**G. MERIDIAN PATHWAYS – CONDITIONS**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275182&dbid=0&repo=MeridianCity>

**H. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278590&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

**A. Annexation and Zoning (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;**

*Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-15 zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-15 zoning district and is consistent with the purpose statement of the requested zone.*

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

*Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare should all conditions of approval be met.*

**4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and**

*Staff finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.*

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

*Staff finds the annexation is in the best interest of the City.*

**B. Preliminary Plat Findings:**

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

**1. The plat is in conformance with the Comprehensive Plan;**

*Staff finds that the proposed plat is in general compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)*

**2. Public services are available or can be made available and are adequate to accommodate the proposed development;**

*Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)*

**3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;**

*Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.*

**4. There is public financial capability of supporting services for the proposed development;**

*Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)*

**5. The development will not be detrimental to the public health, safety or general welfare; and,**

*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property.*

**6. The development preserves significant natural, scenic or historic features.**

*Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.*





## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Alden Ridge Subdivision (H-2022-0059) by Dave Yorgason, Tall Timber Consulting, located at 6870 N. Pollard Lane and three (3) parcels to the north and east, directly east of State Highway 16 and south of the Phyllis Canal at the northern edge of the Meridian Area City Impact

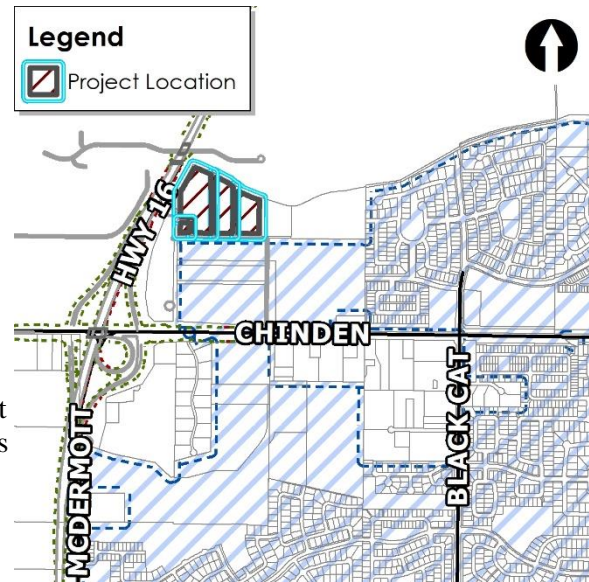
Application Materials: <https://bit.ly/H-2022-0059>

A. Request: Annexation and Zoning of approximately 24.8 acres of land with a request for the R-4 (20.35 acres) and R-8 (4.45 acres) zoning districts. B. Request: Preliminary Plat consisting of 65 building lots and 10 common lots on approximately 21.7 acres of land in the requested zoning districts.

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: 11/3/2022  
 TO: Planning & Zoning Commission  
 FROM: Joe Dodson, Associate Planner  
 208-884-5533  
 SUBJECT: H-2022-0059  
 Alden Ridge Subdivision  
 LOCATION: 6870 N. Pollard Lane and the three (3) parcels to the north and east, directly east of SH 16 and directly south of the Phyllis Canal at the northern edge of the Meridian area of City impact, in the NE 1/4 of the SW 1/4 of Section 21, Township 4N, Range 1W.



**I. PROJECT DESCRIPTION**

Request for Annexation and Zoning of approximately 24.8 acres of land with a request for the R-4 (20.35 acres) and R-8 (4.45 acres) zoning districts and a Preliminary Plat consisting of 65 building lots and 10 common lots on approximately 21.7 acres of land in the requested zoning districts, by Dave Yorgason, Tall Timber Consulting.

NOTE: The Applicant has also requested Alternative Compliance to the required landscape buffer requirements adjacent to State Highway 16; the Director has approved this request per the analysis in Section V and the findings in Section IX below.

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details	Page
Acreage	AZ – 24.8 acres; PP – 21.7 acres	
Future Land Use Designation	Low Density Residential (LDR, up to 3 du/ac)	
Existing Land Use(s)	County residential	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	75 total lots – 65 residential building lots and 10 common lots	
Phasing Plan (# of phases)	2 phases	
Number of Residential Units	65 single-family units	
Density	Gross – 2.97 du/ac.	

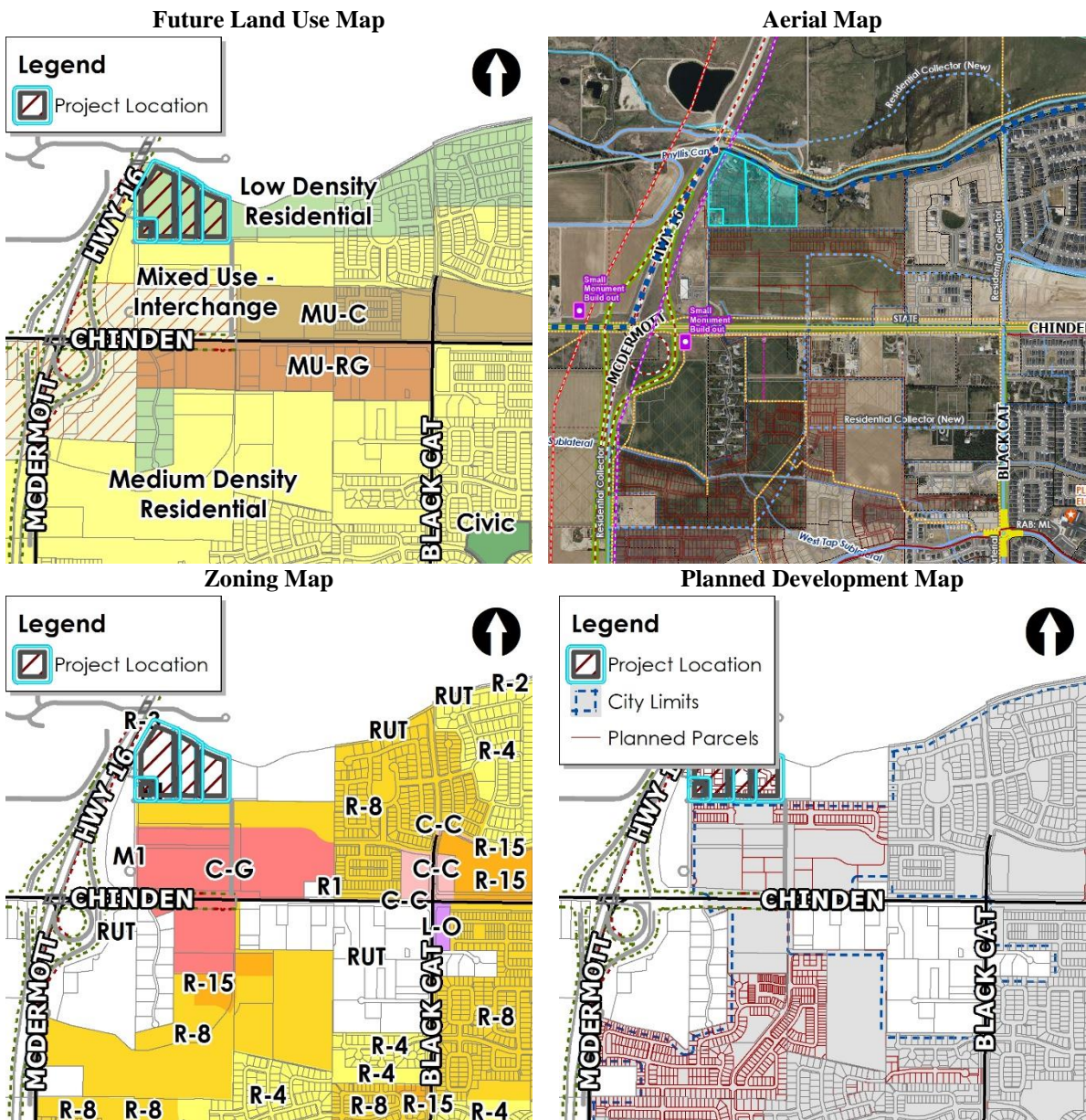
Description	Details	Page
Open Space (acres, total [%]/buffer/qualified)	Approximately 3.18 acres of open space proposed (approximately 14.4%)	
Amenities	Four (4) amenities are proposed – swimming pool, picnic area, pathway network, and dog waste stations.	
Neighborhood meeting date	May 26, 2022	
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via new local street connections to Pollard Lane, an existing street (partially private and public) at the southwest corner of the property. Pollard Lane accesses SH 20/26 through a future public road access southeast of the site (N. Rustic Oak Way). Access to all proposed homes is shown from new internal local streets.	
Stub Street/Interconnectivity/Cross Access	No existing stub streets. Applicant is proposing two stub streets with this project; one to the east boundary and one to the southern boundary.	
Existing Road Network	No, except Pollard Lane and Old School Lane, private streets.	
Capital Improvements Plan/Integrated Five Year Work Plan	<p>Meridian North: Bikeway Signage/Community Improvement project is scheduled in the IFYWP to include establishing new bikeway corridors with wayfinding/bikeway signage, from N. Black Cat Road, crossing State Highway 20/26/Chinden Boulevard to N. Long Lake Way construction in 2026.</p> <p>Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to Chinden Boulevard between 2036 and 2040.</p> <p>The intersection of Black Cat Road and Chinden Boulevard/US 20/26 is listed in the CIP to be widened to 5-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 7-lanes on the west leg, and signalized between 2026 and 2030.</p> <p>The intersection of Star Road and Chinden Boulevard/US 20/26 is listed in the CIP to be widened to 5-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 5-lanes on the west leg, and signalized between 2031 and 2035.</p>	
Fire Service		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	3.3 miles from Fire Station #5.	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	The project currently lies <i>outside</i> of the Meridian Fire response time goal of 5 minutes. Future development of public roads may assist in reducing response times in this area.	
<ul style="list-style-type: none"> <li>Resource Reliability</li> </ul>	Fire Station #5 reliability is 85% (above the goal of 80%)	
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	Proposed project meets all required road widths and turnaround dimensions but requires a secondary emergency access to construct more than 30 homes.	
Water & Wastewater		

Description	Details	Page
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	See Public Works Site Specific Conditions in Section VIII.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Dave Yorgason, Tall Timber Consulting – 14254 W. Battenberg Drive, Boise, ID 83713

**B. Property Owner:**

Kyle Enzler, Ryenn Holdings, LLC – 2610 E. Jasmine Lane, Meridian, ID 83646

**C. Representative:**

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper Notification	10/19/2022	
Radius notification mailed to properties within 500 feet	10/13/2022	
Site Posting	10/23/2022	
Nextdoor posting	10/13/2022	

**V. STAFF ANALYSIS**

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

Low Density Residential (LDR) – This designation allows for the development of single-family homes on large and estate lots at gross densities of three dwelling units or less per acre. These areas often transition between existing rural residential and urban properties. Developments need to respect agricultural heritage and resources, recognize view sheds and open spaces, and maintain or improve the overall atmosphere of the area. The use of open spaces, parks, trails, and other appropriate means should enhance the character of the area. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

*The subject 22 acres is located at the northern edge of the Meridian area of city impact (AOCI) and includes four (4) county parcels containing three (3) rural county homes. The largest home located at the northeast corner of the project is proposed to remain while the other two homes are shown to be removed upon development of the site. The subject site abuts SH 16 on its west boundary and the Phyllis Canal along the entire north boundary which limits any connectivity to the north or west. To the east, two county residential parcels exist and will remain with their new access being to the south through an approved development (Pollard Subdivision). South of the subject development is the aforementioned Pollard Subdivision that is zoned R-8 directly abutting the site and C-G south of that; this development was approved as a mixed-use development consisting of residential and flex space/commercial uses. The subject property is designated as Low Density Residential on the future land use map consistent with surrounding large lot development to the north and east and is a transition from the mixed-use designations along Chinden/SH 20/26 to the south.*

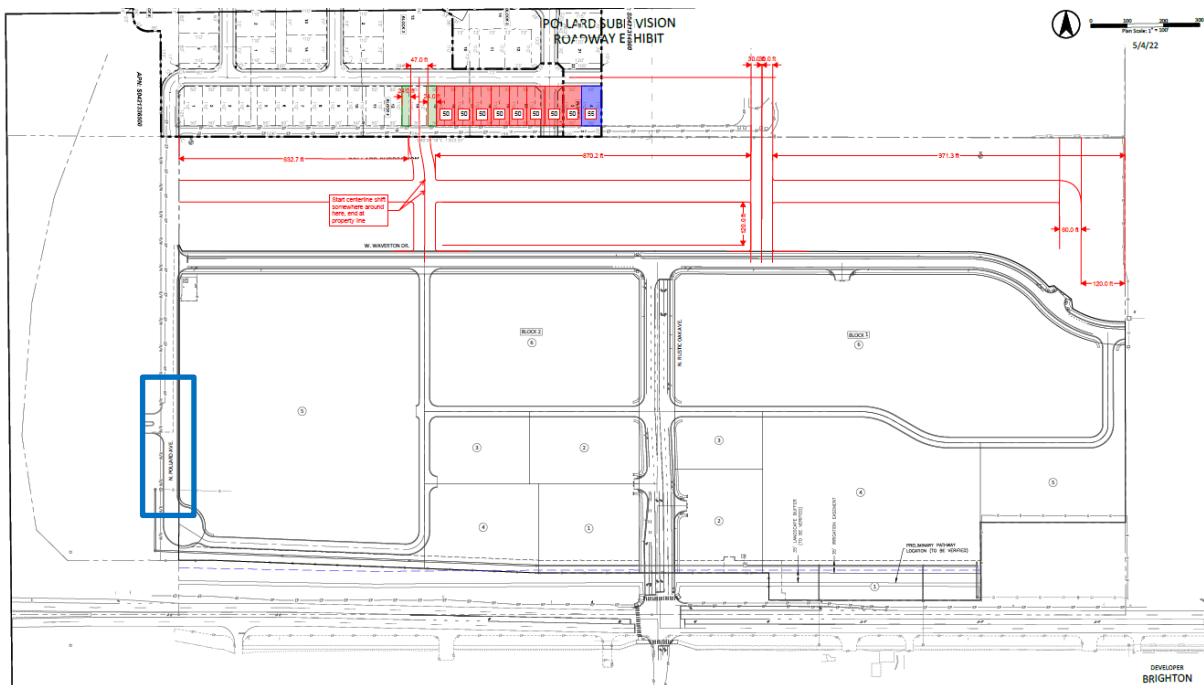
*The Applicant is proposing 65 building lots on approximately 21.7 acres of land which constitutes a gross density of 2.97 units per acre, near the maximum density allowed within the LDR designation. The Applicant is proposing two zoning districts within the development to better transition from the R-8 zoning to the south—R-8 zoning is proposed along only the building lots abutting the south boundary with the remaining area proposed with the R-4 zoning district. The minimum building lot size proposed is approximately 5,500 square feet which exceeds the 4,000 square foot minimum lot size for the R-8 zoning district along the south*

boundary. Within the R-4 area, the minimum building lot size is approximately 8,000 square feet, at the minimum lot size for the zoning district (there are a number of lots along the perimeter of the project that exceed the minimum lot size requirement).

To further help transition from the development to the south, the Applicant is proposing a 30-foot wide buffer with a walking path along the entire south boundary; Staff finds this buffer and the proposed zoning designations to be an adequate transition from south to north. The adjacent county parcel to the east is approximately 4.6 acres in size with the home located on the east third of the property, approximately 230 feet from the east property line of this project. In addition, the submitted plat depicts a total of four (4) building lots and a stub street along the east boundary. One of these lots is a large estate lot while the other three comply with the minimum lot sizes of the requested zones. Because of the proposed design and the location of the existing county home, staff finds the proposed site design offers adequate transition to the east.

The Phyllis Canal and SH 16 are located wholly outside of the subject project boundary so no direct transition is required as these features are delineations themselves. However, due to the anticipated noise from SH 16, some form of transition and/or buffering should occur along the west boundary. According to the submitted plans, 6 building lots are proposed adjacent to the shared west property boundary with the one remaining home located at the very northeast corner of the site. Code requires a minimum 35' landscape buffer from this project to SH 16 which is shown on the submitted plans. Therefore, the rear lot lines of the proposed homes are no closer than 130 feet to the edge of the pavement for SH 16 and future homes should be even further from the highway after setbacks and building placement are included. Staff finds proposing less lots along this boundary should minimize the number of homes most affected by any noxious effects from the highway.

**The proposed development is located at the north edge of the City's AOCI with an approved but undeveloped project to its south as its path to annexation and public street access. Access to the site is a main point of discussion and analysis with this project and timing of development is integral to its success because there are currently no public streets constructed to the subject development from existing public roads. There is existing right-of-way (ROW) from the subject**



*site to Chinden but no physical road within the ROW. This will persist until Brighton constructs Waverton east-west through their site and connects to Pollard Lane at the west boundary. According to the Applicant, Alden Ridge will connect to Pollard Lane with Brighton's first phase of development for its required public street access but full construction (curb, gutter, and sidewalk) of the Brighton owned segment of Pollard will not occur until phase 2; phase 1 of Pollard Subdivision has received final plat approval and does not include the noted segment of Pollard Lane (see blue box below):*

*The roads outlined in black in the exhibit above are part of Pollard phase 1 and have received final plat approval whereas the roads outlined in red would be part of phase 2 and have not received final plat approval. ACHD has stated within their report that they will not approve any final plat for Alden Ridge until a public road (Waverton Drive) is constructed to the project for access (see Exhibit VIII.H). Therefore, this development is contingent upon the construction of the adjacent project to the south. **Commission and Council should determine if development of this project constitutes orderly growth and satisfies the Comprehensive Plan and City code despite being contingent upon another development for access and sewer infrastructure.** Staff recommends a DA provision around the timing of development consistent with ACHD and UDC 11-3A-3 for access to the project. Further analysis is below in subsequent sections.*

The City may require a development agreement (DA) in conjunction with an annexation and rezone pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA that encompasses the land proposed to be annexed and zoned with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone and annexation approval. **A final plat will not be accepted until the DA is executed and the AZ ordinance is approved by City Council.***

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

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

*“Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian's present and future residents.” (2.01.02D). Staff finds the proposed design to develop this site with two large estate lots, a majority R-4 development, and a transitional row of R-8 lots promotes a diverse set of housing options that should meet the needs, preferences and financial capabilities of future residents.*

*“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are not currently available for the project site due to its location being at the north rim of the City's AOCI. Specifically, Alden Ridge is dependent upon Pollard Subdivision to the south for sewer and public road access. There are anticipated and approved improvements in this area that will provide City sewer to the property with Brighton constructing a lift station with phase 1 of Pollard Subdivision; water will be provided to the project from Veolia (Suez) Water and not the City of Meridian. In conjunction with the timing of utility development, ACHD has noted they will not approve a final plat for this project without a public road being constructed to the subject site. This future connection should occur with phase 1 of the Pollard Subdivision to the south where an existing segment of Pollard Lane resides within public ROW and will connect to the new east-west road, W. Waverton Drive. **Staff has concerns regarding the construction timeline for the required public road access to Alden Ridge.***

*Staff finds the existing development **does not** provide for appropriate levels of service for this project but the planned development of the immediate area should create appropriate conditions*

*for levels of service to and for this proposed project. Staff has included provisions regarding the timing of this development with the noted and anticipated hurdles.*

*“With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A). The proposed project will construct sidewalks within the entire development and extend public roads to adjacent underdeveloped county parcels for future connectivity. There are no nearby schools but the submitted plans show adequate pedestrian access to the proposed open space and amenities within Alden Ridge. Future public road connectivity will also allow for easy and safe pedestrian and vehicular access to commercial development planned along Chinden Boulevard, SH 20/26 to the south. Staff anticipates both customer and employment opportunities to be nearby the subject development.*

*“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). The Applicant is proposing to construct new local streets within this development that stub to underdeveloped properties to the east and provide connectivity through the mixed-use project to the south, Pollard Subdivision. However, as discussed, the timing to establish these street connections is not entirely clear due to the project to the south not currently being complete and no existing public road connection to Chinden exists. The Applicant is coordinating with the adjacent developer to the south but the fact remains Alden Ridge development is directly tied to the development of Pollard Subdivision to the south for public road access. For this reason, Staff supports the internal circulation and the proposed stub street locations but has concerns regarding the overall connectivity to nearby roadways and their timing of construction.*

***Staff finds this development to be generally consistent with the Comprehensive Plan but notes the important access deficiencies that exist at this time.***

C. Existing Structures/Site Improvements:

According to GIS imagery, there are three (3) existing homes and several outbuildings within the project boundary. Staff understands the home located in the northwest corner of the site, located on the proposed Lot 13, Block 1, is to remain while the other two homes and outbuildings will be removed. In addition, there is a private street (W. Old School Lane) that exists along the entire southern boundary and provides access to the two county parcels to the east, 6854 and 5500 W. Old School Lane. According to City GIS imagery, it does not appear that this private lane is within the subject project boundary but has confirmed with the Applicant that it is in fact within the property lines. Further analysis on this is below in the Access section.

Located at the southwest corner of the property, there is currently a cul-de-sac for Pollard Lane that was utilized when it was a private street; this cul-de-sac now has public right-of-way over it as it is intended to provide public street access to this development. However, the cul-de-sac and a large area of the existing right-of-way is not needed anymore as the design of this project has shifted to the east to accommodate a future Veolia (Suez) Water well site (Lot 5, Block 1) where the cul-de-sac is currently located. The remaining area of the right-of-way that is no longer needed will be vacated at a later date with ACHD; the Applicant should provide the City proof that the right-of-way has been vacated with the submittal of the first final plat application.

D. Proposed Use Analysis:

The proposed use is detached single-family residential with a minimum lot size of approximately 5,500 square feet and an average lot size of approximately 6,000 square feet, based on the submitted plat (Exhibit VII.B). This use is a permitted use in the requested R-4 and R-8 zoning



districts per UDC Table 11-2A-2. The Applicant has noted the development is expected to develop in two phases with a majority of the development occurring within phase 1 (48 lots in phase 1 and 17 in phase 2). Staff supports the proposed phasing plan because it includes a majority of the open space, pedestrian and vehicular connectivity, and both zoning designations. No common driveways or alleys are proposed within this development.

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

The residential lots are shown to meet all UDC dimensional standards per the submitted plat. All lots are shown to meet the minimum lot size and minimum street frontage requirements for each zone. In fact, nearly all of the lots within the subdivision are proposed to be larger than the minimum lot size and with at least 10 more feet of frontage than code requires for each zone. For example, the R-8 lots are shown with at least 50 feet of frontage (40 feet is required) and the R-4 lots are shown with at least 70 feet of frontage, except one lot that is proposed with 65 feet of frontage (60 feet is required).

In addition, the subject development appears to comply with all Subdivision Design and Improvement Standards outlined in UDC 11-6C-3.

F. Building Elevations ([UDC 11-3A-19](#) | [Architectural Standards Manual](#)):

The Applicant submitted conceptual building elevations for the proposed detached single-family homes. Note that detached single-family homes **do not** require Design Review approval, therefore Staff does not review these for compliance with any architectural standards.

*The submitted elevations depict a number of different architectural design variations of both farmhouse and modern style homes. The homes are depicted with varying roof profiles, building materials, and window designs. All of the images depict some form of side-loaded garages which allows the streetscape to include more building façade instead of being garage dominated. Overall, Staff finds the submitted elevations to show high quality and attractive detached single-family homes. However, there is concern the submitted conceptual elevations depict homes that will not fit on the R-8 lots so Staff is requesting additional elevations that are confirmed to fit on the proposed R-8 lots.*

G. Access (*UDC 11-3A-3, 11-3H-4*):

As discussed within the Comprehensive Plan section above, access to the subject site is concern of Staff due to the required timing component and the fact the subject development is wholly dependent upon development of Pollard Subdivision to the south. Existing ROW exists from Chinden to the southwest corner of Alden Ridge via a small segment of Pollard Lane (a previous private lane) but most of this ROW does not include any road at this time. Pollard Subdivision No. 1 is approved and will include the extension of W. Waverton Drive from the east within Fairbourne Subdivision. The below image depicts the ROW (shown in pink) versus the actual location of the existing roadways (gray asphalt) with the overlay of the planned improvements (burgundy lines):



Once Waverton is constructed with Pollard Subdivision No. 1, ACHD will approve the phase 1 final plat for this development, according to their staff report.

Beyond the noted access from off-site, access for the development is proposed via a new local street (shown as W. Scoria Court) connection to Pollard Lane at the southwest corner of the property. All building lot access is proposed to internal local streets shown as 33 feet wide within 47 feet of ROW, consistent with ACHD standards.

Further, two stub streets are proposed; one to the east property line and one to the south property line. The stub street along the south property line is planned to be extended by Pollard No. 2 in the future but will be constructed as a temporary secondary emergency access from Waverton to the new local street with phase 1 of the subject development. This secondary access is required by the Meridian Fire Department in order to construct more than 30 homes. The stub street to the east property line will be extended in the future should the adjacent underdeveloped county parcels ever redevelop.

In addition to access for the properties within the subject application, W. Old School Lane is also the access to the two county properties east of the subject site. The Applicant has shown an alternative access for these properties by maintaining a portion of Old School Lane along the

south boundary that connects to the proposed stub street to the south boundary; this access is proposed to remain until such time that phase 2 of Pollard Subdivision develops to the south and constructs a public road to the east terminus of Old School Lane as their permanent access, as approved with the Pollard Lane Subdivision preliminary plat. All of these improvements are noted within the access exhibit in Exhibit VII.D below.

H. Parking (*UDC 11-3C*):

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. Note that there is opportunity for on-street parking where there are no driveways because the internal streets are proposed as a 33-foot wide street sections. Further, due to the relatively low density and wide building lots, there should not be number of driveways placed close together that limit on-street parking typically seen within higher density developments.

I. Sidewalks (*UDC 11-3A-17*):

A combination of 5-foot wide attached and detached sidewalks are proposed along the internal local streets consistent with UDC and ACHD requirements. No multi-use regional pathways are required or proposed within the development as the Phyllis canal along the north property line is not located within the project boundary. The Applicant is also proposing micro-paths throughout the site for access to the proposed open spaces and Staff specifically notes their inclusion within linear open space along the south boundary as well as within between the row of homes in Block 2 that runs north-south and adds a pedestrian loop between two local streets. The proposed sidewalks and micro-paths comply with UDC standards; therefore, Staff is supportive of the proposed pedestrian network of Alden Ridge Subdivision.

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

There are no collector or arterial streets adjacent to the subject development so no street buffers are required that are typical in most subdivisions. However, a portion of the west project boundary abuts ITD right-of-way for SH 16 and requires a 35-foot landscape buffer per UDC 11-2A-5 for the R-4 zoning district as it is depicted as an entryway corridor (no portion of the R-8 lots abut this right-of-way). The required buffer should be landscaped per the standards in UDC Table 11-3B-7C and UDC 11-3H-4 because it is adjacent to a state highway. In addition, all landscape areas should be landscaped per UDC 11-3B-5, the general landscaping standards. Lastly, according to the submitted plans, the Applicant is proposing micro-paths which should be landscaped in accord with UDC 11-3B-12 standards.

*The Applicant is showing a common lot along the west boundary that is 20-feet in width and does not comply with the required width of 35 feet. Due to the existing location of the home and mature trees, a required easement by the water company along the rear of the building lots, and the relative limited number of homes along the highway (6 building lots), the Applicant has requested Alternative Compliance (ALT) to the location of the buffer and its required width on the subject property—the Applicant is not requesting to reduce the actual buffer width but to shift it over the west property line so that 20 feet is on the subject property and 20 feet is within the ITD right-of-way. According to the submitted narrative, the Applicant states that ITD has approved the inclusion of landscaping within their ROW as they have excess area that will not be used for future road widening. In addition, ITD has included additional requirements surrounding the approval of the proposed buffer location; for example, the requirement for ITD to be able to access any SH 16 landscape areas from within the subdivision and not along the highway for safer access. Staff is supportive of this request because the actual buffer width*

*proposed is 5 feet larger than the minimum requirement, it will allow for existing mature vegetation to remain, and allow for a wider berm and more dense landscaping to be placed along this frontage offering more noise and fume mitigation than if the buffer was solely on the subject property. Specific ALT findings can be found in the findings section of this staff report, see Section IX.*

*As discussed above, the required 35-foot landscape buffer is due to the SH 16 frontage being an entryway corridor. Per UDC 11-3B-7C.3, entry way corridors require additional landscape design than typical landscaping. For example, additional vegetative ground cover beyond that of grasses and additional landscape features are required to meet UDC standards. Landscape features may include berms at a three-foot minimum height, decorative landscape walls, decorative open vision fencing, or a dry creek design with river rock, boulders, etc. are acceptable to meet this standard. The Applicant is proposing trees in excess of code with the combination of a berm and wall but there is no exhibit depicting the style of the wall and no other elevated landscape features are proposed. In order to comply with the entryway corridor standards, the Applicant should add additional features as outlined above; Staff has included a condition of approval to comply with this standard.*

*As discussed, the Applicant has proposed linear open space and micro-paths around and through the development. These areas should be landscaped in accord with UDC 11-3B-12 with trees at least every 100 linear feet and include other vegetative ground cover. According to the submitted landscape plans, the Applicant is proposing trees in excess of code requirements with sod throughout; additional vegetative ground cover is required in accord with UDC 11-3B-12. The Applicant should revise the landscape plans to depict the required revisions with the relevant final plat applications.*

*The Applicant is also proposing a relatively short segment of parkways near the north end of the site in front of Lots 14-22, Block 1. According to the submitted landscape plans, the proposed parkway includes one tree per lot and is 8 feet wide, consistent with UDC requirements.*

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

All fencing is required to comply with the standards listed in UDC 11-3A-7.

*According to the submitted landscape plans, the Applicant is proposing two types of fencing throughout the site, vinyl privacy fencing and vinyl semi-privacy fencing, in addition to proposing a masonry wall at the top of the berm along the west boundary adjacent to SH 16. Staff finds the locations of all of the proposed fencing to comply with UDC requirements. However, the type of semi-private vinyl fencing shown within the submitted landscape plans do not comply with the exhibits depicted with the UDC that requires the solid portion to be no more than 4 feet in height and the top 2 feet must be at least 80% open-vision. The Applicant is required to revise this type of fencing shown on the submitted plans with future final plat applications.*

*In addition, the Applicant is proposing a berm/wall combination along the SH 16 frontage at the northwest property boundary and notes the wall to be approximately 4 feet in height with a 4-foot to 5-foot tall berm; therefore, the combined height of the berm/wall is approximately 8-9 feet in height. UDC 11-3H-4, development along state highways, is applicable in this area of the project because of the frontage with SH 16. Code requires the berm/wall combination to be a minimum of 10 feet above the centerline of the highway. Therefore, the applicant should revise the height of the proposed berm and wall to comply with the UDC.*

L. Open Space and Amenities (UDC [11-3G](#)):

The proposed project is approximately 21.7 acres in size requiring a minimum amount of open space based on the requested zoning. Per UDC Table 11-3G-3, the R-4 area requires a minimum of 12% qualified open space and the R-8 are requires a minimum of 15% open space. Because both zones are located within the same project, it is anticipated all of the open space is to be shared and the total open space required is based on the calculations of combining the minimum required. Per the calculations, the minimum amount of qualified open space required is 2.77 acres, approximately 120,661 square feet. According to the submitted plans, the Applicant is proposing 4.1 acres of common open space with 3.18 acres of this area as qualified open space, exceeding the minimum amount required. The proposed 3.18 acres equates to approximately 14.4% qualified open space for the overall project.

*There are three main open space areas proposed within Alden Ridge, the centralized common open space area, the linear open space along the southern boundary, and the linear open space in the west half of the site with Block 2. The large central open space area is approximately 52,000 square feet in size and is the largest common area within the project. The Applicant has proposed multiple micro-paths throughout this open space for easy pedestrian access. The linear open space along the southern boundary is approximately 30 feet in width and over 1,000 feet in length. This linear open space is shown with trees and a micro-path for an added pedestrian element and will also act as a buffer between this project and the project to the south, Pollard Subdivision, that is approved with higher density housing than what is being requested with Alden Ridge. The other areas noted as qualified open space include half of the buffer area to SH 16 and a portion of the future well site lot at the southwest corner of the project that is at least 5,000 square feet in size. Both of these areas are allowed to count towards the qualified open space per the UDC. Because of the pedestrian connectivity and the general locations and uses of the open space, staff supports the proposed qualified open space.*

UDC 11-3G-4 dictates the minimum amenity points required for projects over 5 acres in size. The project size of 21.7 acres requires a minimum of four (4) amenity points (1 point for every 5 acres). According to the submitted plans and narrative, the Applicant is proposing the following amenities worth 9 amenity points: a picnic area (2), pathways (2), two dog waste stations (1), and a swimming pool (4). According to UDC Table 11-3G-4, the proposed amenities and their point value is correct and exceed UDC requirements for a project of this size.

*Consistent with the overall design of the open space, the Applicant has proposed to place the swimming pool with changing facilities and a picnic area near each other and within the large centralized open space lot, Lot 13, Block 3. The two dog waste stations are located in separate areas of the site for ease of access to both the east and west half of the project. Lastly, the proposed micro-paths are located throughout the development and add multiple pedestrian connections through the project that are not located adjacent to the street. Based on the proposed site design and zoning, Staff supports the proposed amenities.*

M. Utilities (UDC [11-3A-21](#)):

The Applicant is proposing and is required to extend sanitary sewer services to adjacent parcels to the east for future connectivity. No other connectivity options are available due to the Phyllis Canal located along the entire north property line and a segment of SH 16 along a portion of the west boundary. Water service for this project will be provided by Veolia (Suez) Water and not the City of Meridian. Public Works has reviewed the subject plans for compliance with their standards and finds them to be in general compliance except for specific conditions outlined in Section VIII.B of this report.

*As discussed throughout this report, sewer service for this development is not yet available and must be provided to this site via construction of the adjacent development to the south, Pollard Subdivision. Further, a lift station is also required to service this area for both Pollard Subdivision and this subject development, Alden Ridge. **In short, the subject development is wholly contingent upon the construction and completion of the adjacent project to the south.***

## **VI. DECISION**

### **A. Staff:**

Staff recommends approval of the requested annexation and preliminary plat applications with the requirement of a Development Agreement per the conditions of approval in Section VIII of this report per the Findings in Section IX of this staff report.

### **B. Commission:**

Enter Summary of Commission Decision.

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

To be heard at future date.

## VII. EXHIBITS

### A. Annexation and Zoning Legal Descriptions and Exhibit Maps:



#### Annexation Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

**Commencing** at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21 and the **POINT OF BEGINNING**;

Thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane;

Thence N 00° 29' 13" E along said centerline for a distance of 365.15 feet;

Thence N 89° 30' 47" W along said centerline for a distance of 33.33 feet;

Thence S 83° 33' 30" W along said centerline for a distance of 55.00 feet;

Thence S 85° 48' 43" W along said centerline for a distance of 36.25 feet to a found aluminum cap monument on the southeasterly right-of-way of State Highway 16;

Thence N 68° 56' 21" W for a distance of 155.65 feet to the centerline of State Highway 16;

Thence along said centerline 770.84 feet along a curve to the right, said curve having a radius of 10,000.00 feet, a central angle of 4° 25' 00" and a long chord bearing N 28° 30' 55" E a distance of 770.65 feet;

Thence S 60° 34' 55" E for a distance of 158.30 feet to a found 4 inch brass cap monument on the southwesterly line of the Phyllis Canal;

Thence along said line the following 8 courses and distances:

- 1.) along a curve to the right 60.81 feet, said curve having a radius of 340.00 feet, a central angle of 10° 14' 52" and a long chord bearing S 74° 09' 59" E a distance of 60.73 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 2.) S 67° 00' 00" E for a distance of 244.90 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463;

1

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- 3.) S 67° 00' 46" E for a distance of 47.31 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 4.) S 61° 59' 06" E for a distance of 202.70 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 5.) S 53° 06' 27" E for a distance of 109.48 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 6.) S 52° 52' 46" E for a distance of 107.17 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 7.) S 66° 52' 05" E for a distance of 184.95 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 8.) S 70° 40' 30" E for a distance of 112.43 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence S 00° 31' 50" W for a distance of 557.08 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence N 89° 27' 18" W along the sixteenth line for a distance of 1164.95 feet to the **POINT OF BEGINNING.**

Said parcel contains 24.802 acres, more or less.

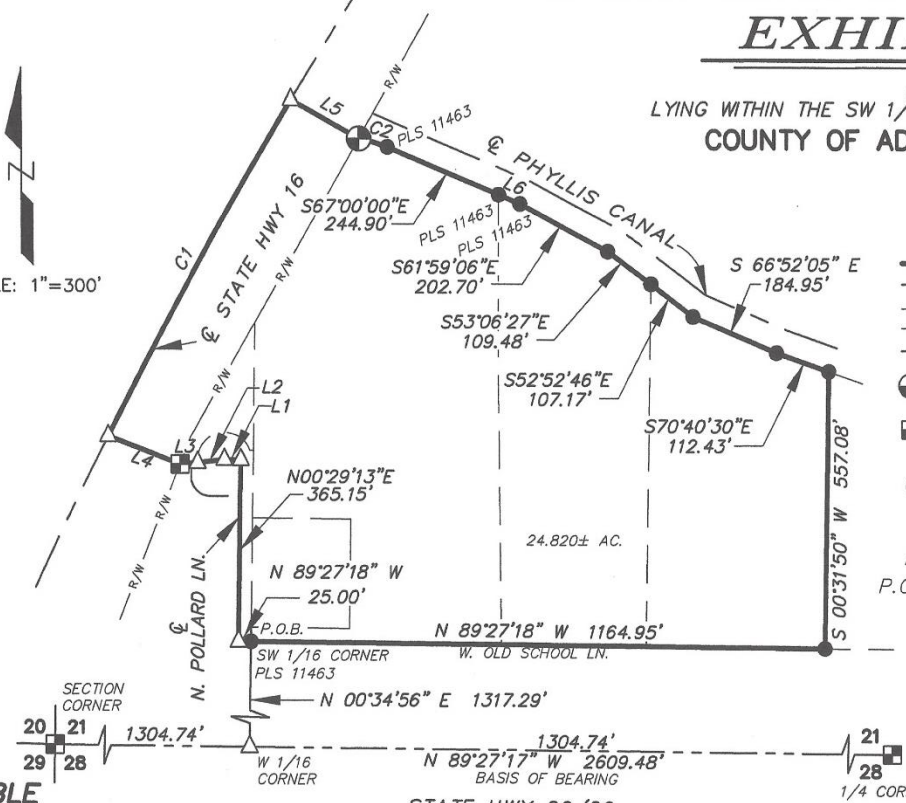




# EXHIBIT MAP

ANNEXATION  
 LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.  
 COUNTY OF ADA — STATE OF IDAHO

SCALE: 1"=300'



## LEGEND

- ANNEX BOUNDARY
- SECTION LINE
- PARCEL LINE
- RIGHT-OF-WAY
- CENTERLINE
- FOUND 4" BRASS CAP  
ITD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,  
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,  
LABELED PLS 5710,  
OR AS NOTED
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING



### LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°30'47" W	33.33'
L2	S 83°33'30" W	55.00'
L3	S 85°48'43" W	36.25'
L4	N 68°56'21" W	155.65'
L5	S 60°34'55" E	158.30'
L6	S 67°00'46" E	47.31'

### CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	770.84'	10000.00'	4°25'00"	N 28°30'55" E	770.65'
C2	60.81'	340.00'	10°14'52"	S 74°09'59" E	60.73'



## ACCURATE

SURVEYING & MAPPING  
 1520 W. Washington St.  
 Boise, Idaho 83702  
 (208) 488-4227  
 www accuratesurveyors.com

DATE: JUNE, 2022

JOB 22-197

### Rezone R4 Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

**Commencing** at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21; thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane; thence N 00° 29' 13" E along said centerline for a distance of 163.00 feet to the **POINT OF BEGINNING**;

Thence N 00° 29' 13" E along said centerline for a distance of 202.15 feet;

Thence N 89° 30' 47" W along said centerline for a distance of 33.33 feet;

Thence S 83° 33' 30" W along said centerline for a distance of 55.00 feet;

Thence S 85° 48' 43" W along said centerline for a distance of 36.25 feet to a found aluminum cap monument on the southeasterly right-of-way of State Highway 16;

Thence N 68° 56' 21" W for a distance of 155.65 feet to the centerline of State Highway 16;

Thence along said centerline 770.84 feet along a curve to the right, said curve having a radius of 10,000.00 feet, a central angle of 4° 25' 00" and a long chord bearing N 28° 30' 55" E a distance of 770.65 feet;

Thence S 60° 34' 55" E for a distance of 158.30 feet to a found 4 inch brass cap monument on the southwesterly line of the Phyllis Canal;

Thence along said line the following 8 courses and distances:

- 1.) along a curve to the right 60.81 feet, said curve having a radius of 340.00 feet, a central angle of 10° 14' 52" and a long chord bearing S 74° 09' 59" E a distance of 60.73 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 2.) S 67° 00' 00" E for a distance of 244.90 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463;

- 3.) S 67° 00' 46" E for a distance of 47.31 feet to a found 5/8th inch iron pin with a 2 inch aluminum cap stamped PLS 11463;
- 4.) S 61° 59' 06" E for a distance of 202.70 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 5.) S 53° 06' 27" E for a distance of 109.48 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 6.) S 52° 52' 46" E for a distance of 107.17 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 7.) S 66° 52' 05" E for a distance of 184.95 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;
- 8.) S 70° 40' 30" E for a distance of 112.43 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 5710;

Thence S 00° 31' 50" W for a distance of 394.08 feet;

Thence N 89° 27' 18" W for a distance of 1190.07 feet to the **POINT OF BEGINNING**.

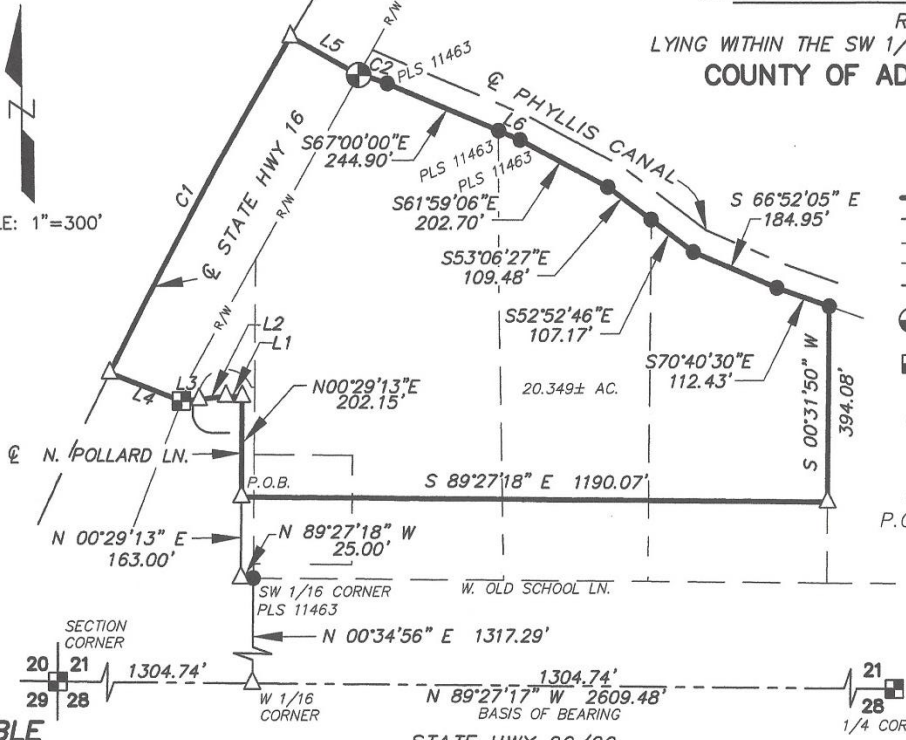
Said parcel contains 20.349 acres, more or less.



# EXHIBIT MAP

REZONE - R4  
 LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.  
 COUNTY OF ADA — STATE OF IDAHO

SCALE: 1"=300'



## LEGEND

- REZONE BOUNDARY
- SECTION LINE
- PARCEL LINE
- RIGHT-OF-WAY
- CENTERLINE
- FOUND 4" BRASS CAP  
ITD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,  
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,  
LABELED PLS 5710,  
OR AS NOTED
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING



**ACCURATE**  
 SURVEYING & MAPPING

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DATE: JUNE, 2022      JOB 22-197

### LINE TABLE

LINE	BEARING	DISTANCE
L1	N 89°30'47" W	33.33'
L2	S 83°33'30" W	55.00'
L3	S 85°48'43" W	36.25'
L4	N 68°56'21" W	155.65'
L5	S 60°34'55" E	158.30'
L6	S 67°00'46" E	47.31'

### CURVE TABLE

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	770.84'	10000.00'	4°25'00"	N 28°30'55" E	770.65'
C2	60.81'	340.00'	10°14'52"	S 74°09'59" E	60.73'

### Rezone R8 Description

A parcel of land lying in the Southwest Quarter of Section 21, Township 4 North, Range 1 West of the Boise Meridian and being more particularly described as follows:

**Commencing** at the found 2 inch aluminum cap monument in asphalt at quarter corner common to Sections 21 and 28, T 4 N, R 1 W from which the found 2 inch aluminum cap monument in asphalt at the corner common to Sections 20, 21, 28 and 29, T 4 N, R 1 W, bears N 89° 27' 17" W a distance of 2609.48 feet; thence N 89° 27' 17" W along the section line for a distance of 1304.74 feet to the west sixteenth corner common to Sections 21 and 28; thence N 00° 34' 56" E along the sixteenth line for a distance of 1317.29 feet to a found 5/8<sup>th</sup> inch iron pin with a 2 inch aluminum cap stamped PLS 11463 at the southwest sixteenth corner of Section 21 and the **POINT OF BEGINNING**;

Thence N 89° 27' 18" W for a distance of 25.00 feet to the centerline of N. Pollard Lane;

Thence N 00° 29' 13" E along said centerline for a distance of 163.00 feet;

Thence S 89° 27' 18" E for a distance of 1190.07 feet;

Thence S 00° 31' 50" W for a distance of 163.00 feet to a found 5/8<sup>th</sup> inch iron pin with a cap labeled PLS 5710;

Thence N 89° 27' 18" W along the sixteenth line for a distance of 1164.95 feet to the **POINT OF BEGINNING**.

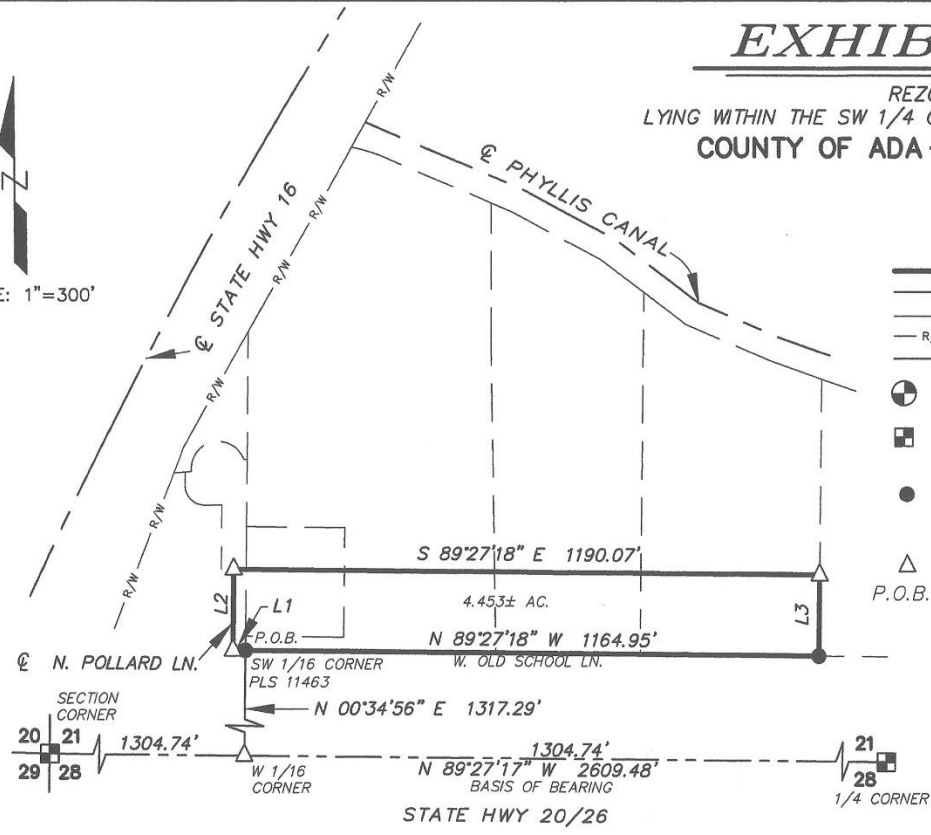
Said parcel contains 4.453 acres, more or less.



# EXHIBIT MAP

REZONE - R8  
 LYING WITHIN THE SW 1/4 OF SECTION 21, T.4N., R.1W., B.M.  
 COUNTY OF ADA — STATE OF IDAHO

SCALE: 1"=300'



## LEGEND

- REZONE BOUNDARY
- SECTION LINE
- PARCEL LINE
- RIGHT-OF-WAY
- CENTERLINE
- FOUND 4" BRASS CAP  
ITD R/W MONUMENT
- FOUND 2" ALUM. CAP MONUMENT,  
STAMPED PLS 8961
- FOUND 5/8" IRON PIN,  
LABELED PLS 5710,  
OR AS NOTED
- CALCULATED POINT
- P.O.B. POINT OF BEGINNING



## LINE TABLE

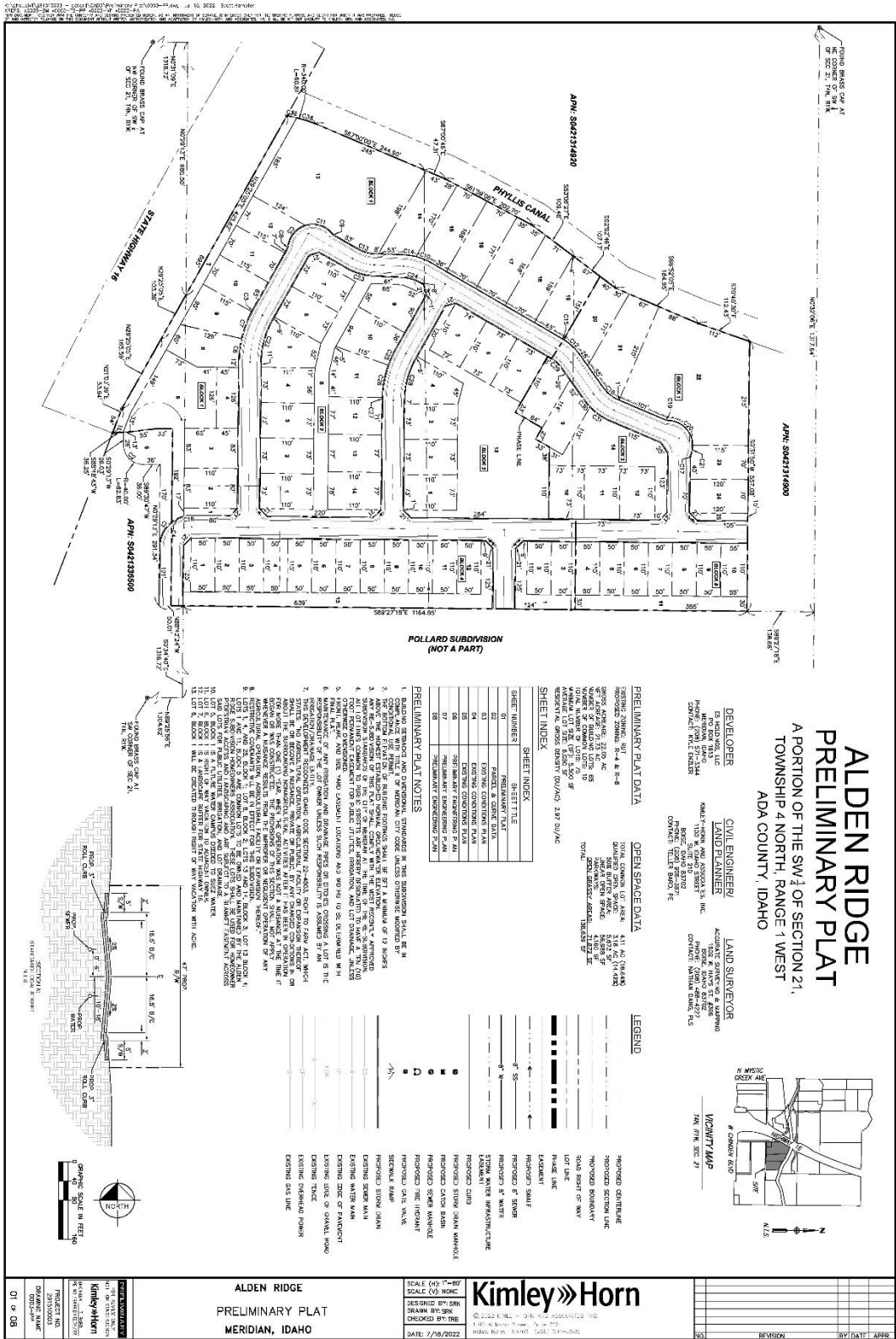
LINE	BEARING	DISTANCE
L1	N 89°27'18" W	25.00'
L2	N 00°29'13" E	163.00'
L3	S 00°31'50" W	163.00'



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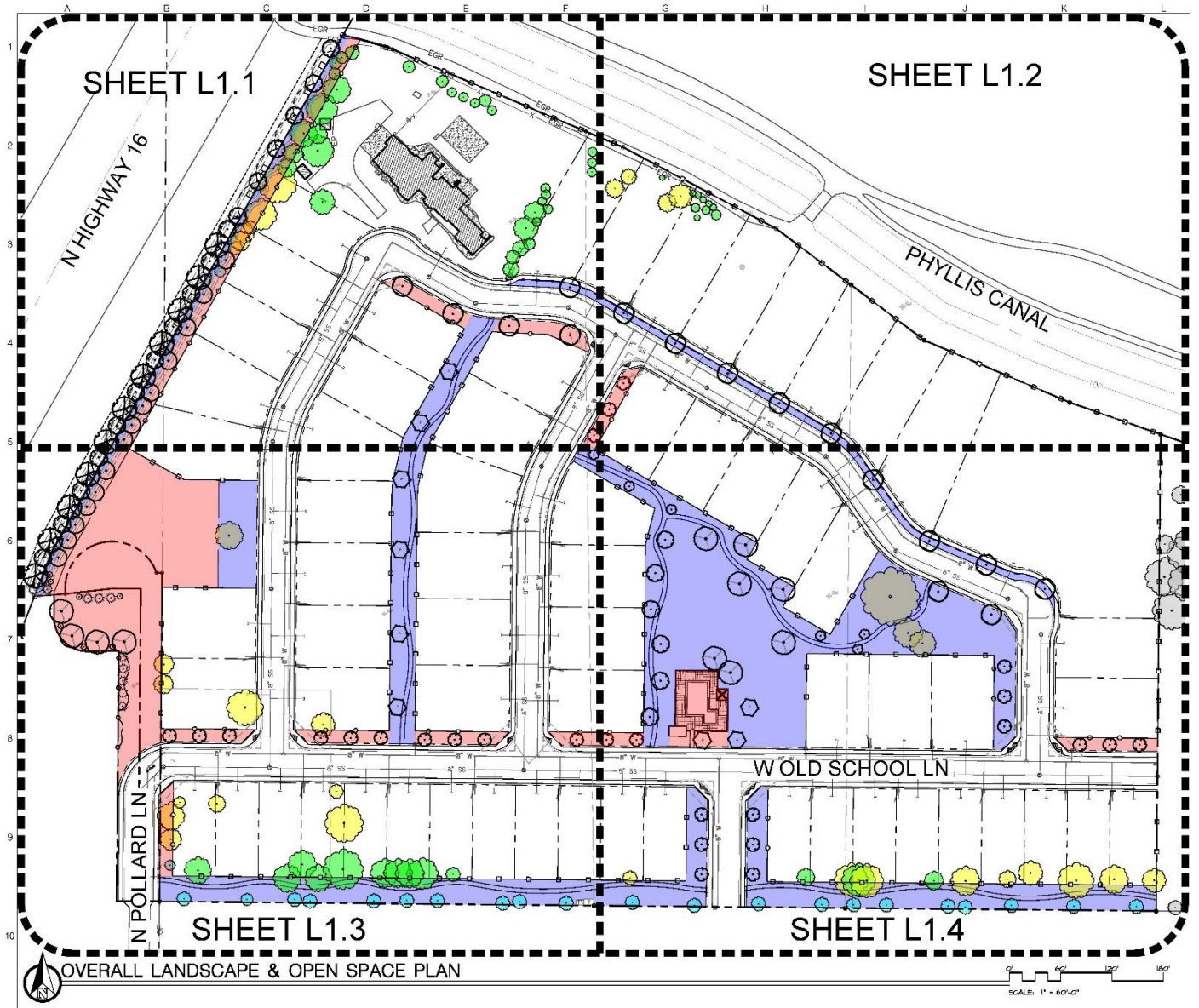
B. Preliminary Plat (dated: 7/18/2022)







C. Landscape Plans (date: 7/18/2022)



**LANDSCAPE SET SHEET INDEX**

SEE SHEETS L1.1-L1.4 FOR DETAILED LANDSCAPE PLANS,  
 SEE SHEET L2.0 FOR LANDSCAPE DETAILS.  
 SEE SHEET L2.1 FOR NOTES AND SPECIFICATIONS.  
 SEE SHEET L3.0 FOR TREE MITIGATION PLAN.

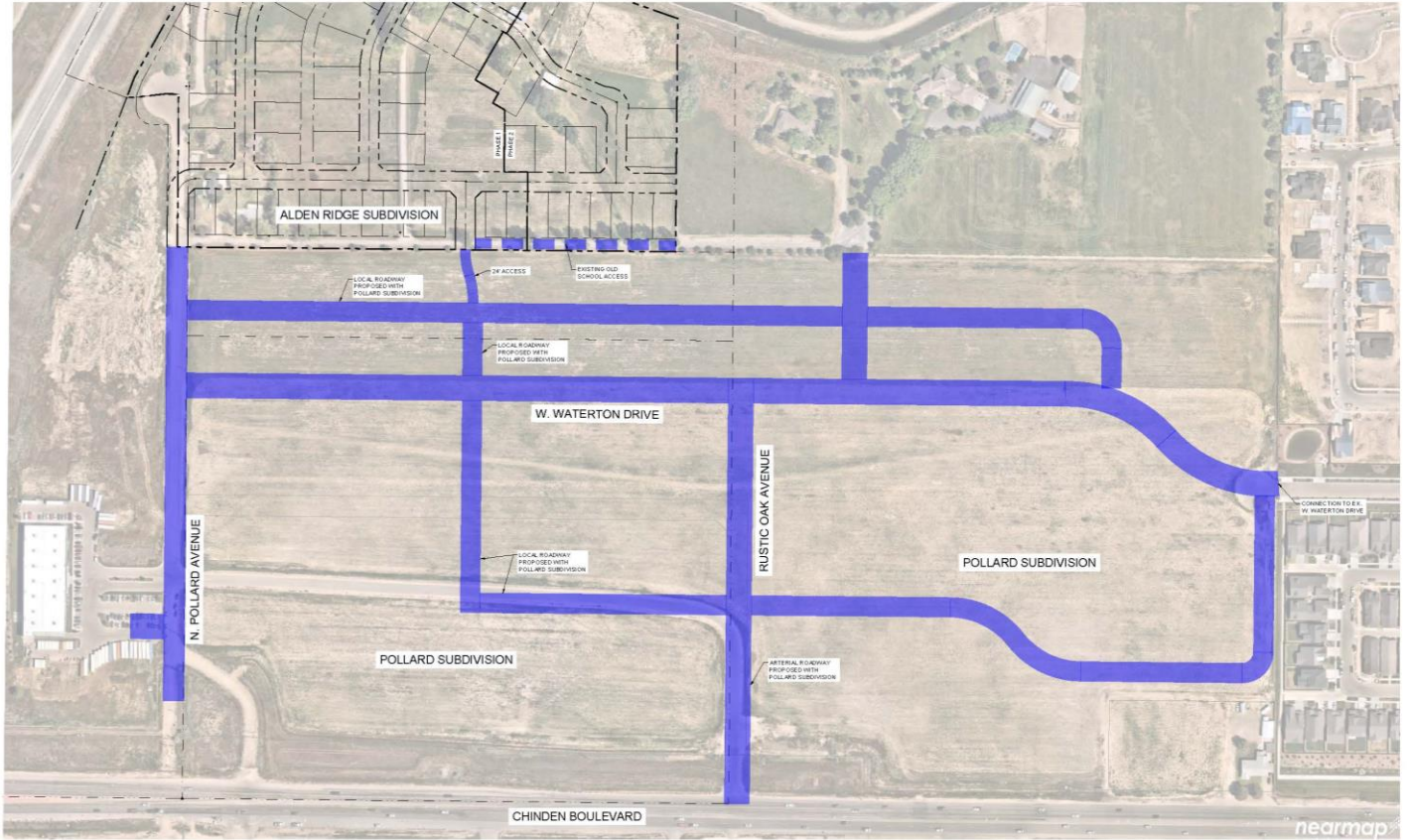
**DISCLAIMER:**

THIS DRAWING HAS BEEN PREPARED BASED UPON INFORMATION PROVIDED IN PART BY OTHERS. WHILE THIS INFORMATION IS BELIEVED TO BE RELIABLE, SOUTH BECK AND BARD, P.C. CANNOT ASSURE ITS ACCURACY AND THIS IS NOT RESPONSIBLE FOR THE ACCURACY OF THIS DRAWING OR FOR ANY ERRORS OR OMISSIONS WHICH MAY HAVE BEEN INCORPORATE INTO IT AS A RESULT. SOUTH BECK AND BARD, P.C. ASSUMES NO LIABILITY FOR ANY MISINFORMATION.

**OPEN SPACE LEGEND**

COMMON AREA (represented by a pink square)  
 QUALIFIED COMMON AREA (represented by a blue square)

D. Alden Ridge Access Exhibit:



E. Conceptual Building Elevations







## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s)/developer at the time of annexation ordinance adoption, and the developer. **A final plat will not be accepted until the DA is executed and the Annexation and Zoning ordinance is approved by City Council.**

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

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, access exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
- b. Any existing structures shall be removed upon project development, except for those specifically noted within the preliminary plat to remain.
- c. The existing home shown to remain on Lot 13, Block 1 shall connect to City sewer services with the first phase of development.
- d. Due to access and sewer availability, phase 1 development shall not commence until a public road access is available to the site and the required sanitary sewer lift station is constructed by the adjacent development to the south (Pollard Subdivision).
- e. The Applicant shall relinquish their rights to access W. Old School Lane and provide the Planning Division with written proof of this relinquishment with phase 1 development and maintain access for 6854 N. Pollard Lane & 5500 N. Pollard Lane as depicted on the access exhibit (Exhibit VII.E) until such time their permanent access through Pollard Subdivision is constructed.
- f. The rear and/or sides of homes visible from SH 16 (Lots 8-12, Block 1) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

#### **Preliminary Plat Conditions:**

2. The preliminary plat included in Section VII.B, dated July 18, 2022, shall be revised as follows prior to submitting for Final Plat approval:
  - a. With the first final plat submittal, provide the City written proof that the right-of-way for Pollard Lane has been vacated with ACHD (Lots 5 & 6, Block 1).
  - b. Existing home will get a new address upon development of the first phase of this project consistent with the development of the new local street access.

3. The landscape plan included in Section VII.C, dated July 18, 2022, shall be revised as follows prior to submitting for Final Plat approval:
  - a. Depict additional vegetative ground cover in all linear open space consistent with UDC 11-3B-12.
  - b. Revise the design of the semi-private open vision fencing proposed to be consistent with Figure 1 in UDC 11-3A-7.
  - c. Per UDC 11-3H-4, revise the height of the berm/wall combination to be at least 10 feet above the centerline of SH 16 and depict this height within the exhibit on the Landscape Plans.
4. Prior to the Commission hearing, the Applicant shall verify the location of the irrigation ditch along the south boundary to determine if it is on the subject property; if said ditch is proven to be on the subject property, the Applicant should revise any relevant plans to depict this ditch as being piped prior to the City Council hearing in accord with UDC 11-3A-6B.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
9. The Director has approved the Alternative Compliance Request to the landscape street buffer requirements (UDC 11-3B-7).
10. Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review for the pool changing facilities located on Lot 13, Block 3 prior to building permit submittal for this facility.
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 preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
13. Prior to the City Council hearing, submit conceptual building elevations for the R-8 building lots.
14. The submitted R-4 & R-8 zoning legal descriptions and exhibit maps are mislabeled as Rezone exhibits; prior to the City Council hearing, the applicant shall provide revised legal descriptions and exhibit maps noting these to be "Zoning" instead of "Rezone."

## **B. PUBLIC WORKS**

### **SITE SPECIFIC CONDITIONS:**

1. Subject to the Oaks Lift Station and Pressure Sewer reimbursement agreement.
2. Area requires Pollard Lift Station and force main before area can be serviced.

3. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.
4. Ensure no sewer services pass through infiltration trenches.
5. Water serviced by Suez and not the City.
6. As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. This includes, the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. In addition, rain gutters should be placed around all sides of residences, and backfill around stem walls, should be placed and compacted in a controlled manner.

**GENERAL CONDITIONS:**

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. 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.
7. 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, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing 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.

8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. 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.
10. 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.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. 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.
15. The 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.
16. 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.
17. 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.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting ([http://www.meridiandesign.org/public\\_works.aspx?id=272](http://www.meridiandesign.org/public_works.aspx?id=272)). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. 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. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.

20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. 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.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (UDC 11-3B-6). 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 development plan approval.
24. 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.

**C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273989&dbid=0&repo=MeridianCity>

**D. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274704&dbid=0&repo=MeridianCity>

**E. MERIDIAN POLICE DEPARTMENT (MPD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274066&dbid=0&repo=MeridianCity>

**F. SETTLER'S IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=274280&dbid=0&repo=MeridianCity>

**G. COMMUNITY DEVELOPMENT SCHOOL IMPACT TABLE**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275949&dbid=0&repo=MeridianCity>

**H. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278247&dbid=0&repo=MeridianCity>

**I. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=277898&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

**A. Annexation and Zoning (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;**

*Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-4 & R-8 zoning districts with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.*

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

*Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-4 & R-8 zoning districts and is consistent with the purpose statement of the requested zone.*

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

*Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.*

**4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and**

*Staff finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.*

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

*Staff finds the annexation is in the best interest of the City, if all conditions of approval are met.*

**B. Preliminary Plat Findings:**

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

**1. The plat is in conformance with the Comprehensive Plan;**

*Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see*

*Comprehensive Plan Policies in, Section V of this report for more information.)*

- 2. Public services are available or can be made available and are adequate to accommodate the proposed development;**

*Staff finds that public services will be provided to the subject property with development. (See Section VIII of the Staff Report for more details from public service providers.)*

- 3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;**

*Because City sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.*

- 4. There is public financial capability of supporting services for the proposed development;**

*Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)*

- 5. The development will not be detrimental to the public health, safety or general welfare; and,**

*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property.*

- 6. The development preserves significant natural, scenic or historic features.**

*Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.*

**C. Alternative Compliance findings (Landscape buffers along streets UDC 11-3B-7):**

The Director has approved your request for alternative compliance to Unified Development Code (UDC) 11-3B-7 for the subject property, based on the required Findings listed in UDC 11-5B-5E, as follows:

1. Strict adherence or application of the requirements are not feasible; or

*The Director finds it is feasible to meet the UDC requirement for the location of the required street buffer but Staff finds it may not be the ideal situation when all parameters are considered (location of the existing home and mature trees that are to remain, a required easement by the water company along the rear of the building lots, and the relative limited number of homes along the highway, 6 building lots).*

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

*Per the analysis above in section V, the Director finds the proposed alternative will be equal or superior to the code requirement because the actual buffer width proposed is 5 feet larger than the minimum requirement, it will allow for existing mature vegetation to remain, and the proposed buffer location allows for a wider berm and more dense landscaping to be placed along this frontage offering more noise and fume mitigation than if the buffer was solely on the subject property.*

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties.

*The Director finds that the alternative means will not be materially detrimental to the public welfare or impair the intended use and/or character of surrounding residential properties if the proposed conditions of approval are maintained.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for Turin Plaza (H-2022-0063) by 12.15 Design, located at 3169 W. Belltower Dr.

Application Materials: <https://bit.ly/H-2022-0063>

A. Request: Rezone of 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district.

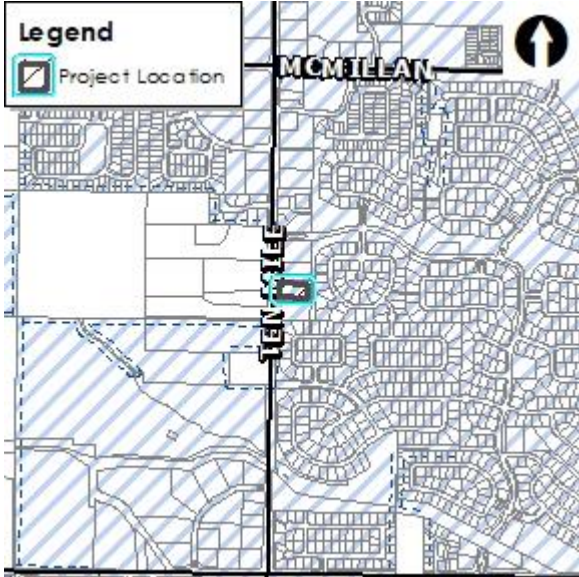
HEARING DATE: November 3, 2022

TO: Planning & Zoning Commission

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

SUBJECT: Turin Plaza – RZ, SHP  
H-2022-0063; SHP-2022-0013

LOCATION: 3169 W. Belltower Dr., in the NW 1/4 of Section 35, T.4N., R.1W. (Parcel #R1079860290)



**I. PROJECT DESCRIPTION**

Rezone of 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district; and Short Plat consisting of four (4) building lots on 1.62 acres of land in the proposed L-O zoning district for Turin Plaza Subdivision.

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details
Acreage	1.62 acres (Short Plat) & 1.80 acres (Rezone)
Future Land Use Designation	Office
Existing Land Use	Vacant/undeveloped
Proposed Land Use(s)	Office
Current Zoning	R-4 (Medium Low-Density Residential)
Proposed Zoning	L-O (Limited Office)
Lots (# and type; bldg/common)	<u>4 building lots</u>
Phasing plan (# of phases)	NA (not proposed to be phased)
Number of Residential Units (type of units)	0
Density (gross & net)	NA
Open Space (acres, total [%] / buffer / qualified)	NA
Amenities	NA
Physical Features (waterways, hazards, flood plain, hillside)	NA

Neighborhood meeting date	7/11/22
History (previous approvals)	Lot 2, Block 6, Bridgetower Crossing Sub. 2; AZ-01-003 (Ord. #01-930), DA Inst. #101117652.

B. Community Metric

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	No
<ul style="list-style-type: none"> <li>Existing Conditions</li> </ul>	N. Ten Mile Rd., an arterial street runs along the street buffer on the west side of this property.
<ul style="list-style-type: none"> <li>CIP/IFYWP</li> </ul>	

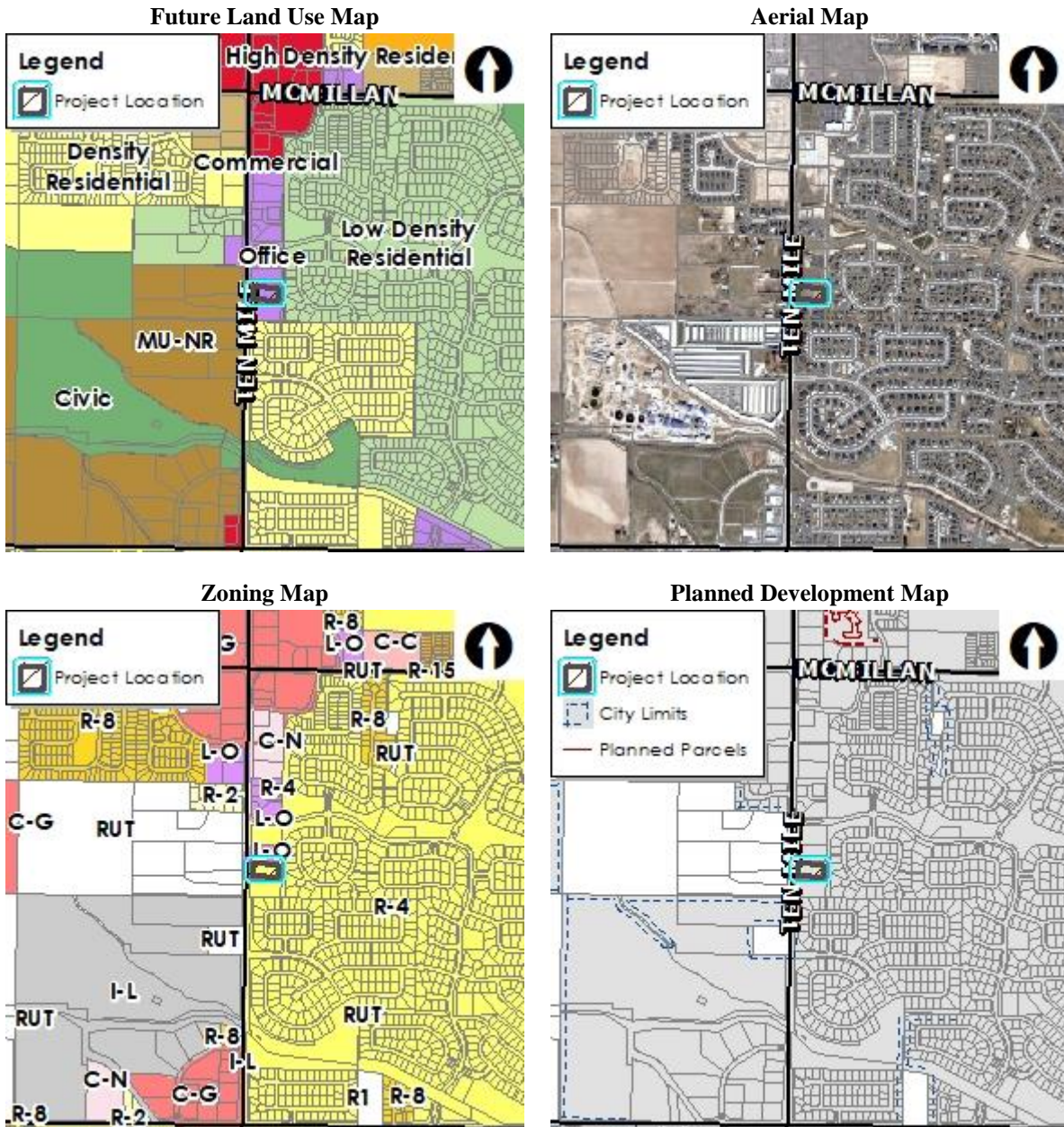
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	A backage road exists along the east boundary of the site for access via W. Belltower Dr., a residential collector street.
Proposed Road Improvements	None proposed, none required.
Fire Service	<i>No comments received.</i>
Police Service	<i>No comments received.</i>

West Ada School District	<i>No comments received.</i>
Distance (elem, ms, hs)	
Capacity of Schools	
# of Students Enrolled	

Wastewater	
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	Sewer is available to the east.
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	
Water	
<ul style="list-style-type: none"> <li>Distance to Services</li> </ul>	Water is stubbed to the site.
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	
<ul style="list-style-type: none"> <li>Estimated Project Water ERU's</li> </ul>	
<ul style="list-style-type: none"> <li>Water Quality Concerns</li> </ul>	
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> </ul>	
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	



C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jessica Petty, 12.15 Design – 6584 E. Playwright Dr., Boise, ID 83716

B. Owner:

Cottages Senior Living – 1079 S. Ancona Ave., Ste. 110, Eagle, ID 83616

C. Representative:

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Newspaper notification published in newspaper	10/19/2022	
Radius notification mailed to property owners within 300 feet	10/13/2022	
Public hearing notice sign posted on site	10/20/2022	
Nextdoor posting	10/13/2022	

**V. COMPREHENSIVE PLAN ANALYSIS**

**LAND USE:** This property is designated as Office on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation will provide opportunities for low-impact business areas. These uses would include professional offices, technology and resource centers; ancillary commercial uses may be considered (particularly within research and development centers or technological parks). Sample zoning include L-O.

The subject property is an enclave in the City surrounded by office and residentially developed properties. The Applicant proposes to rezone the subject property from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district and re-subdivide the property into four (4) building lots for the development of four (4) 3,550 to 3,600 square foot office buildings, consistent with the Office FLUM designation for this property.

**TRANSPORTATION:** The Master Street Map (MSM) does not depict any collector streets across this property. A collector street, W. Belltower Dr., exists to the north for access via N. Ten Mile Rd.; a backage road from Belltower provides access to the subject property.

**Goals, Objectives, & Action Items:** Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use of this property (staff analysis in *italics*):

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

*City water and sewer service has been stubbed to this lot and is available to be extended by the developer with development in accord with UDC 11-3A-21.*

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

*The site design for the proposed development should be compatible with the adjacent office uses to the north and the senior living center to the south. A backage road exists along the east boundary of the site and a 50-foot wide landscape buffer exists on the east side of the backage road with sight-obscuring fencing which provides screening for adjacent single-family residential uses to the east, which should reduce conflicts.*

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

*The proposed infill development should be consistent with existing adjacent uses and shouldn't*

- negatively impact adjacent properties.*
- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)
- With lot development, a pedestrian connection should be provided from the sidewalk along N. Ten Mile Rd. to the main building entrances in accord with UDC 11-3A-19B.4.*
- “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 multi-modal corridors.” (3.07.02B)
- The proposed office uses are smaller-scale and will have convenient access from nearby residential areas. No access is proposed or approved to N. Ten Mile Rd., an arterial street.*
- “Maximize public services by prioritizing infill development of vacant and underdeveloped parcels within the City over parcels on the fringe.” (2.02.02)
- Development of the subject infill parcel will maximize public services.*

## VI. STAFF ANALYSIS

### A. REZONE (RZ)

The Applicant proposes to rezone 1.80 acres of land from the R-4 (Medium Low-Density Residential) to the L-O (Limited Office) zoning district. A legal description and exhibit map for the rezone area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

There is an existing Development Agreement (DA) for Bridgetower Crossing Subdivision recorded in 2001 as Instrument No. [101117652](#), that governs future development of this property. It requires the subject property to be rezoned to L-O prior to issuance of any building permits.

The Applicant proposes to develop the property with four (4) 3,550 to 3,600 square foot office buildings, consistent with the Office FLUM designation for this property.

Professional services, which include, but are not limited to, architects, landscape architects and other design services; graphic designers, consultants, lawyers, media advisors, photography studios, and general offices, are listed as a principal permitted use in the L-O zoning district per UDC [Table 11-2B-2](#). Future development is subject to the dimensional standards listed in UDC Table [11-2B-3](#) for the L-O zoning district.

This property is an undeveloped enclave that was previously annexed into the City surrounded by developed properties. As noted above in Section V, the proposed development and use of the property should be compatible with the scale and use of adjacent properties.

**The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because there is already an existing DA in effect for this property and the proposed development is in compliance with the DA, Staff does not recommend a new DA or changes to the DA with this application. If the Commission and/or City Council would like to tie future development to the conceptual development plan submitted with this application included in Section VIII.B below, an amendment to the DA should be required to do so.**

### B. SHORT PLAT (SHP):

The proposed short plat is a re-subdivision of Lot 2, Block 6, Bridgetower Crossing Subdivision No. 2, consisting of four (4) building lots on 1.62 acres of land in the proposed L-O zoning district. Each of the four (4) lots are 17,686 square feet in area.

The existing plat for Bridgetower Crossing No. 2 depicts the following easements applicable to this property: a 35-foot wide landscape easement along N. Ten Mile Rd. with a note prohibiting vehicle access across the easement; a 33-foot wide Idaho Power easement also Long N. Ten Mile Rd.; and a 25-foot wide cross-access and City of Meridian sewer easement along the east boundary of the site where the backage road is located. These easement have been carried over to the proposed plat.

**Existing Structures/Site Improvements:** There are no existing structures on this site. There is an existing landscaped street buffer with a detached sidewalk along N. Ten Mile Rd. that was constructed with the subdivision improvements for Bridgetower Crossing Subdivision No. 2. A backage road exists along the east boundary of this site and adjacent lots to the north and south for access via W. Belltower Dr., a collector street to the north.

**Dimensional Standards (UDC 11-2):** The proposed plat and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2B-3](#) for the L-O zoning district, which require a minimum 10-foot interior side setback – the front and rear setbacks are zero (0). Buildings may not encroach within the street buffer along Ten Mile Rd. **Changes may be needed to the building placement shown on the conceptual development plan to comply with the side setback standard or lot lines may need to be adjusted accordingly.**

**Access:** Access is proposed via an existing backage road along the east boundary of the site from W. Belltower Dr., a collector street to the north, from N. Ten Mile Rd., an arterial street along the west boundary of the site. Direct access via Ten Mile Rd. is prohibited. **A cross-access/cross-parking easement should be granted between all of the proposed lots for internal access from the backage road and because some of the parking for each building appears to be located on adjacent lots; this may be done via a note on the plat.**

**Landscaping (UDC 11-3B):** A 35-foot wide street buffer exists along N. Ten Mile Rd., an arterial street, in accord with UDC Table 11-2B-3, as depicted on the plat. No landscaping is proposed with this application. With future development of each lot, parking lot landscaping will be required in accord with the standards listed in UDC [11-3B-8C](#).

**Sidewalks (11-3A-17):** A 5-foot wide detached sidewalk exists within the street buffer along N. Ten Mile Rd., an arterial street.

**Waterways:** No waterways cross this site.

**Utilities (UDC 11-3A-21):** Connection to City water and sewer services is required in accord with UDC 11-3A-21.

**Pressurized Irrigation System (UDC 11-3A-15):** Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

**Storm Drainage (UDC 11-3A-18):** An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18. A [Storm Drainage Master](#) was submitted with this subdivision.

**Certificate of Zoning Compliance & Design Review:** No conceptual building elevations were submitted with this application. A Certificate of Zoning Compliance and Design Review application is required to be approved for each of the structures and associated site improvements prior to submittal of building permit applications. All structures shall comply with the design standards in the [Architectural Standards Manual](#). *Note: One CZC/DR application could be submitted for the entire development.*

## **VII. DECISION**

### **A. Staff:**

Staff recommends approval of the proposed rezone and short plat with the provisions in Section IX in accord with the Findings in Section X.

**VIII. EXHIBITS**

A. Rezone Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners

924 3<sup>rd</sup> St. So. Nampa, ID 83651  
Ph (208) 454-0256 Fax (208) 467-4130  
e-mail: [dholzhey@masonandassociates.us](mailto:dholzhey@masonandassociates.us)

FOR: McCarter-Moorhouse  
JOB NO.: MR0622  
DATE: August 23, 2022

**REZONE DESCRIPTION**

A parcel of land being all of Lot 2, Block 6, Bridgetower Crossing Subdivision No. 2 in the Ada County Recorder's Office in Book 86 at Pages 9641-9643 situated in the SW1/4 NW1/4 of Section 35, Township 4 North, Range 1 West, Boise Meridian, Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of Section 35;

Thence S 00° 52' 50" W., 2630.96 feet along the west boundary of the NW1/4 to the southwest corner of the NW1/4;

Thence N 00° 52' 50" E., 218.84 feet along the west boundary of the NW1/4 the **POINT OF BEGINNING**;

Thence N 00° 52' 50" E., 197.62 feet along the west boundary of the NW1/4;

Thence S 89° 07' 10" E., 40.00 feet of Lot 2 to the northwest corner of Lot 2;

Thence S 89° 07' 10" E., 358.00 feet along the north boundary of Lot 2 to the northeast corner of Lot 2;

Thence S 00° 52' 50" W., 197.62 feet along the east boundary of Lot 2 to the southeast corner of Lot 2;

Thence N 89° 07' 10" W., 358.00 feet along the south boundary of Lot 2 to the southwest corner of Lot 2;

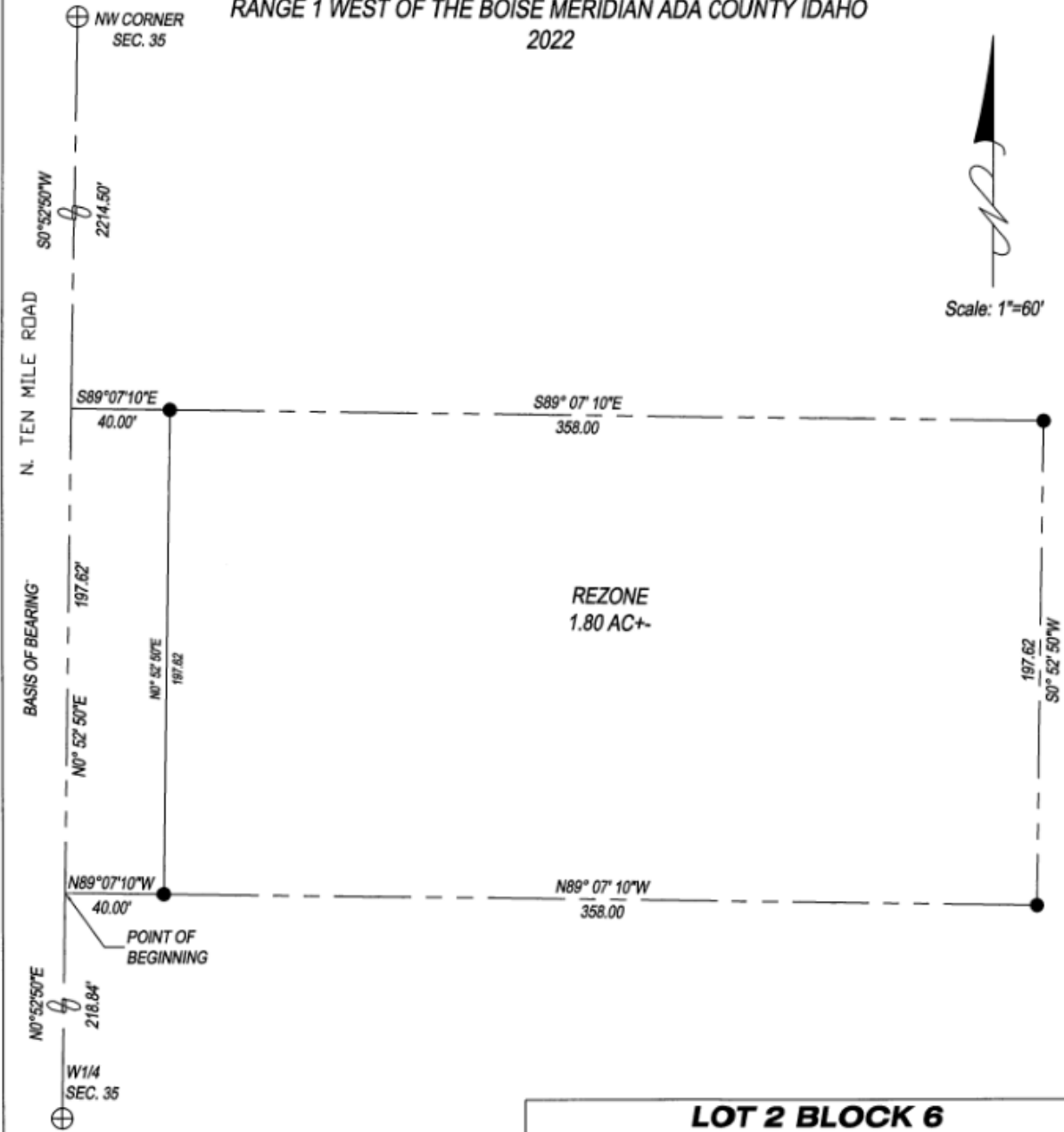
Thence N 89° 07' 10" W., 40.00 feet to the **POINT OF BEGINNING**.

This rezone description contains 1.80 acres more or less.



# REZONE EXHIBIT

LOT 2 BLOCK 6 OF BRIDGETOWER CROSSING SUBDIVISION NO. 2  
 IN THE SW1/4 NW1/4 OF SECTION 35 TOWNSHIP 4 NORTH  
 RANGE 1 WEST OF THE BOISE MERIDIAN ADA COUNTY IDAHO  
 2022



### LEGEND

- $\oplus$  FOUND ALUMINUM MONUMENT
- $\bullet$  FOUND 1/2" IRON PIN

<b>LOT 2 BLOCK 6</b>	
<b>BRIDGETOWER CROSSING SUBDIVISION NO 2</b>	
Professional Engineers, Land Surveyors & Planners <small>801 3rd St South, Nampa, ID 83850                  (208) 454-2200 Fax (208) 457-4100</small>	
JOB NO. <b>MR0622</b>	REV. $\triangle$
DWG NO. <b>REZONE</b>	
SCALE: <b>1" = 60'</b>	
FIELD BOOK NO.	
DRAWN BY: <b>DH</b>	DATE: <b>8/10/22</b>


B. Conceptual Development Plan



1 SITE PLAN  
1/8" = 1'-0"



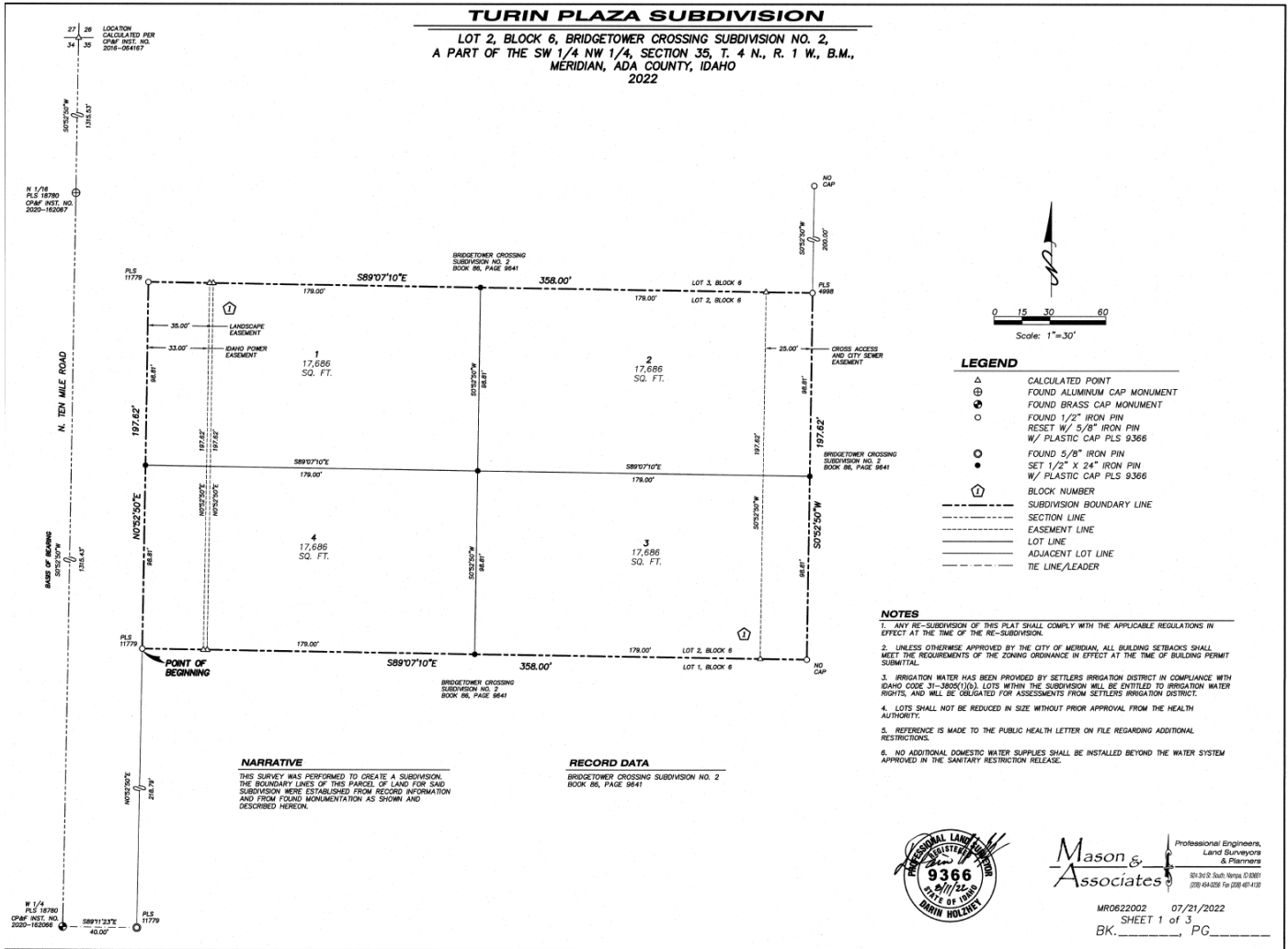
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ARCHITECT STAMP	
<b>3169 W. BELL TOWER</b> MERIDIAN, IDAHO	
PRELIMINARY DRAWINGS	
VERIFY SCALES THIS SHEET IS TO BE USED IN CONJUNCTION WITH THE SHEET SCHEDULED AS ACCOMPANIES	
CHECKED	DATE
DRAWN	JESSICA
JOB NO.	001
SHEET NUMBER	002

08.02.2022



C. Short Plat (dated: 8/11/22)



## IX. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. The short plat shall include the following revisions:
  - a. Note #4: “Lots shall not be reduced in size without prior approval from the health authority and the City of Meridian.”
  - b. Include a note stating all lots within the proposed subdivision are subject to a cross-access/cross-parking easement.
  - c. Include a note prohibiting access via N. Ten Mile Road.
2. A Certificate of Zoning Compliance and Design Review application is required to be approved for each of the structures and associated site improvements prior to submittal of building permit applications. All structures shall comply with the design standards in the [Architectural Standards Manual](#). *Note: One CZC/DR application may be submitted for the entire development if desired.*
3. Approval of the short plat shall become null and void if the applicant fails to obtain the City Engineer’s signature on the final plat within two (2) years of the approval of the short plat, as set forth in UDC 11-6B-7A. Upon written request prior to the expiration of the final plat, the Applicant may request an extension of time to obtain the City Engineer’s signature on the final plat as set forth in UDC [11-6B-7C](#).

### B. PUBLIC WORKS

#### 1. Site Specific Conditions of Approval

- 1.1 Ensure no sewer services pass through infiltration trenches.

#### 2. General Conditions of Approval

- 2.1 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 than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 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.
- 2.3 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. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian’s standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 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.

- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 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.
- 2.7 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.
- 2.8 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.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 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.
- 2.13 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.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 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.
- 2.17 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.
- 2.18 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.

- 2.19 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.
- 2.20 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](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. 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.
- 2.22 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. IDAHO TRANSPORTATION DEPARTMENT (ITD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278191&dbid=0&repo=MeridianCity>

**D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278762&dbid=0&repo=MeridianCity>

**E. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275948&dbid=0&repo=MeridianCity>

**X. FINDINGS**

**A. 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;  
*Staff finds the Applicant's request to rezone the subject property from the R-4 to the L-O zoning district and develop the site with office uses is consistent with the Office FLUM designation for this property.*
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;

*Staff finds the proposed map amendment to L-O and development generally complies with the purpose statement of the commercial districts in that it will provide for the service needs of the community in accord with the Comprehensive Plan.*

3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;  
*Staff finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed office uses should be compatible with adjacent office, residential care facility and single-family residential homes/uses in the area.*
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and  
*Staff finds City services are available to this property and will be provided with development.*
5. The annexation (as applicable) is in the best interest of city.  
*This finding not applicable as the request is for a rezone, not annexation. Staff finds the proposed rezone is in the best interest of the city.*

**B. Short Plat (UDC 11-6B-6)**

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings: (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

1. The plat is in conformance with the comprehensive plan and is consistent with this unified development code; (Ord. 08-1372, 7-8-2008, eff. 7-8-2008)  
*Staff finds the proposed plat is generally in conformance with the UDC and the Comprehensive Plan.*
2. Public services are available or can be made available and are adequate to accommodate the proposed development;  
*Staff finds public services are available to the subject property and will be adequate to accommodate the proposed development.*
3. The plat is in conformance with scheduled public improvements in accord with the city's capital improvement program;  
*Staff finds the plat is in conformance with scheduled public improvements for this area in accord with the City's CIP.*
4. There is public financial capability of supporting services for the proposed development;  
*Staff finds there is public financial capability of supporting services for the proposed development.*
5. The development will not be detrimental to the public health, safety or general welfare; and  
*Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.*
6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)  
*Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing for McDermott Village (H-2022-0056) by Boise Hunter Homes, located at 3235 N. McDermott Rd. at the northwest corner of W. Ustick Rd. and N. McDermott Rd.

Application Materials: <https://bit.ly/H-2022-0056>

A. Request: Annexation of 40.05 acres of land with R-15, R-40 and C-G zoning districts. B. Request: Preliminary Plat consisting of 85 building lots (81 townhome, 1 multi-family, 3 commercial lots) and 8 common lots on 40.05 acres of land in the R-15, R-40 and C-G zoning districts. C. Request: Conditional Use Permit for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district.

**STAFF REPORT**  
**COMMUNITY DEVELOPMENT DEPARTMENT**



HEARING DATE: November 3, 2022  
 TO: Planning & Zoning Commission  
 FROM: Sonya Allen, Associate Planner  
 208-884-5533  
 SUBJECT: H-2022-0056  
 McDermott Village – AZ, CUP, PP  
 LOCATION: 3235 N. McDermott Rd. at the northwest corner of W. Ustick Rd. & N. McDermott Rd., in the SE 1/4 of Section 32, T.4N., R.1W. (Parcel #S0432429360 & #S0432429355)



**I. PROJECT DESCRIPTION**

Annexation of 40.05 acres of land with R-15 (17.12 acres), R-40 (15.85 acres) and C-G zoning (7.08 acres); Preliminary plat consisting of 85 building lots (81 townhome, 1 multi-family and 3 commercial) & 8 common lots on 40.05 acres of land in the R-15, R-40 & C-G zoning districts; and Conditional Use Permit for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district.

**II. SUMMARY OF REPORT**

A. Project Summary

Description	Details
Acreage	40.05-acres (AZ); 40.05-acres (PP); 12.19-acres (CUP)
Existing/Proposed Zoning	RUT in Ada County (existing); R-15, R-40 & C-G (proposed)
Future Land Use Designation	Mixed Use – Regional (MU-R)
Existing Land Use(s)	Vacant/undeveloped land used for agricultural purposes
Proposed Land Use(s)	Mix of commercial (fuel sales facility & convenience store and flex commercial/office); and residential (i.e. multi-family apartments and townhomes)
Lots (# and type; bldg./common)	85 buildable lots (81 townhome lots, 1 multi-family lot & 3 commercial lots) and 8 common lots
Phasing Plan (# of phases)	3 phases
Number of Residential Units (type of units)	250 multi-family apartment units & 81 townhome units
Physical Features (waterways, hazards, flood plain, hillside)	The Eight Mile Lateral runs across the northeast corner of this site and the Sky Pilot Drain runs across the southern portion of the site.
Neighborhood meeting date	5/25/22

Description	Details
History (previous approvals)	None

B. Community Metrics

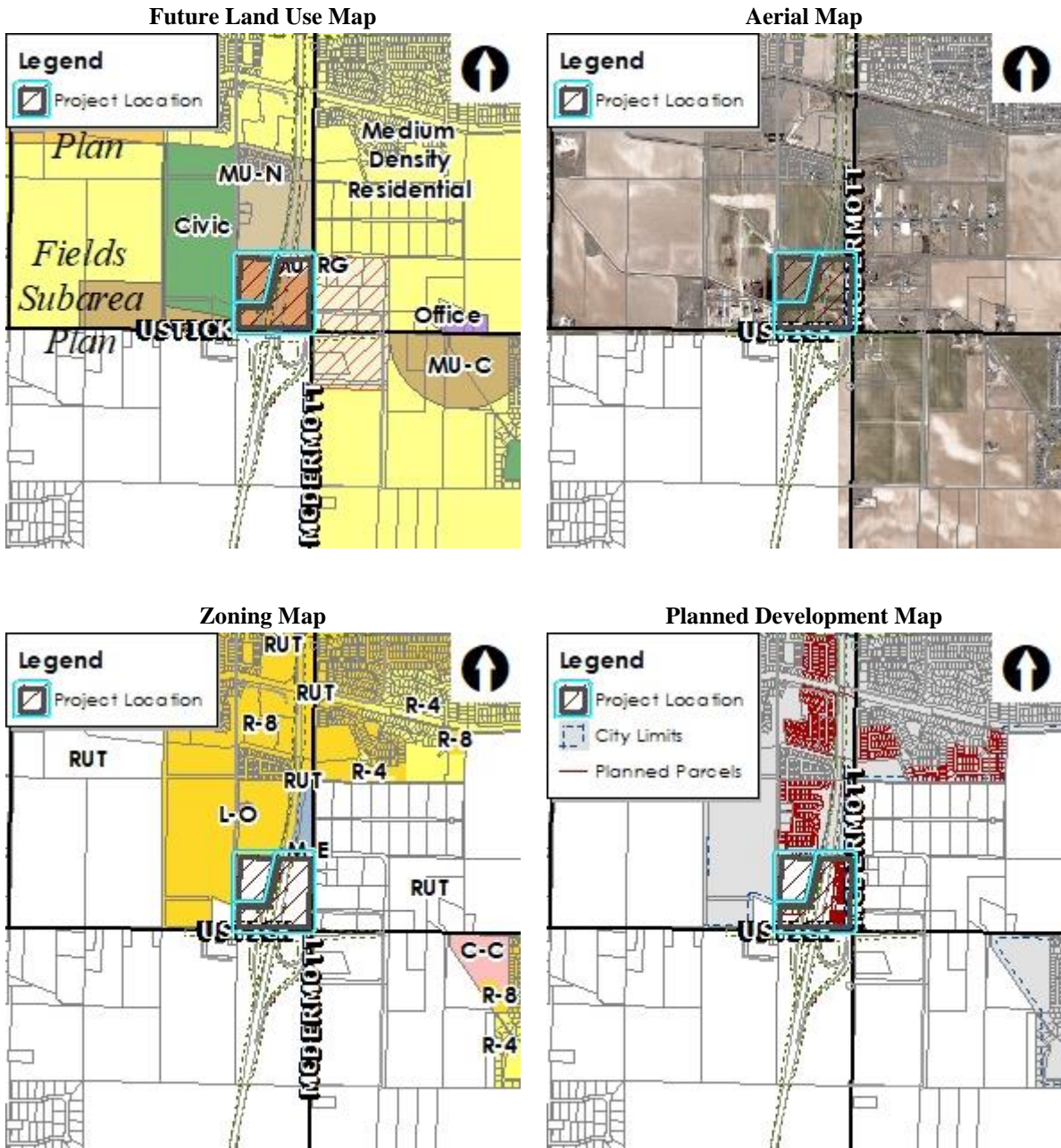
Description	Details															
Ada County Highway District																
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes</p> <p>No</p> <p>A Traffic Impact Study (TIS) was prepared by Kittleson &amp; Associates, Inc.</p>															
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One access is proposed via S. Rolling Hill Dr. from E. Overland Rd. to the south; and two driveways will provide access from the commercial development to the west via S. Silverstone Way from E. Overland Rd. (a signalized intersection exists at Silverstone/Overland)															
Traffic Level of Service	<table border="1"> <thead> <tr> <th>Roadway</th> <th>Frontage</th> <th>Functional Classification</th> <th>PM Peak Hour Traffic Count</th> <th>PM Peak Hour Level of Service</th> </tr> </thead> <tbody> <tr> <td>Ustick Road</td> <td>1,304-feet</td> <td>Principal Arterial</td> <td>321</td> <td>Better than "E"</td> </tr> <tr> <td>McDermott Road</td> <td>1,304-feet</td> <td>Collector*</td> <td>100</td> <td>Better than "D"</td> </tr> </tbody> </table>	Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service	Ustick Road	1,304-feet	Principal Arterial	321	Better than "E"	McDermott Road	1,304-feet	Collector*	100	Better than "D"
Roadway	Frontage	Functional Classification	PM Peak Hour Traffic Count	PM Peak Hour Level of Service												
Ustick Road	1,304-feet	Principal Arterial	321	Better than "E"												
McDermott Road	1,304-feet	Collector*	100	Better than "D"												
Stub Street/Interconnectivity/Cross Access	A public stub street is planned to the north boundary of this property with the Aviator Springs development (H-2021-0065). W. Endeavor St. to the west is planned to stub/connect to the west boundary of this property when the abutting Flower property (#S0432438850) re-develops.															
Existing Road Network	N. McDermott Rd., a residential collector street & entryway corridor; and W. Ustick Rd., a residential arterial street & entryway corridor, abut this site along the south and east property boundaries.															
Existing Arterial Sidewalks / Buffers	None															
Proposed Road Improvements	<p><b>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</b></p> <ul style="list-style-type: none"> <li>The intersection of Ustick Road and McDermott Road is scheduled in the IFYWP to be widened and reconstructed with design in 2026 and construction in the future.</li> <li>Ustick Road is listed in the IFYWP and CIP to be widened to 5-lanes from Star Road to McDermott Road with design in 2026 and construction in the future.</li> <li>Star Road is listed in the CIP to be widened to 5-lanes from Ustick Road to McMillan Road between 2031 and 2035.</li> <li>The intersection of Ustick Road and Star Road is listed in the CIP to be widened to 4-lanes on the north leg, 4-lanes on the south, 5-lanes east, and 5-lanes on the west leg, and signalized between 2031 and 2035.</li> </ul> <p>SH-16 is planned to extend north/south through this property and an interchange is proposed at Ustick Rd.</p>															

West Ada School District	Approved MF units					Projected Students from Approved Dev.
	Enrollment	Capacity	Approved lots per attendance area	per attendance area		
Pleasant View Elementary	614	650	3322	100	970	
Star Middle School	893	1000	9667	321	880	
Owyhee High School	1785	1800	6229	137	829	
<b>School of Choice Options</b>						
Chief Joseph Elementary – Arts	524	700	N/A	N/A		
Barbara Morgan STEM Academy	421	500	N/A	N/A		
<ul style="list-style-type: none"> <li>Distance (elem, ms, hs)</li> <li>Capacity of Schools</li> <li># of Students Enrolled</li> </ul>						



Description	Details
<ul style="list-style-type: none"> <li>Predicted # of students generated from proposed development</li> </ul>	73 +/-
<b>Police Service</b>	
<ul style="list-style-type: none"> <li>Distance to Police Station</li> </ul>	7.5 miles
<ul style="list-style-type: none"> <li>Police Response Time</li> </ul>	6:59 minutes - doesn't currently meet response time goal of 3-5 minutes; however, response times will drastically decline when the MPD precinct opens in the Fall.
<ul style="list-style-type: none"> <li>Calls for Service</li> </ul>	313 within a mile of the site between 6/1/20 and 5/31/22
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	PD requests police access into each building's entry point using a multi-technology keypad
<ul style="list-style-type: none"> <li>Specialty/resource needs</li> </ul>	None – MPD can service this development & already serves this area.
<ul style="list-style-type: none"> <li>Crimes</li> </ul>	54 within a mile of the site between 6/1/20 and 5/31/22
<ul style="list-style-type: none"> <li>Crashes</li> </ul>	8 within a mile of the site between 6/1/20 and 5/31/22
<ul style="list-style-type: none"> <li>Other</li> </ul>	For more info, see Section VIII.D
<b>Wastewater</b>	
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> </ul>	
<ul style="list-style-type: none"> <li>Sewer Shed</li> </ul>	
<ul style="list-style-type: none"> <li>Estimated Project Sewer ERU's</li> </ul>	
<ul style="list-style-type: none"> <li>WRRF Declining Balance</li> </ul>	14.42 MGD
<ul style="list-style-type: none"> <li>Project Consistent with WW Master Plan/Facility Plan</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Impacts/concerns</li> </ul>	Additional 11,691 gpd committed to model.
<b>Water</b>	
<ul style="list-style-type: none"> <li>Distance to Water Services</li> </ul>	
<ul style="list-style-type: none"> <li>Pressure Zone</li> </ul>	
<ul style="list-style-type: none"> <li>Estimated Project Water ERU's</li> </ul>	
<ul style="list-style-type: none"> <li>Water Quality Concerns</li> </ul>	
<ul style="list-style-type: none"> <li>Project Consistent with Water Master Plan</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Impacts/Concerns</li> </ul>	

C. Project Area Maps



A. Applicant:

Todd Tucker, Boise Hunter Homes – 729 S. Bridgeway Pl., Eagle, ID 83616

B. Owners:

James Hunter, Woodside Avenue Investors, LLC – 923 S. Bridgeway Pl., Eagle, ID 83616

C. Representative:

Same as Applicant

**III. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Notification published in newspaper	10/19/2022	
Notification mailed to property owners within 300 feet	10/13/2022	
Applicant posted public hearing notice on site	10/24/2022	
Nextdoor posting	10/13/2022	

**IV. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))**

**Land Use:** The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Mixed Use – Regional (MU-R). *Note: The Applicant requested this designation as part of the update to the Comprehensive Plan in 2019.*

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 (pg. 3-17). Sample uses, appropriate in MU-R areas would include: All MU-N and MU-C categories, entertainment uses, major employment centers, clean industry, and other appropriate regional-serving most uses. Sample zoning include: R-15, R-40, TN-C, C-G, and M-E

**Transportation:** State Highway (SH) 16 is planned to extend through this site and an interchange is planned at Ustick Rd.

ACHD’s Master Street Map doesn’t depict any collector streets planned across this site. The segment of Ustick Rd. that this site fronts on is designated on the MSM as a residential arterial with 5-lanes and on-street bike lanes within 100-feet of right-of-way. The segment of McDermott Rd. that the townhome portion of the development fronts on is designated on the MSM as a residential collector with 3-lane roadway, a 46-foot street section within 74-feet of ROW. Due to the extension of SH-16, sidewalk is required on only the east side of the roadway.

Transit services are not available to this site.

**Proposed Development:** The Applicant proposes to develop the site with two (2) land use types – commercial (includes retail, restaurants, etc.) and residential (i.e. multi-family and townhome). No employment or public uses are proposed and it’s unlikely any of the proposed uses will have a regional draw. The site is designed with the commercial uses along Ustick Rd., an arterial street, with an integrated plaza area between the two northern buildings and multi-family development to the north along future SH-16. Townhomes are proposed on the east side of future SH-16 along N. McDermott Rd., a collector street. The proposed development is generally consistent with the conceptual MU-R plan in the Comprehensive Plan.

This is the only property in this area with a MU-R designation; that along with the property being bisected by SH-16 in the future, which reduces the size of the property from 40 acres to 26.5 acres, makes it difficult to develop the property entirely consistent with the MU-R designation. Additionally, because an interchange is planned in this area and access is limited, the Comprehensive

Plan states retail and auto-generated services should be minimized and transition rapidly from the interchange to residential uses near the County line, which the plan proposes. For these reasons, Staff is amenable to only two (2) land uses and the lower intensity of uses (i.e. primarily residential) proposed rather than more intense commercial uses as is typically desired in the MU-R designation. Additionally, because of the bifurcation of this property with the SH-16 extension, interconnectivity and a full integration of uses within the overall site is not possible as typically desired in mixed use designated areas.

**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.”

*The proposed 26.5-acre development (after right-of-way is taken out for SH-16) includes two types of land uses – commercial and residential. Because this is the only MU-R designated property in this area and the site is not very large and will be divided by a state highway, Staff is of the opinion the proposed number of land use types is sufficient.*

- “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 proposed development includes 250 multi-family units at a gross density of 20.5 units per acre. The multi-family portion of the project is located along the west side of future SH-16 and at the northwest corner of the future interchange at Ustick Rd. An employment destination center is not proposed but Owyhee High School exists directly to the west. High-density development is desired near schools so that students can walk to school, reducing bussing needs and traffic in the area.*

- “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.”

*A conceptual development plan was submitted with the annexation request, included in Section VII.B. A Development Agreement that ties future development to this plan and the general guidelines for mixed use developments and specifically the MU-R designation is recommended as a provision of annexation.*

- “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.”

*The conceptual development plan depicts a common plaza area between the northern two commercial buildings with a pedestrian walkway to the area from the southern lot (fuel facility/convenience store).*

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

*There is an existing low-density residential property along the west boundary of the site south of the Sky Pilot Drain adjacent to the proposed commercial uses. A public street (N. Glassford Ave.) is proposed between the commercial buildings and the residential property but a buffer is not proposed to the residential property. A landscaped street buffer is proposed on the east side of the street. Per UDC [Table 11-2B-3](#), a minimum 25-foot wide landscaped buffer is*

***required on C-G zoned properties to residential uses, unless such width is otherwise modified by City Council at a public hearing with notice to surrounding property owners.***

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

*No such uses are specifically proposed in this development – the tenants of the commercial buildings are unknown at this time. Owyhee High School is located directly to the northwest of this site and an LDS seminary and Boys & Girls Club has been conceptually approved to develop on the adjacent property to the north next to the school in close proximity to this site. Although these uses are not within the MU-R designation, they are still provided nearby.*

- “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.”

*A plaza/gathering area is depicted on the conceptual development plan between the two northern commercial buildings; there are no other public and/or quasi-public spaces or places proposed. As noted above, a high school exists to the northwest and an LDS seminary and a Boys & Girls Club are planned to develop in the Aviator Springs development directly to the north.*

- “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.”

*No such spaces are proposed on the conceptual development plan. Although a “mix” of uses (i.e. commercial & residential) are proposed, Staff wouldn’t consider this a true mixed-use development due to the lack of integration and connectivity within the overall site, which isn’t possible due to the extension of SH-16 through the property. A plaza/common open space area is depicted between the two (2) northern commercial buildings, which Staff feels is appropriate given the development limitations for this site.*

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

*The proposed commercial portion of the development is directly accessible to the multi-family residential portion of the development to the north and the single-family development further to the north (Aviator Springs) by both vehicles and pedestrians.*

*Future SH-16 will separate the commercial and multi-family development from the townhome development making it impossible for these uses to be directly accessible. Pedestrian pathways are proposed throughout the commercial and multi-family development and a 10-foot wide pathway is proposed to the single-family development to the north for connectivity.*

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

*A roadway, parking area and landscape buffer is proposed between the commercial and multi-family development (150’ between structures); and a 2-way drive aisle with parking on either side and a landscape buffer is proposed between the proposed multi-family and future single-family development to the north (115’ between uses) as a transition and buffer between uses.*

- “Because of the parcel configuration within Old Town, development is not subject to the Mixed-Use standards listed herein.”

*The subject property is not located in Old Town; therefore, this item is not applicable.*

**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.

*Staff’s analysis on the proposed project’s compliance with these guidelines is included above.*

- 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.

*Residential uses are proposed over 86% of the development area at an overall gross density of 14.58 units/acre, consistent with the density desired in MU-R designated areas. The gross density of the multi-family portion is 20.5 units/acre and the townhome portion is 7.71 units/acre.*

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

*Retail/commercial uses are only proposed to comprise of 14% of the development area in accord with this guideline.*

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 public/quasi-public uses are proposed on this site and the retail development area is below the allowed 50%.*

**Comprehensive Plan Policies:** The following Comprehensive Plan Policies are applicable to this development:

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

*City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21. Urban services are available to be provided upon development.*

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

*The proposed retail/commercial uses should be compatible with the existing low-density residential use to the west if a 25-foot wide buffer is provided with dense landscaping as required by UDC Table 11-2B-3 and 11-3B-9C.1 to minimize conflicts between land uses. The proposed multi-family development should be compatible with future single-family residential uses to the north in Aviator Springs subdivision with the proposed separation in uses by drive aisles, parking and a densely landscaped buffer to minimize conflicts between higher and lower density residential uses; and to the high school to the west. The proposed townhomes should be compatible with existing low-density residential properties across McDermott Rd. to the east and any future redevelopment of that area with MU-I (Mixed Use – Interchange) uses; and also, the future research and development use to the north, which is proposed to be separated by a 75-foot wide densely landscaped buffer.*

- “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)

*The proposed apartments and townhomes will provide housing in close proximity to Owyhee High School which will reduce bussing and vehicle trips in the area. The proposed retail/commercial uses should provide benefits to future residents of being able to live, shop and possibly work nearby enhancing overall livability and sustainability.*

- “Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A)

*The conceptual development plan depicts pedestrian pathways throughout the commercial and multi-family residential developments and to the adjacent single-family residential development to the north (Aviator Springs) for interconnectivity.*

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

*The proposed development will connect to City water and sewer systems; services are required to be provided to and through this development in accord with current City plans.*

- “Permit new development only where it can be adequately served by critical public facilities and urban services at the time of final approval, and in accord with any adopted levels of service for public facilities and services.” (3.03.03F)

*City water and sewer services are available to this site and can be extended by the developer with development in accord with UDC 11-3A-21. The emergency response times for Police and Fire Dept. currently fall outside of response time goals; however, when the new MPD precinct opens in Fall of 2023 and Fire Station #8 is constructed and staffed in late summer of 2023, response time goals will be met.*

- “With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

*Safe pathway connections should be provided from the proposed multi-family development to the abutting high school to the west. Usable open space and quality amenities are proposed with the multi-family development that exceed UDC standards.*

- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.).” (3.07.01C)

*A minimum 35-foot wide landscaped street buffer is required to be provided along future SH-16 and N. McDermott Rd., both designated entryway corridors. Noise mitigation is required within the buffer along future SH-16 per the standards listed in UDC [11-3H-4D](#) for residential uses adjoining a state highway.*

- “Evaluate the feasibility of annexing existing county enclaves and discourage the creation of additional enclaves.” (3.03.03I)

*This property abuts City annexed land to the north and west; a large enclave area of County land exists to the east. This area is largely sprawl with a lot of properties still in Ada County to the east and southeast. The land directly to the south is within Canyon County’s Area of City Impact boundary. Annexation of this property will not create additional enclaves and will actually decrease the existing enclave area.*

- “Require urban infrastructure be provided for all new developments, including curb and gutter, sidewalks, water and sewer utilities.” (3.03.03G)

*Urban infrastructure as noted is required to be provided with development in accord with UDC standards.*

*In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan for this area per the analysis above.*

## V. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

### A. Annexation:

The proposed annexation is for 40.05 acres of land with R-15 (17.12 acres), R-40 (15.85 acres) and C-G zoning (7.08 acres). The proposed use of the property will include a mix of commercial uses, including a fuel sales facility & convenience store and flex commercial/office (tenants have not been identified at this time) on 3.8 acres in the C-G district, multi-family residential apartments on 12.19 acres in the R-40 district, and townhomes on 10.51 acres of land in the R-15 district. The right-of-way proposed to be dedicated for the future extension of SH-16 consists of 13.55 acres of land.

A conceptual development plan was submitted, included in Section VII.B below that shows how the overall property is planned to develop. Based on the analysis above in Section IV, Staff is of the opinion the proposed annexation, zoning and development plan is generally consistent with the Comprehensive Plan with the provisions noted in Section VIII as discussed herein.

A multi-family development requires approval of a Conditional Use Permit (CUP) in the R-40 zoning district, subject to the specific use standards for such listed in UDC [11-4-3-27](#), and townhouse dwellings are listed as a principal permitted use in the R-15 zoning district per UDC [Table 11-2A-2](#). Commercial/retail and fuel sales facility uses are listed as a principal permitted use in the C-G zoning district per UDC [Table 11-2B-2](#), fuel sales facilities are subject to the



specific use standards listed in UDC [11-4-3-20](#). Other uses may be allowed as noted in the Allowed Uses in the Commercial Districts [Table 11-2B-2](#).

The proposed uses and zoning districts are listed as appropriate uses and zoning in the Comprehensive Plan for the MU-R designated area.

The property is contiguous to City annexed land and is within the City's Area of City Impact boundary. A legal description and exhibit map of the overall annexation area is included in Section VII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure future development is consistent with the Comprehensive Plan and with the development plan proposed with this application, Staff recommends a DA is required with this application, containing the provisions noted in Section VIII.A, as discussed herein.**

#### B. Preliminary Plat:

The proposed preliminary plat consists of 85 building lots (81 townhome, 1 multi-family and 3 commercial) & 8 common lots on 40.05 acres of land in the R-15, R-40 & C-G zoning districts.

The Applicant anticipates the development will be constructed in three (3) phases with the multi-family development first, the townhomes second and the commercial last unless they get a demand for the commercial, then it might be second.

#### **Existing Structures/Site Improvements:**

There are no existing structures or improvements on this site.

#### **Dimensional Standards:**

Development of the proposed lots is required to comply with the dimensional standards listed in UDC Tables [11-2A-7](#) for the R-15 district and [11-2A-8](#) for the R-40 district; and UDC Table [11-2B-3](#) for the C-G zoning district. **Some of the R-15 zoned lots do not comply with the minimum lot size of 2,000 square feet per dwelling units; revisions are necessary to comply. Zero (0) lot lines should be graphically depicted on the plat on the internal lot lines where the townhomes are proposed (i.e. where structures are proposed to span across lot lines).**

#### **Subdivision Design and Improvement Standards (UDC [11-6C-3](#)):**

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

**Road Improvements [Capital Improvements Plan (CIP)/Integrated Five Year Work Plan (IFYWP)]:** The intersection of Ustick Road and McDermott Road is scheduled in the IFYWP to be widened and reconstructed with design in 2026 and construction in the future. Ustick Road is listed in the IFYWP and CIP to be widened to 5- lanes from Star Road to McDermott Road with design in 2026 and construction in the future. Star Road is listed in the CIP to be widened to 5- lanes from Ustick Road to McMillan Road between 2031 and 2035. The intersection of Ustick Road and Star Road is listed in the CIP to be widened to 4- lanes on the north leg, 4- lanes on the south, 5- lanes east, and 5- lanes on the west leg, and signalized between 2031 and 2035. See *ACHD's staff report in Section VIII.I for more information.*

#### **Access (UDC [11-3A-3](#))**

A public street access is proposed via W. Ustick Rd., an arterial street, to the portion of the site west of future SH-16. A stub street is proposed to the property to the north (Aviator Springs) to connect to a planned stub street to this property. Another stub street (W. Endeavor St.) is proposed to the school property to the west for future extension and connection to N. Owyhee Storm Ave., a collector street. Alleys/private streets are depicted on the plat in the proposed

multi-family development. Private streets should be provided for addressing purposes. **A private street application should be submitted prior to or concurrent with the final plat application.**

Two (2) accesses are proposed via N. McDermott Rd., a collector street, to the portion of the site east of future SH-16. McDermott Rd. is planned to dead-end in a cul-de-sac just north of Ustick Rd. and not connect to Ustick when the interchange is constructed. An emergency only access is proposed out to W. Ustick Rd. that has been approved by the Fire Dept.; ITD has verified that this access does not touch or abut the State Highway system. **The bollards should be located completely outside of the right-of-way.** ITD's roadway plans for the existing Ustick/McDermott Rd. intersection are included in Section VIII.I. Alleys are proposed for access to the townhome units located north of W. Aspenstone St. and south of Beechstone St. All alleys must comply with the standards listed in UDC [11-6C-3B.5](#). The proposed alleys appear to comply with these standards.

**Cross-access/ingress-egress easements should be provided between all C-G zoned commercial lots in the subdivision via a note on the final plat or a separate recorded easement.**

**Pathways (UDC [11-3A-8](#)):**

The Pathways Master Plan depicts a 10-foot wide multi-use pathway along W. Ustick Rd. on this site; a 10-foot wide pathway is depicted on the landscape plan as required.

**A 10-foot wide multi-use pathway is proposed within the street buffer along the west side of N. Glassford Ave., consistent with the developments to the north, which crosses to the east at the north boundary of the site within the buffer along SH-16 which will connect to the pathway planned to the north in Aviator Springs. A 14-foot wide public use easement is required for the pathway; the easement should be submitted to the Planning division prior to submittal for City Engineer signature on the final plat.**

Internal pedestrian pathways are proposed throughout the central common open space area and to the commercial development to the south.

**Safe pathway connections should be provided from the proposed multi-family development to the abutting high school to the west.**

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

Detached sidewalks are required along all collector and arterial streets; attached sidewalks may be provided along local streets. Sidewalks are not required along I-84; however, a pathway is proposed within the buffer. **ACHD is requiring a sidewalk to be constructed off-site along one side of S. Rolling Hill Dr. with development of this site.**

**Landscaping (UDC [11-3B](#)):**

Street buffers are required to be provided as follows: A minimum 35-foot wide buffer is required along future SH-16 and the interchange and along N. McDermott Rd., entryway corridors; a minimum 25-foot wide buffer is required along the western portion of W. Ustick Rd., an arterial street; and a minimum 10-foot wide buffer is required along local streets in the C-G zoning district, measured per the standards listed in UDC [11-3B-7C.1a](#). **Landscaping is required within the street buffer as set forth in UDC [11-3B-7C](#) (see updated standards).** Street buffers are required to be maintained by the property owner or business owners' association and should be depicted on the plat in a common lot or permanent dedicated buffer per UDC [11-3B-7C.2b](#).

**Landscaping is required adjacent to all pathways in accord with the standards listed in UDC [11-3B-12C](#).**

**Depict landscaping within common open space areas as set forth in UDC 11-3G-5B.3.**

**The City Arborist requests a change in tree selection of the *Fraxinus Pennsylvanica* “Marshall’s Seedless” Green Ash is changed to another variety due to a future threat of Emerald Ash Borer.**

There are no existing trees on the site to be removed or that require mitigation.

**Common Open Space (UDC [11-3G-3B](#)):** A minimum of 15% *qualified* open space is required to be provided within the townhome portion of the development that meets the quality standards listed in UDC 11-3G-3A.2. Based on 10.51 acres, a minimum of 1.58 acres of qualified open space is required. A total of 3.33 acres of qualified open space is proposed on the open space exhibit included in Section VII.F in excess of UDC standards (i.e red hatched areas). Open space areas consist of open grassy areas of at least 5,000 square feet and linear open space.

**Site Amenities (UDC [11-3G-4](#)):** A minimum of 2 points of site amenities are required based on 10.51 acres of development area from the Site Amenities and Point Value [Table 11-3G-4](#). It’s not clear to Staff what is proposed for site amenities in the townhome portion of the development. The Applicant should clarify prior to or at the Commission hearing what amenities are proposed.

**Noise Abatement:** Noise abatement is required for residential uses along state highways per the standards listed in UDC [11-3H-4D](#). A 10-foot solid screen wall is proposed. **Noise abatement should be provided within the street buffers along SH-16 that are adjacent to residential uses per the standards listed in UDC 11-3H-4D for residential uses adjoining a state highway. A berm or a berm and wall combination that’s a minimum of 10-feet higher than the elevation at the centerline of the state highway is required. Include a cross-section of the berm or berm/wall that complies with this standard with the final plat application(s).**

**Storm Drainage (UDC [11-3A-18](#)):**

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical Engineering Report](#) for the subdivision. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

**Pressure Irrigation (UDC [11-3A-15](#)):**

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15. This property lies within the Nampa-Meridian Irrigation District boundary.

**Utilities (UDC [11-3A-21](#)):**

Utilities are required to be provided to the subdivision as required in UDC [11-3A-21](#).. Street lights shall be installed in accord with the City’s adopted standards, specifications and ordinances/

**Waterways (UDC [11-3A-6](#)):**

The Sky Pilot Drain crosses the southern portion of this site within a 100-foot wide easement; the Eight Mile Lateral crosses the northeast corner of the site within a 50-foot wide easement; and the Noble Lateral runs along the east boundary of the site within a 40-foot wide easement (20-feet from centerline each side). **The easements for all of these waterways shall be depicted on the final plat; structures shall not encroach within these easements.** All waterways on this site shall be piped as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council. This project is not within the flood plain.

The developer has requested ITD relocate the Eight Mile Lateral to accommodate the proposed development plan. Because the plans have already been designed and environmental approvals

obtained to pipe it in its current location, a change this late in the process may not be approved. **If the location of the lateral changes, it should be depicted on the plans submitted with the final plat application.**

**Fencing (UDC [11-3A-6](#) and [11-3A-7](#)):**

All fencing is required to comply with the standards listed in UDC 11-3A-7. A 6-foot tall solid screen fence is proposed along the northern & western boundaries of the multi-family development.

**C. Conditional Use Permit (CUP):**

A Conditional Use Permit is requested for a multi-family residential development consisting of 250 dwelling units on 12.19 acres of land in the R-40 zoning district in accord with UDC [Table 11-2B-2](#). The proposed development will have (12) 3-story multi-family structures and a 9,055 square foot amenity building centrally located within the complex. Six (6) different floor plans are proposed with a mix of units consisting of 1- (97), 2- (114) and 3- (39) bedroom units ranging from 712 to 1,278 square feet in size.

**Specific Use Standards (UDC 11-4-3-27):**

The proposed use is subject to the following standards: *(Staff's analysis/comments in italic text)*

**[11-4-3-27](#): MULTI-FAMILY DEVELOPMENT:**

Site Design:

1. Buildings shall provide a minimum setback of ten feet (10') unless a greater setback is otherwise required by this title and/or [title 10](#) of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *The site plan included in Section VII.D depicts buildings at a minimum setback of 10-feet; no greater setback is required.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. ***The plans submitted with the Certificate of Zoning Compliance application should demonstrate compliance with this standard.***
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other access ways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section [11-5B-5](#) of this title. *The Applicant's narrative states each dwelling unit is provided with a minimum 80 square foot attached patio or deck, which meets this standard.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *These areas were not included in the common open space calculations for the site.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant should comply with this requirement.*

6. The parking shall meet the requirements set forth in [chapter 3](#), "Regulations Applying to All Districts", of this title. *A minimum of 477 off-street parking spaces are required for the multi-family development with 250 of those being in a covered carport or garage; a minimum of 19 bicycle parking spaces are required. A minimum of 18 spaces are required for the amenity building with a minimum of one (1) bicycle parking space. The minimum number of spaces required overall is 495 with a minimum of 20 bicycle spaces. A total of 482+/- parking spaces are proposed overall, with 250 of those being covered, and 20 bicycle spaces, which does not meet the minimum standard. **A revised parking plan that meets the minimum standards should be submitted prior to the Commission hearing. Bike racks should be provided in central locations for each multi-family building and the amenity building.***
7. Developments with twenty (20) units or more shall provide the following:
  - a. A property management office.
  - b. A maintenance storage area.
  - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.
  - d. A directory and map of the development at an entrance or convenient location for those entering the development. (Ord. 18-1773, 4-24-2018)

*The site amenity plan included in Section VII.G depicts a leasing area (property management office), a maintenance storage area and mailbox location (including provisions for parcel mail), in accord with this standard. **The location of the directory and map of the development should be depicted on the site plan submitted with the Certificate of Zoning Compliance application.***

Common Open Space Design Requirements (UDC [11-4-3-27C](#)):

The total baseline land area of all qualified common open space shall equal or exceed 10% of the gross land area for multi-family developments of 5 acres or more. *A minimum of 1.22 acres of common open is required to meet this standard.*

Common open space areas are also required to comply with the standards listed in UDC 11-4-3-27C.2, which state that open space areas must be integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. These areas should have direct pedestrian access, be highly visible, comply with CPTED standards and support a range of leisure and play activities and uses – irregular shaped, disconnected or isolated open spaces do not meet the standard. Open space areas should be accessible and well connected throughout the development (i.e. centrally located, accessible by pathway and visually accessible along collector streets or as a terminal view from a street). Open space areas should promote the health and well-being of its residents and support active and passive uses for recreation, social gathering and relaxation to serve the development. *The proposed common open space meets these standards.*

All multi-family projects over 20 units are required to provide at least one (1) common grassy area of at least 5,000 s.f. in area that's integrated into the site design allowing for general activities by all ages, which may be included in the minimum required open space. The area shall increase proportionately as the number of units increase and shall be commensurate to the size of the development as determined by the decision-making body. *The Applicant proposes two (2) central common open space areas of 67,632 and 29,360 s.f. that meets this requirement.*

In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:

- a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area. *All units contain more than 500 square feet (s.f.) of living area.*
- b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area. *A total of 211 units contain between 500 and 1,200 s.f. of living area; therefore, a minimum of 52,750 s.f. (or 1.21 acres) of common open space is required.*
- c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *A total of 39 units contain more than 1,200 s.f.; therefore, a minimum of 13,650 s.f. (or 0.31 acre) of common open space is required.*

*At a minimum, a total of 66,400 s.f. (or 1.52 acres) of qualified outdoor common open space is required to be provided per this standard. In order to meet the baseline requirement noted above and this standard, a total of 119,500 s.f. (or 2.74 acres) of common open space is required. A total of 146,094 s.f. (or 3.35 acres) of qualified open space is proposed in excess of the minimum standards as shown in Section VII.F (red hatch areas). Qualified areas consist of central common/amenity areas and a pedestrian corridor where a multi-use pathway is planned.*

Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty feet (20'). *All of the red hatched areas depicted on the open space exhibit in Section VII.G meet this requirement.*

In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *The Applicant anticipates the multi-family development will be constructed in one phase. If not, compliance with this standard is required.*

Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four feet (4') in height, with breaks in the berm or barrier to allow for pedestrian access. (Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009) *None of the common open space areas are located adjacent to a collector or arterial street.*

#### Site Development Amenities:

1. All multi-family developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
  - a. Quality of life:
    - (1) Clubhouse.
    - (2) Fitness facilities.
    - (3) Enclosed bike storage.
    - (4) Public art such as a statue.
    - (5) Dog park with waste station.
    - (6) Commercial outdoor kitchen.

- (7) Fitness course.
  - (8) Enclosed storage.
  - b. Open space:
    - (1) Community garden.
    - (2) Ponds or water features.
    - (3) Plaza.
    - (4) Picnic area including tables, benches, landscaping and a structure for shade.
  - c. Recreation:
    - (1) Pool.
    - (2) Walking trails.
    - (3) Children's play structures.
    - (4) Sports courts.
  - d. Multi-modal amenity standards:
    - (1) Bicycle repair station.
    - (2) Park and ride lot.
    - (3) Sheltered transit stop
    - (4) Charging stations for electric vehicles
2. The number of amenities shall depend on the size of multi-family development as follows:
- a. For multi-family developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
  - b. For multi-family development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one from each category.
  - c. For multi-family development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one from each category.
  - d. For multi-family developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection D, provided that these improvements provide a similar level of amenity. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

*Proposed amenities include a clubhouse with a fitness facility, a swimming pool and spa with cabanas and an outdoor lounge area, 10-foot wide multi-use pathways and internal walking trails, a plaza, a pickleball sports court, and a bike repair station. A **BBQ area is depicted on the site plan; Staff recommends this area is constructed as a commercial outdoor kitchen. An outdoor seating area is also depicted on the site plan; Staff recommends this area is constructed as a picnic area with tables, benches, landscaping and a shade structure. Staff also recommends a children's play structure is provided. Staff is of the opinion these upgrades and addition of an amenity is commensurate with the number of units proposed.***

E. Landscaping Requirements:

1. Development shall meet the minimum landscaping requirements in accord with [chapter 3](#), "Regulations Applying to All Districts", of this title.
2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
  - a. The landscaped area shall be at least three feet (3') wide.
  - b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four inches (24") shall be planted.
  - c. Ground cover plants shall be planted in the remainder of the landscaped area.

***The landscape plan submitted with the Certificate of Zoning Compliance application should depict landscaping in accord with these standards.***

- F. Maintenance and Ownership Responsibilities: All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. ***The Applicant shall comply with this requirement.***

**Landscaping (UDC [11-3B](#)):**

Street buffer landscaping, including noise abatement along future SH-16, is required to be provided with the subdivision improvements as noted above in Section V.B.

Landscaping is required to be provided along all pathways per the standards listed in UDC [11-3B-12C](#). **A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.**

**Fencing:** All fencing is required to comply with the standards listed in UDC 11-3A-7. A 6-foot tall solid screen fence is proposed along the northern & western boundaries of the multi-family development.

**Building Elevations (UDC [11-3A-19](#) | [Architectural Standards Manual](#)):**

Conceptual building elevations were submitted for the proposed structures, included in Section VII.H. The townhomes are proposed to be 2- or 3-stories in height, the multi-family structures are proposed to be 3-stories in height, and the clubhouse if proposed to be a single-story in height; building materials consist of a mix of vertical board & batten fiber cement siding and horizontal lap siding with brick veneer siding and wood ridge beam accents, metal awnings and asphalt shingle roofing.

**A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the multi-family and commercial development to ensure compliance with UDC standards and development provisions associated with this application. A Design Review application is required to be submitted for approval of the townhomes. Final design of all structures must comply with the design standards in the Architectural Standards Manual.**

## VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation with the requirement of a development agreement, preliminary plat and conditional use permit with the provisions noted in Section VIII, per the Findings in Section IX.



**VII. EXHIBITS**

A. Annexation Legal Description & Exhibit Map



9955 W Emerald St  
Boise, ID 83704  
Phone: (208) 846-8570  
Fax: (208) 884-5399

**McDermott Village Subdivision  
Annexation  
Boundary Description**  
*Project Number 21-578 June 15, 2022*

The southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at the southeast corner of the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian:

Thence N89°17'49"W, 1325.58 feet along the south line of the southeast quarter of the southeast quarter to the east sixteenth-section corner;

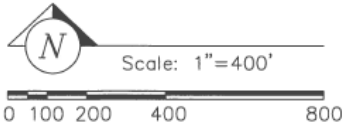
Thence N00°33'07"E, 1316.23 feet along the west line of the southeast quarter of the southeast quarter to the southeast sixteenth-section corner;

Thence S89°19'58"E, 1324.63 feet along the north line of the southeast quarter of the southeast quarter to the south sixteenth-section corner;





Thence S00°30'38"W, 1317.06 feet along the east line of the southeast quarter of the southeast quarter to the POINT OF BEGINNING.

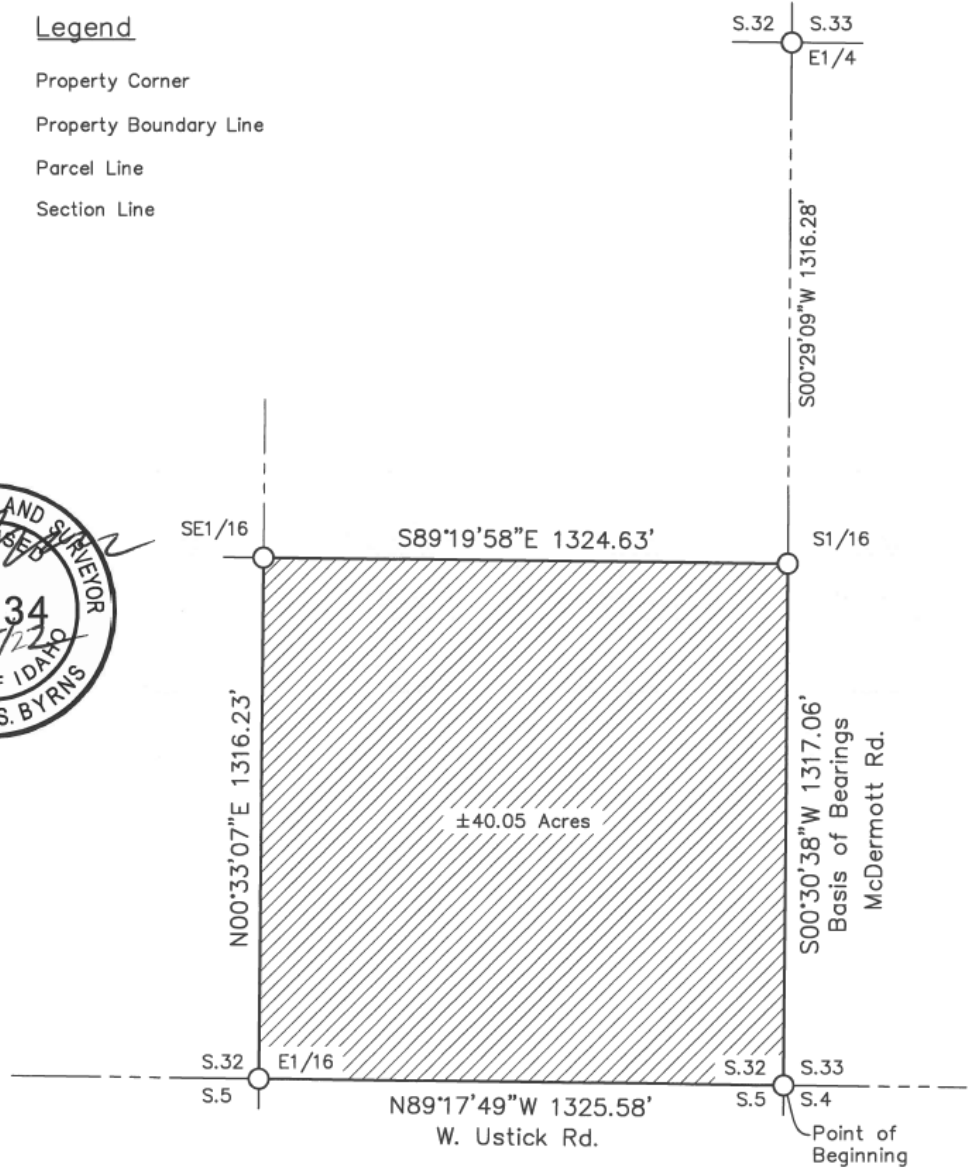
The above-described parcel contains 40.05 acres, more or less.





**Legend**

-  Property Corner
-  Property Boundary Line
-  Parcel Line
-  Section Line



P:\3235 N McDermott Rd Bndry 21-578\dwg\21-578 Annexation.dwg 6/15/2022 2:17:22 PM

	<b>IDAHO SURVEY GROUP, LLC</b>	9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 846-8570
	Exhibit Drawing for <b>Annexation</b>	

Situated in the southeast quarter of the southeast quarter of Section 32, Township 4 North, Range 1 West, B.M., Ada County, Idaho.

Job No. 21-578
Sheet No. 1
Dwg. Date 6/15/2022

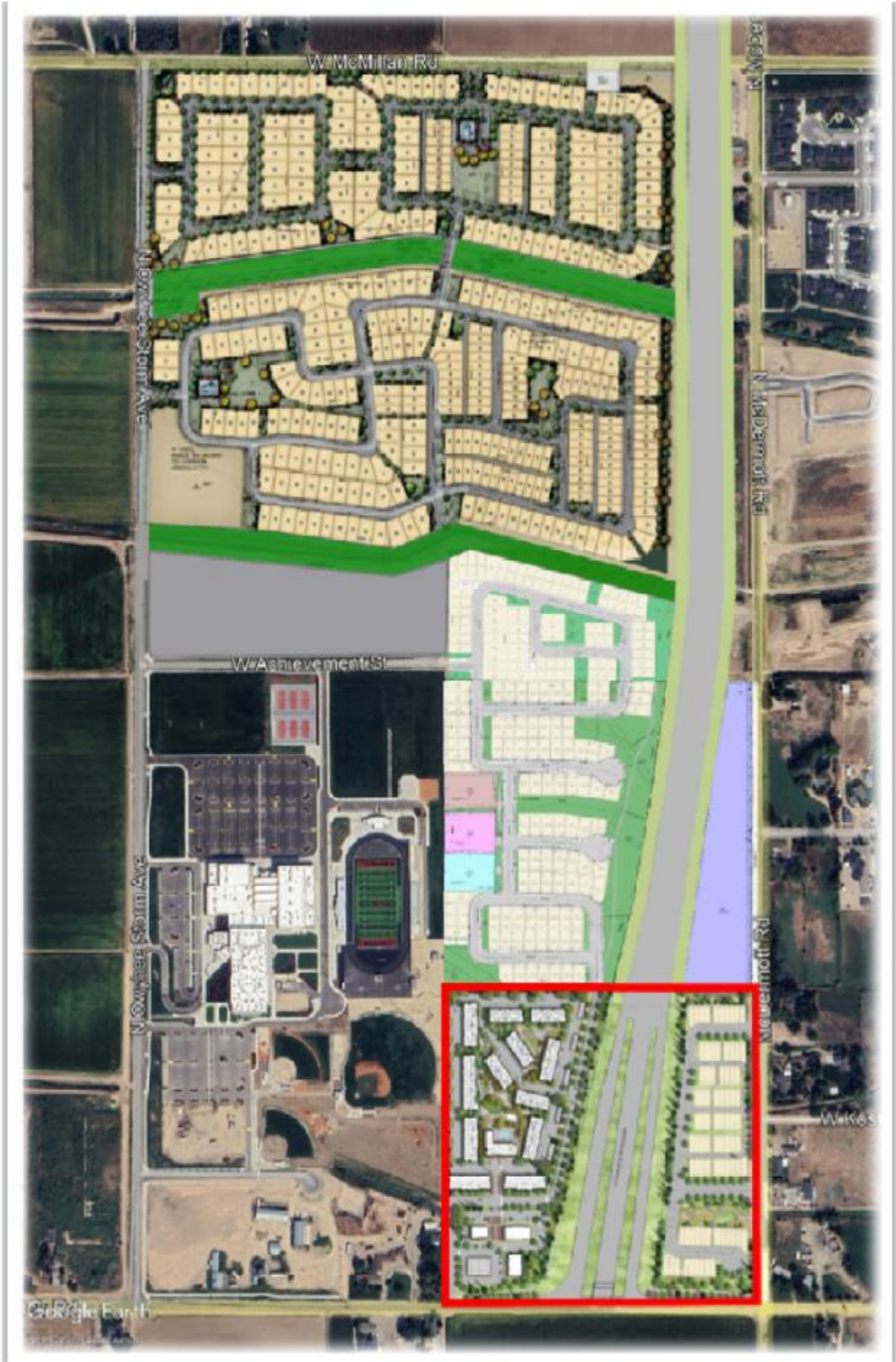
B. Conceptual Development Plan, Overall Development Plan in the Vicinity & Concept Data



CONCEPTUAL DEVELOPMENT PLAN

NTS





Ustick/ McDermott Residential  
Meridian, ID

Pivot North Architects  
05/25/2022

Zoning Summary:			
<b>Site Area:</b>			
Site 1: (Multifamily)	12.19 AC	Site 3: (TH)	10.4 AC
Site 2: (Retail/ C-store)	3.89 AC	Highway (N.A.P.):	13.9 AC
<b>Current:</b>		<b>Proposed:</b>	
Current Zoning:	RUT Rural, Urban Transitional	Proposed Zoning (MF):	R-40 (change)
Max. Density:	43.56 du/AC (1,000 sf/du)	Proposed Density:	20.5 du/AC
<b>Setbacks Required:</b>		<b>Setbacks Proposed:</b>	
Rear:	12'	Rear:	20' min.
Side Int:	3'	Side Int:	10' min.
<b>Street Setback to Garage Required:</b>		<b>Street Setback to Garage Proposed:</b>	
Local:	20'	Local:	20' min.
<b>Street Setback to Living Required:</b>		<b>Street Setback to Living Proposed:</b>	
Local:	10'	Local:	20' min.
<b>Street Landscape Buffer Required:</b>		<b>Street Landscape Buffer Proposed:</b>	
Local:	n/a	Local:	20' min.
Max. Height:	60'	Proposed Height:	+/-41'-9"

Gross SF Data:						
Multifamily:	Fir.-to-Fir. Height:	Bldg. GSF + deck	Bldg. GSF	Bldg. Net SF	Eff. #	# Unit per floor
Level 1:	10'-2"	116,413	112,413	47,436	42%	50
Level 2:	10'-2"	116,750	108,750	95,181	88%	100
Level 3:	11'-2"	113,638	105,638	95,181	90%	100
Foot:	10'-3"					
<b>Total:</b>	<b>41'-9"</b>	<b>346,801</b>	<b>326,801</b>	<b>237,798</b>	<b>73%</b>	<b>250</b>

Commercial Data:		
C-store:		5,549
Retail 1:		3,407
Retail 2:		6,117
Level 1:		15,073

Common Open Space Summary:			
<b>Common Open Space Required:</b>		<b>Common Open Space Proposed:</b>	
Baseline:	# ratio total	Ground Level:	total
10% of site:	452,131 10% 45,213 sf		82,553
Multifamily:	# ratio total		30,710
Units <500 sf:	0 150 -		17,324
Units 500-1200 sf:	211 250 52,750		13,629
Units >1200 sf:	39 350 13,650		
Subtotal Required:	250 66,400 sf	Subtotal MF Provided:	144,730 sf
Subtotal MF Required:	<b>111,513 sf</b>		
TH/C-store:	# sf ratio total	Ground Level:	total
5% of site:	169,448 5% 8,473		11,447
Plaza:			5,050
Subtotal Required:	8,473 sf	Subtotal Provided:	16,497 sf

\*\*Note: Data is schematic and subject to update as more information is known

Unit Summary:							
	#	NSF*	DECK	Net-deck	NSF	SUBTOTAL	%
1A	87	719	80	799			
1B	10	835	80	515			
<b>Subtotal 1- bed</b>	<b>97</b>	<b>731</b>			<b>70,903</b>		<b>38.8%</b>
2A	58	1,099	90	1,089			
2B	18	1,117	90	1,197			
2C	38	1,004	80	1,084			
<b>Subtotal 2- bed</b>	<b>114</b>	<b>1,024</b>			<b>116,780</b>		<b>45.6%</b>
3A	39	1,285	80	1,365			
<b>Subtotal 3- bed</b>	<b>39</b>	<b>1,285</b>			<b>50,115</b>		<b>15.6%</b>
<b>TOTAL:</b>	<b>250</b>	<b>951 ave.</b>			<b>237,798</b>	<b>sq'</b>	

\*Note: Data taken to inside face of exterior / corridor / unit walls

Parking Summary:				Parking Proposed:	
<b>Parking Required:</b>				<b>Parking Proposed:</b>	
	#	ratio	total		total
1-bed	97	1.5	146	Garage:	139
2-bed	114	2	228	Carport:	81
3-bed	39	2	78	Garport:	30
Guest	250	0.1	25	Standard:	62
				Parking Pad:	112
				HC:	10
Amenity:	9,000	1/500	18	Amenity:	18
				Parallel Street:	25
<b>Subtotal Multifamily:</b>	<b>477</b>			<b>Subtotal Multifamily:</b>	<b>477</b>
<b>Covered:</b>	<b>1:1</b>	<b>250</b>		<b>Covered:</b>	<b>250</b>
	#	ratio	total		
C-store:	5,549	1:500 sf	12	Retail:	51
Retail 1:	3,407	1:500 sf	7	HC:	3
Retail 2:	6,117	1:500 sf	13		
<b>Subtotal C.ct:</b>	<b>32</b>			<b>Subtotal Cmct:</b>	<b>54</b>

Bike Parking Summary:			
<b>Bike Parking Required:</b>		<b>Bike Parking Proposed:</b>	
	#	ratio	total
Multifamily:	477	1:25	20
<b>Total Required:</b>	<b>20</b>		
			total
			Covered/Secured: 20
			<b>Total Proposed: 20</b>

CONCEPT DATA

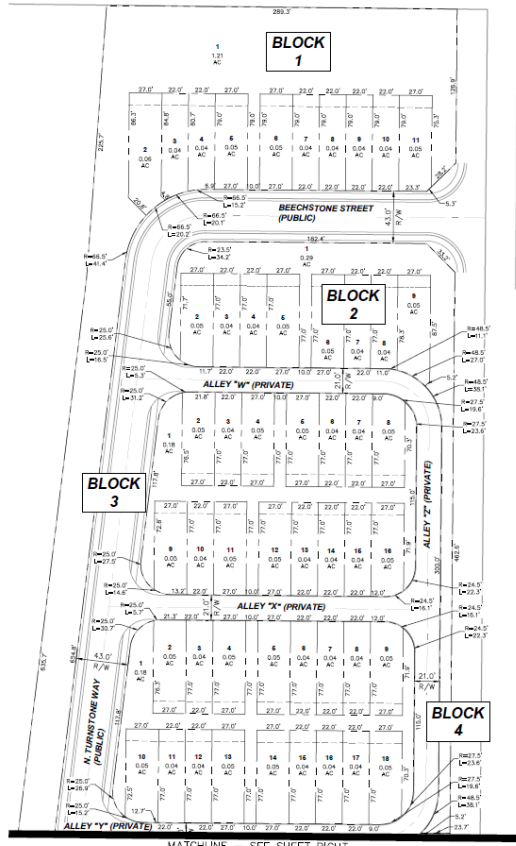
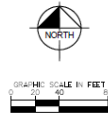
05.25.2022

# McDermott Multifamily

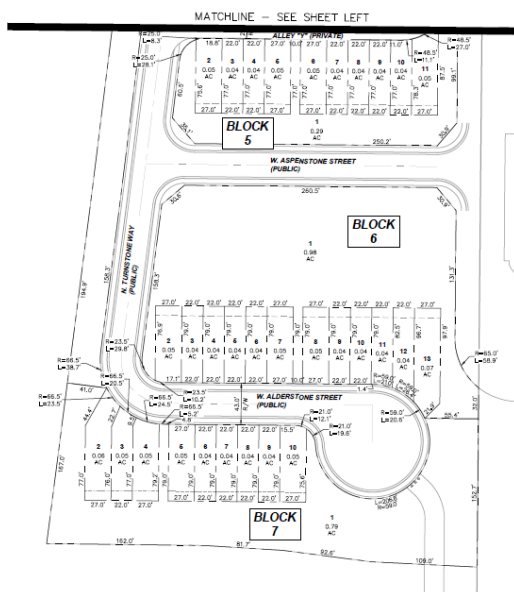
Ustick & McDermott., Meridian ID  
PNa JOB # 21-0XX







MATCHLINE - SEE SHEET RIGHT



MATCHLINE - SEE SHEET LEFT

**Kimley»Horn**

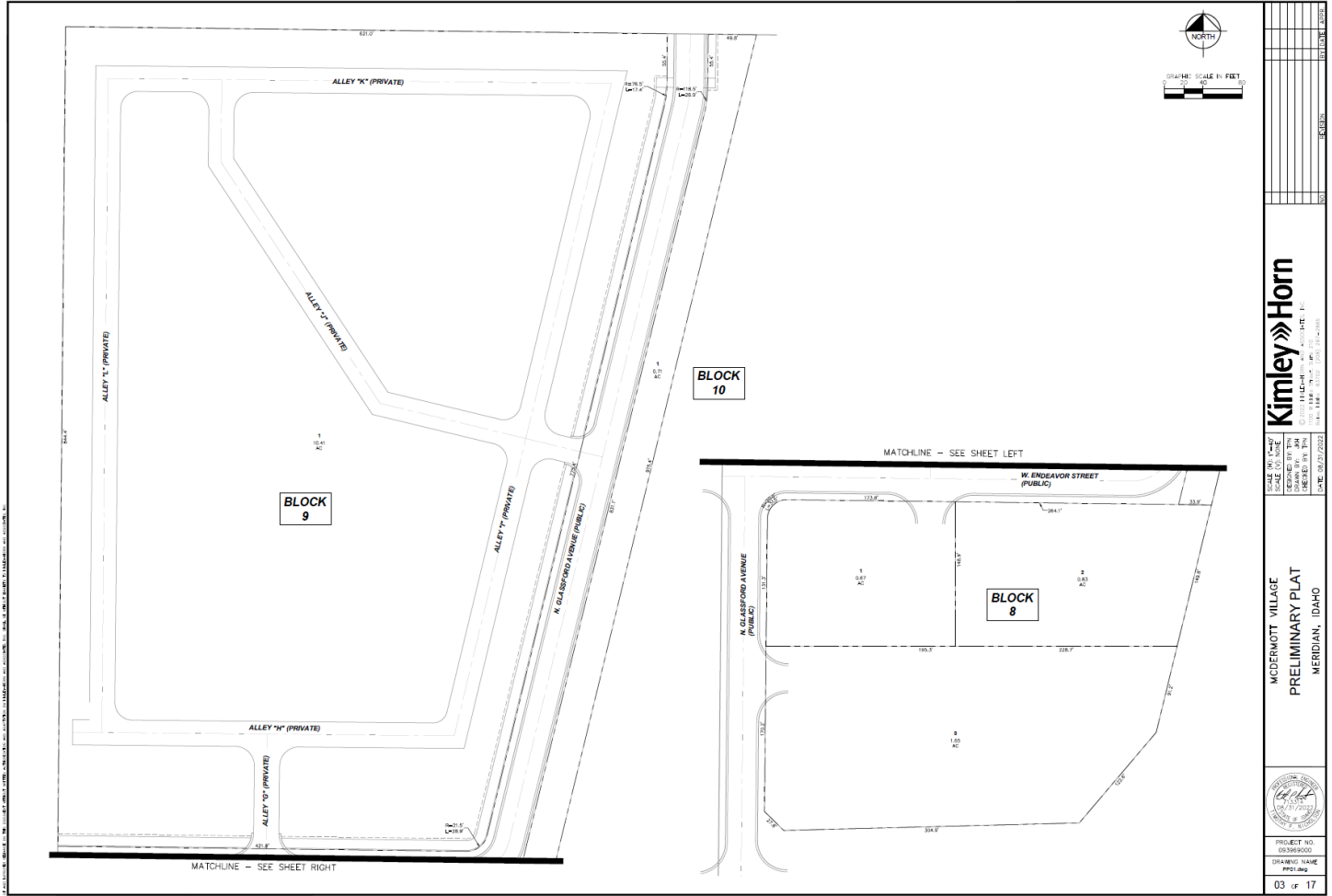
SCALE: 1/4" = 1'-0"  
 DATE: 03/27/2022  
 DRAWN BY: JHM  
 CHECKED BY: TMM  
 DATE: 03/27/2022

MCDERMOTT VILLAGE  
 PRELIMINARY PLAT  
 MERIDIAN, IDAHO



PROJECT NO.  
 093969000  
 DRAWING NAME  
 PFD1.dwg

02 of 17



**Kimley»Horn**

MCDERMOTT VILLAGE  
PRELIMINARY PLAT  
MERIDIAN, IDAHO



PROJECT NO. 03388000  
DRAWING NAME PPS1.dwg  
DATE 03/17/2022





1 CONCEPTUAL PHASING PLAN

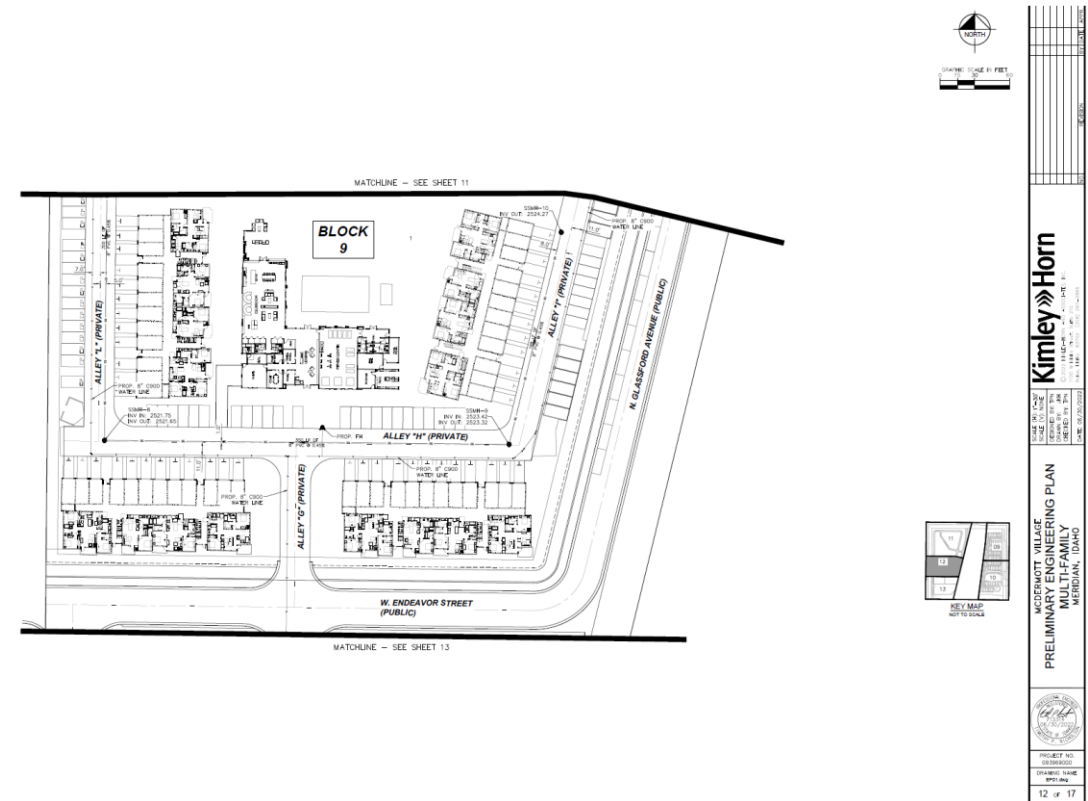
L-005  
06/30/2022

**GGLO** **pivot north**  
ARCHITECTURE

McDermott and Ustick, MERIDIAN, ID  
2022014.01

**McDermott Mixed-Use**

D. CUP Site Plan for Multi-Family Development (dated: 6/30/2022)

















**LANDSCAPE GENERAL NOTES**

1. THE DESIGNER HAS CONDUCTED VISUAL ANALYSES AND SELECTED PLANT MATERIALS THAT ARE SUITABLE FOR THE CLIMATE AND SOILS OF THE PROJECT AREA. PLANT MATERIALS SHOULD BE SEASONALLY APPROPRIATE AND MAINTAINABLE. PLANT MATERIALS SHOULD BE SEASONALLY APPROPRIATE AND MAINTAINABLE. PLANT MATERIALS SHOULD BE SEASONALLY APPROPRIATE AND MAINTAINABLE.

**STREET TREES**

1. STREET TREES SHALL BE PLANTED AT THE CURB LINE OF THE STREET. STREET TREES SHALL BE PLANTED AT THE CURB LINE OF THE STREET. STREET TREES SHALL BE PLANTED AT THE CURB LINE OF THE STREET.

**TREE COUNT**

1. TREE COUNT SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET. TREE COUNT SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET.

**TREE MITIGATION**

1. TREE MITIGATION SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET. TREE MITIGATION SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET.

**OPEN SPACE**

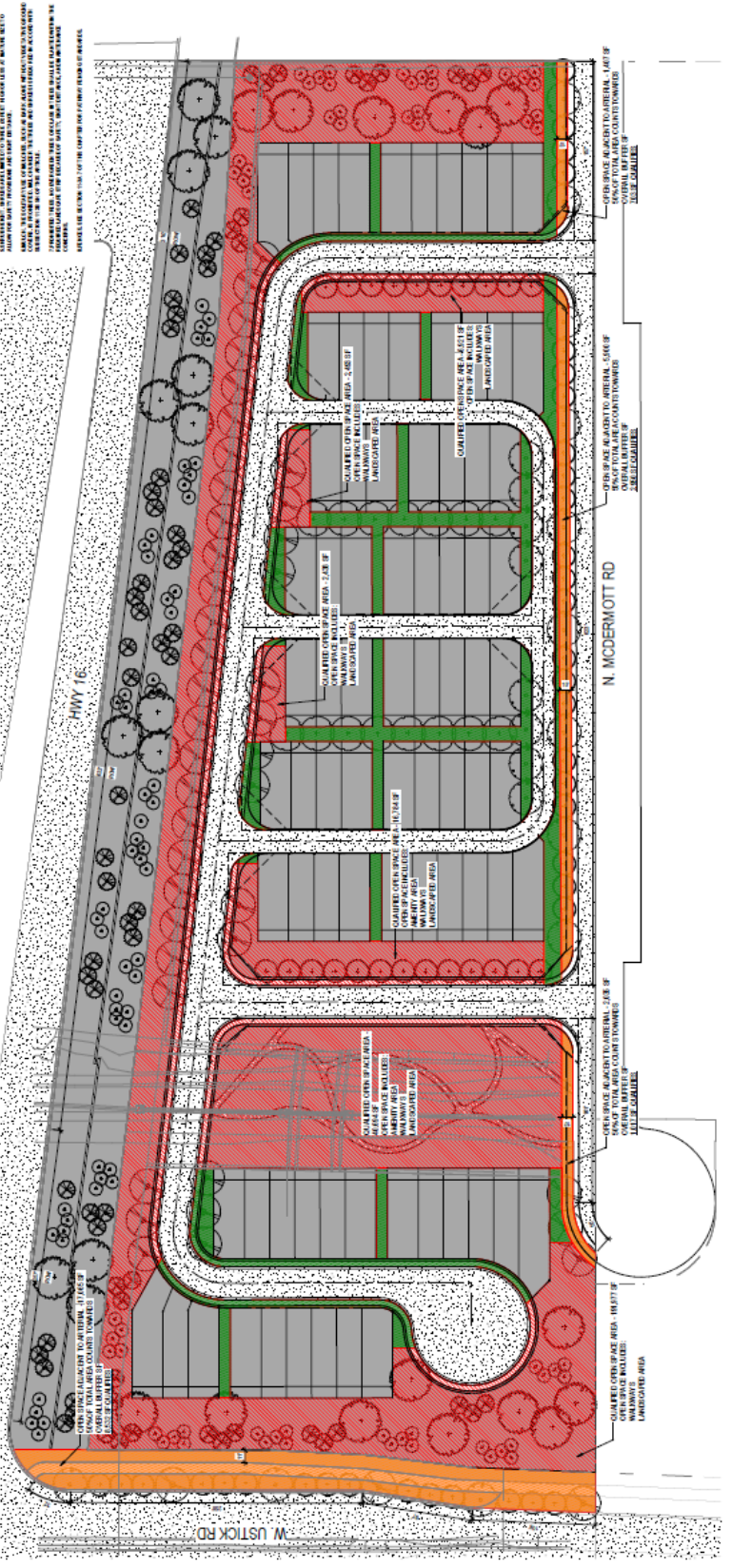
1. OPEN SPACE SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET. OPEN SPACE SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET.

**WALKWAY PLANTING REQUIREMENTS**

1. WALKWAY PLANTING SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET. WALKWAY PLANTING SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET.

**BUFFER PLANTING REQUIREMENTS**

1. BUFFER PLANTING SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET. BUFFER PLANTING SHALL BE BASED ON THE QUANTITY OF TREES PLANTED AT THE CURB LINE OF THE STREET.



1 LANDSCAPE PLAN - OPEN SPACE DIAGRAM - R15  
 PRELIMINARY PLAT OPEN SPACE, AMENITY, & STREET TREE CALCULATIONS - R15  
 SCALE: 1" = 40'-0" @ 24036

L-004  
 06/30/2022  
**GGLO pivot north**  
 AECOM INFRASTRUCTURE  
 McDermott and Ustick, MERIDIAN, ID  
 2022014.01



H. Conceptual Building Elevations & Perspectives for Residential (dated: 6/30/22)

Townhomes:



Multi-Family Development – Apartment & Amenity Buildings:





VIEW 5. VIEW TO RESIDENT BUILDING, LOOKING NORTH WEST



VIEW 6. VIEW TO RESIDENT BUILDING, LOOKING SOUTH EAST



VIEW 7. VIEW TO RESIDENT COMMUNITY FROM FUTURE HIGHWAY



VIEW 8. AERIAL VIEW TO AMENITY BUILDING

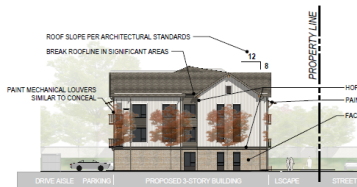
CONCEPT IMAGERY

v2  
06.30.2022

**McDermott Mixed-Use** McDermott and Ustick, MERIDIAN, ID  
PNa JOB # 21-059



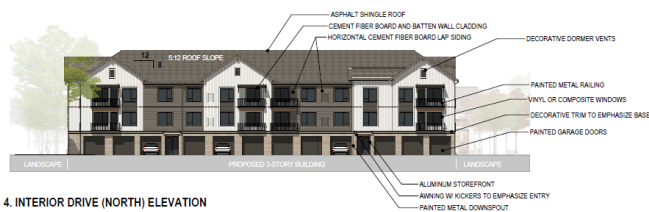
1. STREET (NORTH) ELEVATION



2. STREET (WEST) ELEVATION



3. HWY16 (EAST) ELEVATION



4. INTERIOR DRIVE (NORTH) ELEVATION

CONCEPT ELEVATION VIEWS

SCALE: 1/16" = 1'-0" @ 24x36

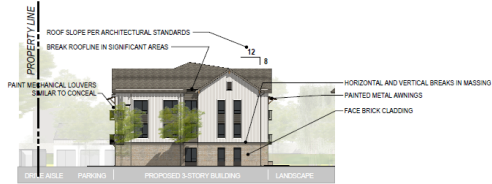
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06.30.2022

**McDermott Mixed-Use** McDermott and Ustick, MERIDIAN, ID  
PNa JOB # 21-059





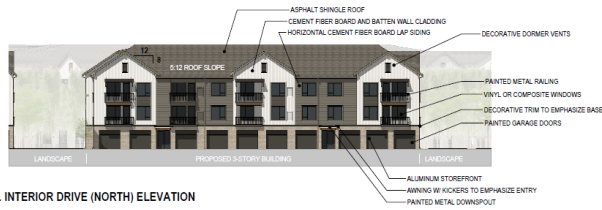
1. OPEN SPACE (SOUTH) ELEVATION



2. (WEST) ELEVATION



3. (EAST) ELEVATION



4. INTERIOR DRIVE (NORTH) ELEVATION

CONCEPT ELEVATION VIEWS

SCALE: 1/16" = 1'-0" @ 24x36

**McDermott Mixed-Use**

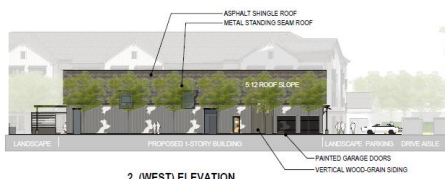
McDermott and Ustick, MERIDIAN, ID  
PNa JOB # 21-059

02  
06.30.2022

**pivot north**  
ARCHITECTURE



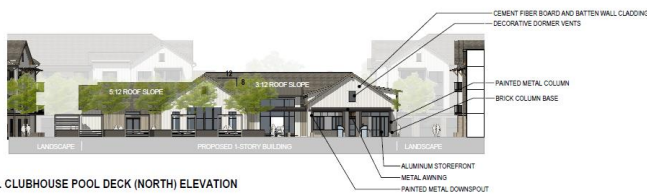
1. CLUBHOUSE ENTRY (SOUTH) ELEVATION



2. (WEST) ELEVATION



3. (EAST) ELEVATION



4. CLUBHOUSE POOL DECK (NORTH) ELEVATION

CONCEPT ELEVATION VIEWS

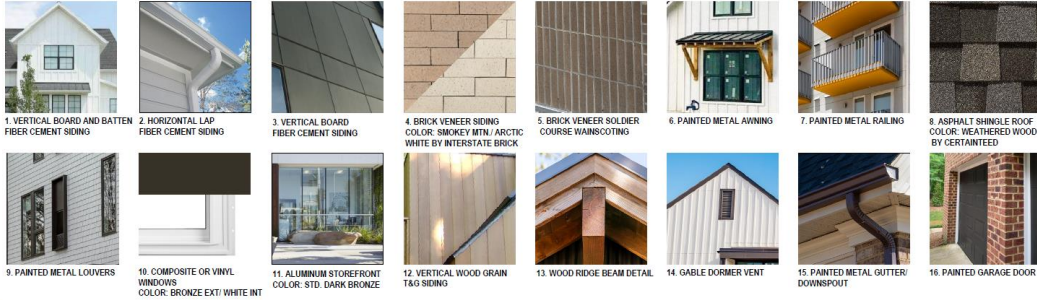
SCALE: 1/16" = 1'-0" @ 24x36

**McDermott Mixed-Use**

McDermott and Ustick, MERIDIAN, ID  
PNa JOB # 21-059

03  
06.30.2022

**pivot north**  
ARCHITECTURE



NOTE: NUMBERS DENOTE MATERIALS LETTERS DENOTE COLORS

NOTE: ALL MATERIALS AS NOTED OR OWNER APPROVED EQUAL

CONCEPT DETAIL/ MATERIAL BOARD

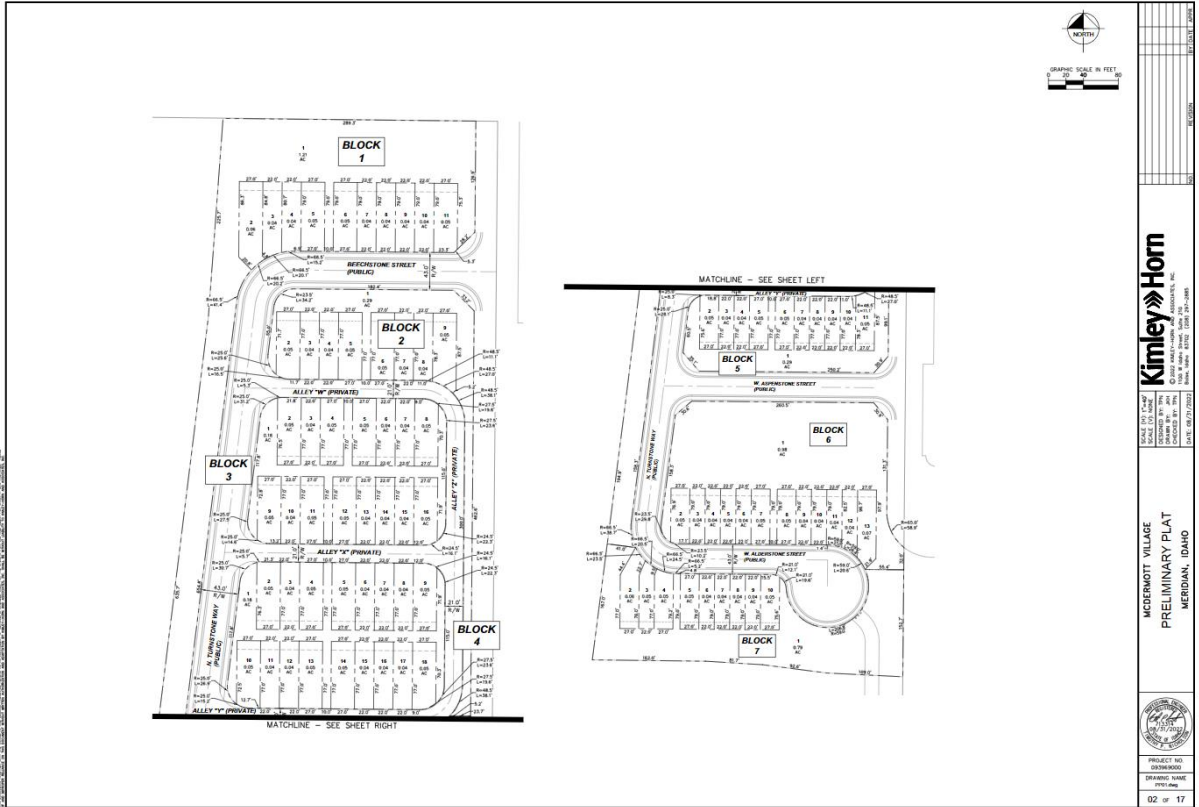
# McDermott Mixed-Use

McDermott and Ustick, MERIDIAN, ID  
 PNa JOB # 21-059



06.29.2022  
 XX

I. Emergency Access Exhibit Approved by Fire Department



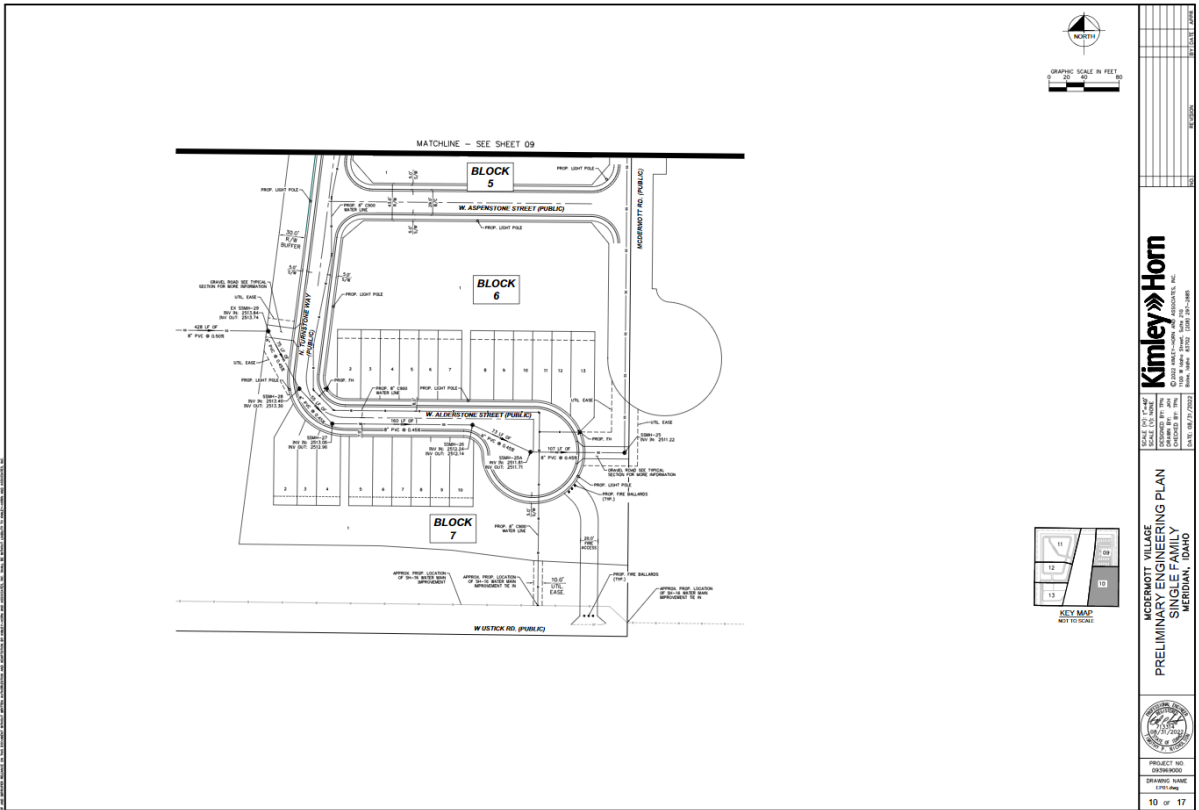
NORTH  
GRAPHIC SCALE IN FEET  
0 20 40

**Kimley»Horn**  
ENGINEERS, ARCHITECTS, INC.  
2000 BANKERS BUILDING  
MERCER, OHIO 45358  
PHONE: (937) 233-7000  
FAX: (937) 233-7001  
WWW.KIMLEY-HORN.COM

MCDERMOTT VILLAGE  
PRELIMINARY PLAT  
MERCER, OHIO

PROJECT NO.  
2009000000  
DRAWING NAME  
PRELIM PLAT

02 OF 17



NORTH  
GRAPHIC SCALE IN FEET  
0 20 40

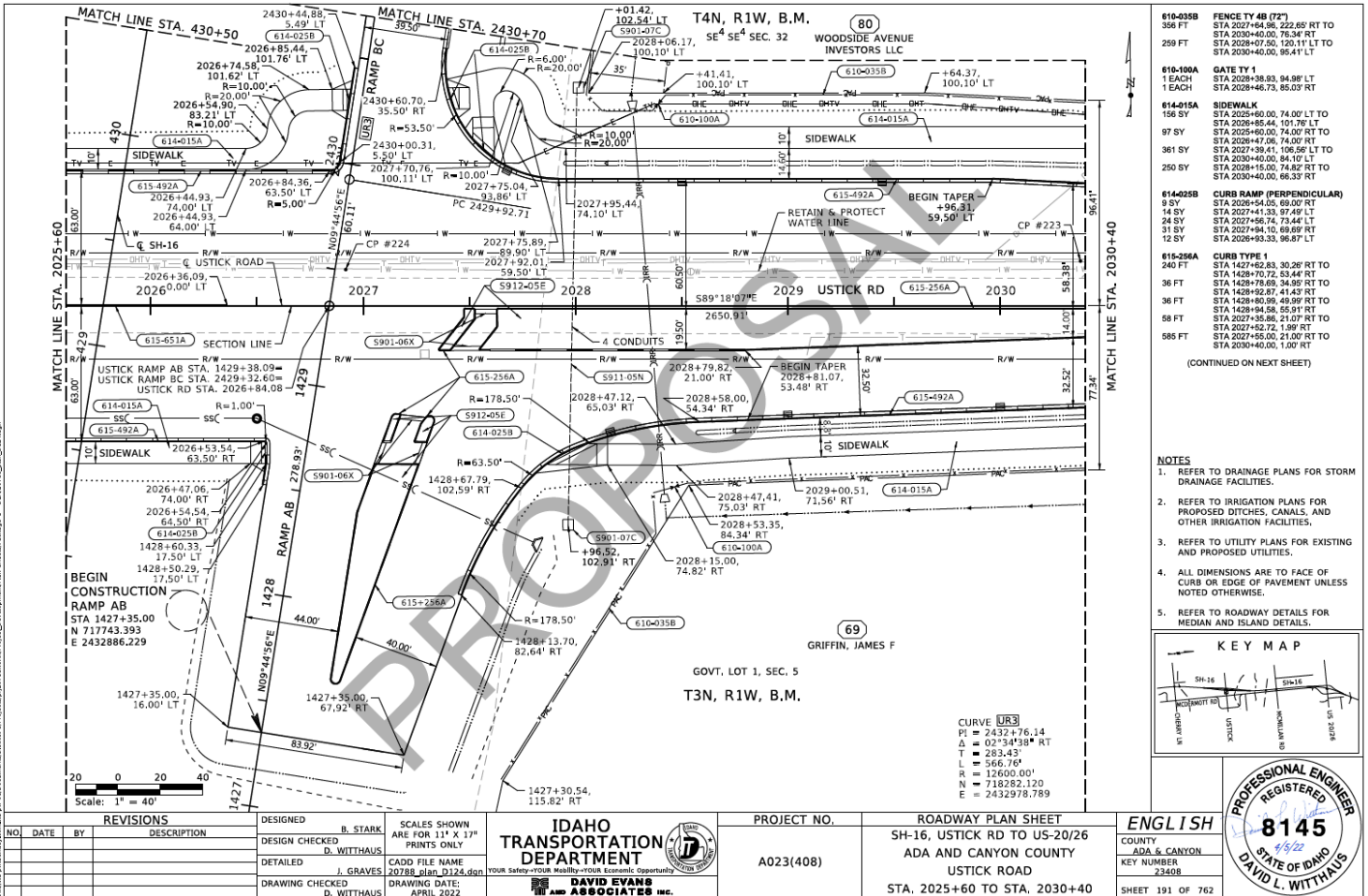
**Kimley»Horn**  
ENGINEERS, ARCHITECTS, INC.  
2000 BANKERS BUILDING  
MERCER, OHIO 45358  
PHONE: (937) 233-7000  
FAX: (937) 233-7001  
WWW.KIMLEY-HORN.COM

MCDERMOTT VILLAGE  
ENGINEERING PLAN  
SINGLE FAMILY  
MERCER, OHIO

PROJECT NO.  
2009000000  
DRAWING NAME  
ENGINEERING PLAN

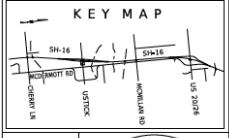
10 OF 17

# J. ITD's Plan for the Ustick Rd./SH-16 Interchange



- 610-035B** FENCE TY 4B (72")  
358 FT STA 2027+84.06, 222.85' RT TO STA 2030+40.00, 78.54' RT  
259 FT STA 2028+07.50, 120.11' LT TO STA 2030+40.00, 95.41' LT
- 610-100A** GATE TY 1  
1 EACH STA 2028+38.83, 94.88' RT STA 2028+46.73, 85.03' RT
- 614-015A** SIDEWALK  
156 SY STA 2025+60.00, 74.00' LT TO STA 2026+85.44, 101.76' LT  
97 SY STA 2025+60.00, 74.00' RT TO STA 2026+47.06, 74.00' RT  
361 SY STA 2027+39.41, 106.56' LT TO STA 2030+40.00, 94.10' LT  
250 SY STA 2028+15.00, 74.82' RT TO STA 2030+40.00, 66.33' RT
- 614-025B** CURB RAMP (PERPENDICULAR)  
9 SY STA 2026+54.05, 69.00' RT  
14 SY STA 2027+41.33, 97.48' RT  
24 SY STA 2027+66.74, 73.44' LT  
31 SY STA 2027+94.10, 89.83' RT  
12 SY STA 2028+93.33, 95.87' LT
- 615-256A** CURB TYPE 1  
240 FT STA 1428+62.83, 30.26' RT TO STA 1428+70.72, 53.44' RT  
36 FT STA 1428+78.89, 34.89' RT TO STA 1428+82.87, 41.43' RT  
36 FT STA 1428+80.99, 49.99' RT TO STA 1428+94.58, 58.91' RT  
58 FT STA 2027+35.86, 21.07' RT TO STA 2027+52.72, 1.99' RT  
58 FT STA 2027+55.00, 21.07' RT TO STA 2030+40.00, 1.00' RT  
(CONTINUED ON NEXT SHEET)

- NOTES**
1. REFER TO DRAINAGE PLANS FOR STORM DRAINAGE FACILITIES.
  2. REFER TO IRRIGATION PLANS FOR PROPOSED DITCHES, CANALS, AND OTHER IRRIGATION FACILITIES.
  3. REFER TO UTILITY PLANS FOR EXISTING AND PROPOSED UTILITIES.
  4. ALL DIMENSIONS ARE TO FACE OF CURB OR EDGE OF PAVEMENT UNLESS NOTED OTHERWISE.
  5. REFER TO ROADWAY DETAILS FOR MEDIAN AND ISLAND DETAILS.



REVISIONS			
NO.	DATE	BY	DESCRIPTION

DESIGNED	B. STARK
DESIGN CHECKED	D. WITTHAUS
DETAILED	J. GRAVES
DRAWING CHECKED	D. WITTHAUS

SCALES SHOWN ARE FOR 11" X 17" PRINTS ONLY

**IDAHO TRANSPORTATION DEPARTMENT**

YOUR Safety • YOUR Mobility • YOUR Economic Opportunity

**DAVID EVANS & ASSOCIATES INC.**

PROJECT NO.	A023(408)
ROADWAY PLAN SHEET	SH-16, USTICK RD TO US-20/26 ADA AND CANYON COUNTY USTICK ROAD
STA.	2025+60 TO STA. 2030+40

<b>ENGLISH</b>	
COUNTY	ADA & CANYON
KEY NUMBER	23408
SHEET	191 OF 762



## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

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

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

- a. Development of the subject property shall be generally consistent with the conceptual development plan, site plan, preliminary plat, conceptual phasing plan, landscape plan, open space and site amenity exhibits, and conceptual building elevations submitted with the application contained herein.
- b. The two (2) commercial buildings proposed on the northern portion of the site shall be arranged to create some form of common, usable gathering area, such as a plaza or green space as depicted on the conceptual development plan in accord with the mixed-use guidelines in the [Comprehensive Plan](#) (see pg. 3-13).
- c. A minimum 25-foot wide buffer shall be provided on the C-G zoned property to the adjacent residential use to the west (Flower #S0432438850) and to the future multi-family residential uses in this development as set forth in UDC [Table 11-2B-3](#), unless such width is otherwise modified by City Council at a public hearing with notice to surrounding property owners as set forth in UDC [11-3B-9C.2](#). The buffer shall be landscaped in accord with the standards listed in UDC [11-3B-9C](#). *Note: If the land use on the Flower property changes to non-residential prior to development of the subject property, a buffer to residential uses is not required.*
- d. Noise mitigation shall be provided within the buffers along future SH-16 in accord with the standards listed in UDC [11-3H-4D](#) for residential uses adjoining a state highway.
- e. Private streets shall be required within the multi-family development for addressing purposes and shall comply with the standards listed in UDC [11-3F-4](#). The private street application shall be submitted prior to or concurrently with the final plat application.
- f. A 10-foot wide multi-use pathway shall be provided within the street buffers along SH-16 within a 14-foot wide public use easement.
- g. The final plat shall be recorded prior to issuance of building permits for any structures within this development.
- h. All future structures constructed on this site shall comply with the applicable design standards contained in the Architectural Standards Manual.

#### **Preliminary Plat:**

2. The final plat shall include the following revisions:
  - a. Include a note granting cross-access/ingress-egress easements between all commercial lots in the subdivision via a note on the final plat or a separate recorded easement.

- b. Depict all street landscape buffers in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association or business owners' association as set forth in UDC [11-3B-7C.2a](#). *A minimum 35-foot wide buffer is required along future SH-16 and the interchange and along N. McDermott Rd., entryway corridors; a minimum 25-foot wide buffer is required along the western portion of W. Ustick Rd., an arterial street; and a minimum 10-foot wide buffer is required along local streets in the C-G zoning district, measured per the standards listed in UDC [11-3B-7C.1](#).*
  - c. Depict the easements for all waterways (i.e. the Sky Pilot Drain, the Eight Mile Lateral and the Noble Lateral) on the site; structures shall not encroach within these easements. *A License Agreement is required with NMID for any encroachments within the easements. If the location of the Eight Mile lateral changes, the new location shall be depicted on the plat.*
  - d. All R-15 zoned lots shall be a minimum of 2,000 square feet as set forth in UDC [Table 11-2A-7](#).
  - e. Graphically depict zero (0) lot lines on the internal lot lines where the townhomes are proposed (i.e. where structures will span across lot lines).
3. The landscape plan submitted with the final plat shall be revised as follows:
    - a. Depict the bollards proposed to restrict access to the emergency access driveway off W. Ustick Rd. completely outside of the right-of-way.
    - b. Depict a 10-foot wide multi-use pathway within the street buffers along SH-16 within a 14-foot wide public use easement; the easement shall be submitted to the Planning division prior to submittal of the final plat for City Engineer signature.
    - c. Depict landscaping along all pathways as set forth in UDC [11-3B-12C](#).
    - d. Landscaping is required within the street buffer as set forth in UDC [11-3B-7C](#). *(See updated standards.)*
    - e. Depict landscaping within common open space areas as set forth in UDC 11-3G-5B.3.
    - f. Change the Fraxinus Pennsylvanica "Marshall's Seedless" Green Ash tree to another variety per the City Arborists' comments.
    - g. Depict a minimum of two (2) points of site amenities for the townhome portion of the development from the Site Amenities and Point Value [Table 11-3G-4](#). **The Applicant should clarify prior to or at the Commission hearing what amenities are proposed.**
  4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables [11-2A-7](#) for the R-15 district and [11-2A-8](#) for the R-40 district; and UDC Table [11-2B-3](#) for the C-G zoning district.
  5. All waterways on this site shall be piped as set forth in UDC [11-3A-6B](#), unless otherwise waived by City Council.
  6. Cross-access/ingress-egress easements shall be provided between all commercial C-G zoned lots in the subdivision via a note on the final plat or a separate recorded easement.
  7. The emergency access driveway required and approved by the Fire Dept. off W. Ustick Rd. east of future SH-16 shall be approved by ITD as it's located within the influence area of their intersection project.
  8. All alleys shall comply with the standards listed in UDC [11-6C-3B.5](#).

### Conditional Use Permit:

9. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development and the dimensional standards listed in UDC [Table 11-2A-8](#) is required.
10. The site/landscape plans included in Section VII shall be revised as follows:
  - a. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street in accord with UDC [11-4-3-27B.2](#).
  - b. Depict the location of the property management office; maintenance storage area; central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access; and a directory and map of the development at an entrance or convenient location for those entering the development in accord with UDC [11-4-3-27B.7](#).
  - c. Depict safe pathway connections from the proposed multi-family development to the abutting high school to the west.
  - f. Depict landscaping along all the foundation of all street facing elevations in accord with the standards listed in UDC [11-4-3-27E](#).
  - g. Depict landscaping along all pathways per the standards listed in UDC [11-3B-12C](#). *A mix of trees, shrubs, lawn and/or other vegetative ground cover with a minimum of one (1) tree per 100 linear feet of pathway.*
  - i. Depict a minimum of 20 bicycle parking spaces per the standards listed in UDC 11-3C-6G; bicycle parking facilities shall comply with the standards listed in UDC [11-3C-5C](#). Bike racks should be provided in central locations for each multi-family building and the amenity building.
  - j. Depict a minimum of 495 off-street parking spaces for the development in accord with the standards listed in UDC [Table 11-3C-6](#) and [11-3C-6B.1](#) per the analysis in Section VI.
  - k. At a minimum, depict site amenities consisting of the following: a clubhouse with a fitness facility, a swimming pool and spa with cabanas and an outdoor lounge area; 10-foot wide multi-use pathways and internal walking trails; a plaza; a pickleball sports court; a bike repair station; a commercial outdoor kitchen with a BBQ; a picnic area with tables, benches, landscaping and a shade structure; and a children's play structure.
  - k. Minimum 7-foot wide sidewalks shall be provided where parking abuts sidewalks if wheel stops aren't proposed to prevent vehicle overhang in accord with UDC 11-3C-5B4; if 7-foot sidewalks are proposed, the length of the stall may be reduced to 17 feet.
11. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area as set forth in UDC 11-4-3-27B.5.
12. All multi-family developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features as set forth in UDC [11-4-3-27F](#). **A recorded copy of the document shall be submitted prior to issuance of the first Certificate of Occupancy for the development.**

13. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units in accord with UDC [11-4-3-27C.6](#).
14. A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the multi-family and commercial development to ensure compliance with UDC standards and development provisions associated with this application. A Design Review application is required to be submitted for approval of the townhomes. Final design of all structures must comply with the design standards in the Architectural Standards Manual.

## **B. PUBLIC WORKS**

### **1. Site Specific Conditions of Approval**

- 1.1 There is a sewer loop on the northern section. Sewer connects to McDermont in Block 1 and the existing SSMH-06. Reconfigure the design so this is removed.
- 1.2 Manhole SSMH-11 and SSMH-12 has angles of pipe in/out of manhole at less than 90 degrees. Adjust these manholes so min angle of pipe through manhole is 90 degrees.
- 1.3 Provide Steel Casing for all locations where sewer crosses future Hwy 16 per City's casing requirements.
- 1.4 All manholes require 14ft graveled/paved access path.
- 1.5 End of the line requires minimum 0.6% slope.
- 1.6 Ensure manholes are not located in curb/gutter.
- 1.7 Sewer/water easement varies depending on sewer depth. Sewer 0-20 ft deep require a 30 ft easement, 20-25 ft a 40 ft easement, and 25-30 ft a 45 ft easement. Adjust easements accordingly.
- 1.8 Area is subject to the Oaks Lift Station and Pressure Sewer Reimbursement agreement.
- 1.9 No permanent structures (trash receptacle walls, trees, bushes, buildings, carports, fences, infiltration trenches, light poles, etc.) are to be built within the utility easement.
- 1.10 Sewer must be built 10ft from edge of easement.
- 1.11 Ensure no sewer services pass through infiltration trenches.
- 1.12 12-inch water main must be built to and through the development on McDermott Road. On west side of future SH-16, water must connect to north.
- 1.13 A streetlight plan will be required for the development of this property.

### **2. General Conditions of Approval**

- 2.1 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 then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 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.

- 2.3 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. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. 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.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). 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.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 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.
- 2.7 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.
- 2.8 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.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 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.

- 2.13 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.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 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.
- 2.18 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.
- 2.19 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.
- 2.20 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.
- 2.21 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](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. 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.
- 2.23 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=272855&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=279522&dbid=0&repo=MeridianCity>

**E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273744&dbid=0&repo=MeridianCity>

**F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276592&dbid=0&repo=MeridianCity>

**G. WEST ADA SCHOOL DISTRICT (WASD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=279662&dbid=0&repo=MeridianCity&cr=1>

**H. PARK'S DEPARTMENT**

City Arborist:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272795&dbid=0&repo=MeridianCity>

**I. COMMUNITY DEVELOPMENT SCHOOL IMPACT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275929&dbid=0&repo=MeridianCity>

**J. ADA COUNTY DEVELOPMENT SERVICES**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273537&dbid=0&repo=MeridianCity&cr=1>

**K. IDAHO TRANSPORTATION DEPARTMENT (ITD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=278192&dbid=0&repo=MeridianCity>

**L. ADA COUNTY HIGHWAY DISTRICT (ACHD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275528&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

**A. 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;

*Staff finds the proposed zoning map amendment to R-15, R-40 and C-G and subsequent development is generally consistent with the Comprehensive Plan and the MU-R FLUM designation.*

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

*Staff finds the proposed map amendment will allow for the development of commercial uses which will assist in providing for the service needs of area residents; and residential uses which will contribute to the range of housing opportunities in the City consistent with the purpose statement of the commercial and residential districts in accord with the Comprehensive Plan.*

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

*Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.*

4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and

*Staff finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.*

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

*Staff finds the proposed annexation is in the best interest of the City.*

## **B. Preliminary Plat:**

In consideration of a preliminary plat, combined preliminary and final plat, or short plat, the decision-making body shall make the following findings:

1. The plat is in conformance with the Comprehensive Plan;

*Staff finds that the proposed plat is in substantial compliance with the adopted Comprehensive Plan in regard to land use and transportation. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)*

2. Public services are available or can be made available and are adequate to accommodate the proposed development;

*Staff finds that public services will be provided to the subject property with development. (See Exhibit B of the Staff Report for more details from public service providers.)*

3. The plat is in conformance with scheduled public improvements in accord with the City's capital improvement program;

*Because City water and sewer and any other utilities will be provided by the development at their own cost, Staff finds that the subdivision will not require the expenditure of capital improvement funds.*

4. There is public financial capability of supporting services for the proposed development;

*Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, etc.). (See Section VIII for more information.)*



5. The development will not be detrimental to the public health, safety or general welfare; and,  
*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.*
6. The development preserves significant natural, scenic or historic features.  
*Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.*

### **C. Conditional Use Permit (UDC 11-5B-6E)**

The Commission shall base its determination on the Conditional Use Permit requests 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.  
*Staff finds that the subject property is large enough to accommodate the proposed use and dimensional and development regulations of the R-40 zoning district (see Analysis, Section V for more information).*
2. That the proposed use will be harmonious with the Meridian Comprehensive Plan and in accord with the requirements of this Title.  
*Staff finds that the proposed use is consistent with the future land use map designation of MU-R and is allowed as a conditional use in UDC Table 11-2B-2 in the R-40 zoning district.*
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 proposed design of the development, construction, operation and maintenance should be compatible with the mix of other uses planned for this area and with the intended character of the area and that such uses will not adversely change the character of the 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.  
*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. The Commission and Council should weigh any public testimony provided to determine if the development will 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.  
*Staff finds that essential public services are available to this property and that the use will be adequately served by these facilities.*