



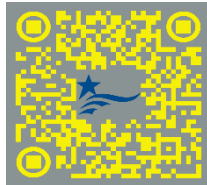
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, January 06, 2022 at 6:00 PM

All materials presented at public meetings become property of the City of Meridian. Anyone desiring accommodation for disabilities should contact the City Clerk's Office at 208-888-4433 at least 48 hours prior to the public meeting.

Amended 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/82177323115>

Or join by phone: 1-669-900-6833

Webinar ID: 821 7732 3115

ROLL-CALL ATTENDANCE

- Nate Wheeler Andrew Seal Bill Cassinelli
- Nick Grove Maria Lorcher Steven Yearsley
- Rhonda McCarvel, Chairperson

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the December 16, 2021 Planning and Zoning Commission Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing** for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

Project Requires Continuance

A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

3. **Public Hearing** for Ten Mile RV Storage (H-2021-0090) by Hatch Design Architecture, Located on Parcels R5629430106, R5629430090, and R5629430080, Located Near the Northwest Corner of W. Ustick Rd. and N. Burley Ave./W. Nelis Dr.

Applicant Requests Withdrawal of Application

A. Request: Rezone of 5.65 acres from C-G to I-L.

B. Request: Development Agreement Modification to enter into a new development agreement to revise the approved concept plan to allow for a self-storage facility including outdoor RV storage.

4. **Public Hearing** Continued from December 2, 2021 for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

A. Request: Annexation of 25.76 acres of land with a C-G zoning district.

B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.

C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

5. **Public Hearing** for 1160 W. Ustick Annexation (H-2021-0092) by The Housing Company, Located at 1160 W. Ustick Rd., on the north side of Ustick Rd. Between N. Linder Rd. and N. Venable Ave.

A. Request: Annexation and Zoning of 4.54 acres of land with a request for the R-15 zoning district for the future purpose of constructing an affordable housing, multi-family residential project.

6. **Public Hearing** for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.

A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.

B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.

7. Election of 2022 Planning and Zoning Commission Chairperson and Vice-Chairperson

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the December 16, 2021 Planning and Zoning Commission Meeting

Meridian Planning and Zoning Meeting

December 16, 2021.

Meeting of the Meridian Planning and Zoning Commission of December 16, 2021, was called to order at 6:00 p.m. by Chairman Rhonda McCarvel.

Members Present: Chairman Rhonda McCarvel, Commissioner Andrew Seal, Commissioner Nick Grove, Commissioner Maria Lorcher and Commissioner Nate Wheeler.

Members Absent: Commissioner Bill Cassinelli and Commissioner Steven Yearsley.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

<input checked="" type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Andrew Seal	<input checked="" type="checkbox"/> Nick Grove
<input type="checkbox"/> Steven Yearsley	<input type="checkbox"/> Bill Cassinelli
<input checked="" type="checkbox"/> Rhonda McCarvel - Chairman	

McCarvel: Good evening and welcome to the Planning and Zoning Commission for December 16th, 2021. 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 and 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 during the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridiacity.org and they will reply as quickly as possible. Let's begin with roll call.

ADOPTION OF AGENDA

McCarvel: Thank you. First item on the agenda is the adoption of the agenda. We have H-2021-0067, Moshava Village and H-2021-0080, Verona Live/Work that are both requesting continuances this evening and we will open those solely for that purpose of continuing them. So, if there is anybody here tonight to testify on those particular applications, we will not be taking testimony this evening. So, can I get a motion to adopt the agenda as amended?

Seal: So moved.

Lorcher: Second.

McCarvel: It has been moved and seconded to adopt the agenda as amended. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of the November 18, 2021 Planning and Zoning Commission Regular Meeting**
- 2. Approve Minutes of the December 16, 2021 Planning and Zoning Commission**
- 3. Findings of Fact, Conclusions of Law for Inglewood Coffee Shop Drive-Through (H-2021-0073) by Gold Stream Holdings, LLC, Located at 3330 E. Victory Rd.**
- 4. Findings of Fact, Conclusions of Law for Fire Station 8 and Police Substation (H-2021-0078) by City of Meridian, Located at 4250 N. Owyhee Storm Ave**

McCarvel: Next item on the agenda is the Consent Agenda and we have four items on the Consent Agenda. Could I get a motion to accept the Consent Agenda as presented?

Seal: So moved.

Lorcher: Second.

McCarvel: It has been moved and seconded to accept the Consent Agenda. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

McCarvel: So, at this time we will briefly explain the public hearing process. We will open each item individually and begin with the staff report. The 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 applicant has finished we will open the floor up for public testimony. Each person will be called on only once during public testimony. The Clerk will call the names individually of those who have signed up on our website in advance. If you are here in person, please, come forward. If you are on Zoom you will be unmuted. 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 the Clerk will run the presentation. 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 a topic, please, press raise hand button on the Zoom app or if you are listening on the phone, please, press star nine and wait for your name to be called. If you are listening on multiple devices, please, be sure and mute those extra devices so we do not experience feedback and can hear you clearly. When you are finished, if the Commission does not have a question for you, you will no longer have the ability to speak. Please remember that we will not call on you a second time. After all testimony has been heard and the applicant -- 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 and the Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommendations to City Council as needed.

ACTION ITEMS

- 5. Public Hearing Continued from November 4, 2021 for Moshava Village Subdivision (H-2021-0067) by JUB Engineers, Inc., Located at 4540 W. Franklin Rd. and 4490 W. Franklin Rd.**
 - A. Request: Annexation of 5.14 acres of land with the R-15 zoning district.
 - B. Request: Preliminary Plat consisting of a total of 30 single-family residential building lots and 3 common lots on 6.48 acres of land.

McCarvel: So, at this time we will continue Item No. H-2021-0067, which was originally opened and continued on November 4th, 2021, for Moshava Village Subdivision and they are requesting another continuance this evening to continue their modifying of the plat. Do we have any additional comments from staff? Okay. Could I get a motion to -- and I think datewise were we looking -- I think January -- the first meeting in January is somewhat full. Are we looking at the second meeting in January for that?

Weatherly: Madam Chair, there are several items on the first January agenda. I would recommend if you want to stick in January, then, January 20th is the best bet.

McCarvel: Okay. And that was good with staff; correct? January 20th? Okay. Can I get a motion to continue H-2021-0067 to the hearing date of January 20th, 2022?

Seal: So moved.

Lorcher: Second.

McCarvel: It has been moved and seconded to continue H-2021-0067 to January 20th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for Verona Live/Work (H-2021-0080) by J-U-B Engineers, Inc., Located at 3020 & 3042 W. Milano Dr., Near the Northeast Corner of Ten Mile Rd. and McMillan Rd.

- A. Request: A Conditional Use Permit for 16 vertically integrated residential units within four (4) buildings on 1.75 acres in the L-O zoning district.

McCarvel: Next item on the agenda is also requesting a continuance, so we will open H-2021-0080 and I believe that one is also potentially looking at January 20th. They are requesting a continuance in order to meet with staff and respond to the staff report. Does staff have any other comments on this application? Okay. And January 20th with that other one was still a viable meeting date?

Weatherly: Madam Chair, that would round it out, in my opinion.

McCarvel: Okay. Could I get a motion to continue H-2021-0080 to the hearing date of January 20th?

Seal: I moved.

Lorcher: Second.

McCarvel: It has been moved and seconded to continue H-2021-0080 to January 20th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

7. Public Hearing for Apex East Subdivision (H-2021-0086) by Brighton Development, Inc., Located on Parcel S1405120902, South of E. Lake Hazel Rd. Between S. Locust Grove Rd. and S. Eagle Rd., in a Portion of Government Lot 2 and a Portion of the SW ¼ of the NE ¼ of Section 5, Township 2N, Range 1E.

- A. Request: Rezone of 32.21 acres of land from the R-4 to the R-8 zoning district.
- B. Request: Development Agreement Modification to allow the proposed development plan.
- C. Request: Preliminary Plat consisting of 97 building lots and 14 common lots

McCarvel: Next item on the agenda is Apex East Subdivision, H-2021-0086, and we will begin with the staff report.

Tiefenbach: Greetings, Madam Chair, Members of the Commission. Alan Tiefenbach, associate planner, City of Meridian. This is a request for a rezoning, a preliminary plat and a development agreement modification. The property is a little more than 32 acres in size. It's currently zoned R-4 and it's located near the southwest corner of East Lake Hazel and South Eagle Road directly east of Discovery Park. This property was annexed and zoned R-4 as part of the south Meridian annexation and this annexation at the time consisted of a little more than 1,300 acres of property. There are numerous development agreements associated with this annexation. Each development agreement was specific to the property being annexed. This particular development agreement allows -- the one that's currently in place allows agricultural operations to continue on the property, but, basically, it says that any other plans for development would require a DA mod to incorporate that development plan. There is also a provision in there that talks about the applicant's allowed to do a free zone -- a free rezone. It was intended that at some point they were going to be doing this DA modification and looking to rezone. Future land use map recommends this property for eight to 12 dwelling units per acre, which is medium density residential. Again, the summary of the request is the applicant proposes to rezone 32 acres of land from R-4 to R-8. A development agreement modification to create a new DA, which, basically, would allow this and to develop a preliminary plat consisting of 97 residential building lots and 14 common lots. The R-8 zone district requires -- requires minimum lot size of 4,000 square feet, minimum square -- minimum street frontage of 40 feet. The plat data table for this proposal indicates a minimum lot size of 6,900 square feet, with an average lot size being about 8,400 square feet. These are lot sizes which are smaller than The Keep Subdivision to the east, but they are larger lots than the Impreza East Ridge and Lavender Heights Subdivision across Lake Hazel to the north. These lot sizes are well within the future land use designation of medium density residential. The plat proposes two access points from a new collector road. So, access point here and access point here. This new collector road, which is called South Recreation Avenue, parallels the west property line. The primary access will occur roughly about the middle of this. That's shown as East Wickham Street. There will be a second southern point of access, which you see down here, if you can see my pointer. That will align with the drive aisle into Discovery Park, which is what you see here directly to the west. The south Meridian station that was recently approved, the fire station, the police station, is right here, if you remember where this is. There is also two stub -- stub streets proposed, both at the southeast corner. One here, which is going through what right now is a county lot and one here to the south, which is also still unincorporated. Per an interagency cooperative development agreement, Brighton Development, who is the applicant here, they are required to construct this road south -- South Recreation Way, basically from a cul-de-sac at the property line all the way up to East Lake Hazel. They are also required by this development agreement to install pathways on both sides of this road -- this collector. The first pathway has already been approved through the Meridian Fire and Police Station. The eastern pathway is the one that you are looking at tonight. One of the things we mentioned in the staff report -- and you can see a little dotted line here. There is a southern pathway that runs along the south perimeter of the property and, then, connects into the Farr Lateral -- Lateral, which you see right here. This pathway is shown on the Meridian master pathways plan. We are okay with this. Our only comment is we thought that this pathway should align a little better with the entrance

into Discovery Park. We were afraid about people coming along this pathway and just cutting across the street. Pedestrians tend to take the -- the path of quickest route, so we were afraid of either people walking across the street without taking the crosswalk or starting to see the grass just wearing away as people were cutting this corner and walking across that grass. So, we thought it would probably be a better idea to just realign the pathway in that particular way. There is three common driveways that are proposed with this subdivision. The applicant has provided common drive exhibits, which demonstrates no more than three units are served, whereas a maximum of four are allowed. Common driveways meet the minimum width of 20 feet and do not exceed the maximum length. On the right-hand side of what you see here, the applicant submitted an open space exhibit and this reflects almost 22 percent open space -- of qualified open space. This includes two one acre -- two one acre parks at -- two one acre parks at the south perimeter of the property and one a half acre park more towards the center or towards the top north. It also credits a hundred percent of the collector buffers, one half of the arterial buffer and several trail connections. However, the open space exhibit also includes this 55 foot wide Farr Lateral easement. This is what you see here. So, this is also credited on this open space plan as being qualified open space. Per our development code it talks about that protective buffers that are at least ten feet wide, they can be counted towards open -- to meeting the open space requirements. However, they need to be dedicated for some kind of active access. The people need to be able to use them if they are going to be actually qualified as open space. Because the lateral is behind the existing homes, staff also has issues with this -- with CPTED, Crime Prevention Through Environmental Design. So, we are afraid that if this goes here and there is no connection to this back here, it is behind these houses, we do have some concerns about whether this will, first of all, be a no man's land back here and, secondly, it may not be the safest thing. Staff, in our conditions of approval, you will see that we have recommended that this should be converted into some kind of usable open space and we have also recommended that there would be a connection at the north up here and some connection down to the south. So, this is actually incorporated into the development. It is more of a walkable loop. The Farr Lateral, again, runs along this eastern side and per our codes they are supposed to pipe this lateral, but the applicant is requesting a waiver from this. It's a pretty wide lateral and their -- their request includes that this would be cost prohibitive to have to pipe this. This would be something that the Planning Commission could recommend supporting or not supporting and Council would ultimately approve this waiver. The landscape plan also includes a fencing plan and the reason why I show this just kind of to talk a little bit more about the lateral. What you see in blue here is solid fencing. So, solid -- in particular there is solid fencing here along the north side of the property, but what you see here in the red is open style fencing. This -- I'm sure the applicant will -- will comment -- is their intent to try to open up this lateral, so there is some visibility, but, again, staff still thinks that there should be some kind of usability, where you can actually get into this and that there is some eyes on the houses and we are not sure what's going to develop in here, but in the meantime we are afraid of this just kind of becoming a scary no man's land. One thing I want to mention is in the staff report we originally had some comments about the elevations and about attached single family and what I mean is that the original elevations showed duplex type lots. Our conditions of approval included that the applicant needed to show on the preliminary plat which of those lights would be attached and which

would be detached and the reason why it's an odd number of lots. The applicant responded that actually the elevations that were submitted were not the correct elevations, these are actually all going to be single family attached houses. So, here are the elevations -- these are the updated elevations of what they want to do. That would eliminate the conditions if the -- if the Planning Commission were inclined to support this, one of the conditions -- two of the conditions in the back of the staff report -- one of them talks about the applicant having to show the zero lot line lots for the attached single family on the plat. There is also a condition there -- in there that talks about that single family attached has to go through design review, so both of those would be defunct if the single family detached project -- product was approved with this and with that I would entertain any questions.

McCarvel: Thank you. At this time would the applicant like to come forward?

Wardle: Madam Chair, Commission Members, Mike Wardle, Brighton Corporation. 2929 West Navigator in Meridian. I just want to make one comment before I give you a very brief background with regard to the Farr Lateral and the piping question. You will note that the properties to the north of Lake Hazel that have been recently approved and platted did not pipe that as well, because of the size of that particular lateral. So, we -- just from a perspective of -- I guess consistency within that area, we are anticipating leaving the Farr Lateral open and Josh Beach will chat a little bit more about that lateral and the open space issue in a moment. So, can I have our PowerPoint up and I will just make a few background comments. Alan noted very adequately the background issues. The 2015 city annexation for the entire south Meridian area also included sewer extension to the northwest corner of the Apex or Pinnacle project area. He also noted correctly that the development agreements -- and there were quite a few of them -- not only for properties that Brighton owned at that point, but also with the Murgoitio family and this Apex East is actually a parcel that we have acquired from Murgoitio where we have an agreement with them for all of their land eventually. But it's anticipated in that development agreement applicable to this parcel that there would be a future potential rezoning, as well as a development agreement modification certainly, since the ownership of that property has changed. So, a year ago -- about a year and a half ago, actually, the area outlined in the golden rod, essentially, was the property that we brought forward at that point. It was rezoned. There were development agreement modifications approved as anticipated and preliminary plats. Okay. Go back here. And, then, a preliminary plat approved in accordance with the schematic that's in front of you and at that point there was the Apex Northwest at the intersection of Lake Hazel and Locust Grove and Apex Southeast and final plats for both of these areas have been approved for all of the phases anticipated in those projects. On January 6th you will be hearing an application for the area designated here as Apex West, which is to the west of the Apex Northwest plat that was approved and is under development currently. Apex East is the one on the east side of the park as noted and that's the one that is being considered this evening. It was, again, annexed in 2015. Development agreement anticipated the rezoning and the development agreement modification. So, as a combined exhibit that shows all of these, the approved and developed or developing northwest and southeast, the west preliminary plat that will be forthcoming in early January and, then, the Apex East. Even though it's

separated from the rest of the development by the city park, it will be integrated into the whole of the Pinnacle project as it will be marketed subject to the same CC&Rs and also the same HOA management system. So, I'm going to turn the time now to Josh to discuss the preliminary plat details and respond to the staff report.

Beach: Good evening, Chair, Commissioners. Josh Beach, Brighton. Address is 2929 West Navigator Drive in Meridian. Thanks, Mike, for going through the history. Mike's been around for a while, so he does a good job and understands kind of the full scope of everything that's been going on. So, to go back to just the basics and the project itself, as Alan indicated, you know, we are requesting that this be rezoned from R-4 to R-8. Our lot sizes are well within what is allowed in the R-8 and specifically it -- except for a couple of lots typically fits what is required by the -- by the R-4 zone and most of the reason is for flexibility and design, the request to go from R-4 to R-8. There is different setback requirements and things like that to help us with a variety of -- of product in a subdivision and so I won't cover this too much, but density is about three dwelling units per acre. Alan discussed a little bit about the open space and we -- we -- we looked at that. As you can see here along the Farr, we have now -- we have worked with our landscape architect. Internally we looked at that and we don't have a plan for providing a pathway along the Farr Lateral, it's -- it's controlled by the Boise Project Board of Control and they -- they don't allow pathways in their easement. All they allow is landscaping. And so understanding the code and the concern from staff that there is not a pathway connection back there, we have removed that from our qualified open space and we have adjusted the calculation. So, instead of the 21 and some change percent open space, we are about 18.3 percent open space that we are -- we are providing without that area along the Farr. It's -- it's just kind of a nonstarter to -- to put a pathway there. So, we -- we opted instead to just remove that from our -- from our calculation. So, with that the amenities -- we have some extra open space above the 15 percent that's required. We are providing a play structure here in the north on this -- see where the mouse is here on this common lot here on the north. A multi-use pathway, as Alan mentioned, along the south and, then, a gazebo and benches. And this is the landscape plan here. Alan's comments about the pathway along that south we agree with. It -- it makes sense that we align that up with the entrance to the park to get folks as direct access as we can. We will still provide the sidewalk as required along Recreation Avenue there, but we will have to work with staff a little bit on the design. Our desire, because there is the Williams Pipeline natural gas easement right there, which we will cross, is to cross that as directly as we can and, then, to stay outside that easement just to minimize the impact in that easement. So, our proposal would be to kind of parallel the easement on that west, southwest side, and continue that pathway up and to comply with that -- that condition as requested by staff. There will be two phases. I don't know how much -- how quickly those phases will follow each other, but current plan is to develop the north 39 lots that you see in green first and, then, phase two would be in yellow with the blue dots there on the south following that. So, as I said, we do agree with staff's recommendation to realign that pathway. It makes some sense and we have -- we will work with our landscape architect to -- to modify that and to work with staff to get that pathway where they would like that to be. So, we concur with condition 2-E and, as Alan mentioned, there is a couple of conditions -- 2-A -- at least two that we noted. 2-A and ten were specific to the attached

product. This -- this entire development here, these 97 lots, will be detached homes and we brought up those elevations for staff to review. Those are -- again, those are conceptual, but those are pretty typically what we -- what we construct. And, then, 2-D, as I -- as I mentioned, they have asked us to revise the landscape plan to show pathway connections there, which -- which we can't do with Boise Project Board of Control. So, we have -- we have provided those open vision fencing along the pathway there with, you know, landscaping as allowed by Boise Project Board of Control within their easement to have eyes on that area; right? There is -- there is some -- some concern that there will be things happening back there if there is a solid fence and you can't see it. Also code requires if it is open space, whether qualified or not, that there would be open vision fencing up against that. So -- so, we are -- we are providing that as required by code. So, with that we concur with staff's recommendations for approval, including the city agency comments and the conditions with the previously noted modifications and we request that you support this and transmit City Council our request for the rezone, preliminary plat, and development agreement modification. Stand for any questions that you may have on the -- on the application.

McCarvel: Thank you. Any questions for staff or the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Real quick. It looks like the -- the first phase has 39 lots in it, but there is only one entrance. So, are we reduced to 30 lots as per fire code on that one?

Beach: I believe that -- well, obviously, we are going to -- going to comply with the fire code, but there is an emergency access on that north side down the common driveway, which we would utilize temporarily to be able to get those -- those lots and, then, that would be -- that would be closed off. We -- pretty standard with these multi-phase developments that we are required to provide another means of access --

Seal: Okay.

Beach: -- or phasing, so that -- so, we can comply with the fire code.

Seal: Right. Then a question more aimed at staff. With the Boise Project Control Board -- or Board of Control, do we maintain any kind of relationship with them where we can get an exception to allow them to put a pathway back there? It seems like a huge missed opportunity right there.

Parsons: Commission, Commissioner Seal, I haven't worked that closely with Boise Project Board of Control. Usually Nampa-Meridian and Settlers are a little more amenable. In my experience with them, yes, they typically hold a tight string. They don't want to relinquish -- or allow a lot of improvement. So, the applicant is correct, they are -- more than likely they would allow some landscaping, but typically they don't allow trees

and we had the similar situation with the development on the north side with Impreza Eastridge Subdivision, they had the same irrigation lateral along the east boundary and what we got was, basically, slope with some hydroseed and a gravel road and that's about the best we could do working with that irrigation district. Now, the code does allow -- or does anticipate situations like this, so -- and, again, I don't know how amenable the applicant is to this, but the code would allow them to add an additional -- widen that common lot outside of that easement and do some of those improvements along the easement and add the five foot walking path and some of those trees, but I don't know how deep those lots are, I don't know -- and I see that they have detached sidewalks, so there is an ability to possibly attach the sidewalk and push those lots closer to the road and, then, add some of that on the rear of the lots and enhance that area and try to incorporate that into the development. But, again, as the applicant noted, they are meeting -- they are exceeding the code requirements of 15 percent. So, that's really up to you whether or not you guys want to see that enhanced and incorporated as part of the overall design for the subdivision.

Seal: Okay. Thank you.

McCarvel: Any other questions for the applicant or staff?

Beach: Thank you.

McCarvel: I have got one, Josh.

Beach: Sure.

McCarvel: Was there ever any -- I mean up in that northwest corner there where -- and I'm sure you know where I'm going with it -- with those three houses -- I mean, technically, it's just the three houses on that common drive, but, man, that fourth is awful close and they are -- all of those houses are just pointing right at that corner. I mean, you know, we don't even have to wait for a big party to happen, that's your average Friday night where I can see that's going to be really congested up in that corner.

Beach: And you are referring to -- sorry, Madam Chair, you are referring to --

McCarvel: Yeah. Where --

Beach: -- parking issues on the -- on the three lot common driveway?

McCarvel: Yeah. Parking, livability, trash services, you know. And I know you have got that fire -- that secondary fire access during -- before you get into phase two, but, you know, that's a long term issue for a short term fix, you know, just -- because everything else, you are right, it is so close to an R-4 being just -- being able to be labeled an R-4, except for a few lots, and I got a feeling, you know, a couple of those are it. You know, some -- just your average nice pie shaped lots back up in there and make it, you know, the prime lots, instead of the ones that are stuck in there.

Beach: Sure. So, you are -- you are -- just so I understand, the concern is the size of those lots. You would potentially propose that there would only be a couple versus -- versus the three?

McCarvel: Well, just -- yeah. Something that makes it so you don't have -- I mean it's kind of one of those things that sticks with us and with the common driveway it just -- you know, it kind of reduces the quality of life living in those spaces. I mean I know they will get, you know, bought up, because everything here does get bought up, but I mean long term somebody's got to live with that then.

Beach: Sure.

McCarvel: Yeah.

Beach: These are, you know -- well, obviously, I understand what your concern is. We have got a pretty good track record of making sure that the things that need to happen in terms of trash and parking and those types of things aren't an issue. Our -- our desire would be leave them as proposed. Obviously, we will take any -- we will take that feedback and I will -- you know, we will discuss that.

McCarvel: Yeah. Because you really look at how many houses are on that little tiny corner and you could -- I mean that's about -- almost seven houses, really, that have to live on that little corner, all tucked back in there, so --

Beach: I'm not sure what -- which -- which seven are we --

McCarvel: Well, I mean you have got the ones right on the driveway and, then, you have got that corner. I mean you have got basically everything pointing right at that curve.

Beach: Sure. So, all those -- those seven kind of on that north --

McCarvel: Yeah.

Beach: -- north side are your concern?

McCarvel: And I know you would probably have to lose a lot or two to do it, but I think the long term livability for people there would be much better. And, then, the same with that little alcove there in phase one, you know, there could be some adjustment there on -- inside the circle of how those houses layout to maybe get your open space, you know, up on the corner more, instead of that pie shaped piece in the middle, if you just flipped a couple of lots there it looks like you can get some better usable open space there for the community, instead of that little tiny sliver on the side of that one house, then, the pie shaped along the backside of those --

Beach: Sure.

McCarvel: I think if those lots got flipped around there it would be a little more usable open space for everybody and more access for that corner. Is that something --

Beach: We will look at it. You know, we -- we definitely spend quite a bit of time weighing these out and making sure we -- we can provide adequate open space and -- and good amenities. So, we have -- we have definitely, like I said, spent quite a bit of time -- I'm not saying we are not going to take your feedback back to the office and, then, look at those things, but -- but we have spent some time. So, we will look at it a little bit more and see if there is anything we can -- we can do to --

McCarvel: Yeah, because I mean --

Beach: -- change those lots.

McCarvel: -- I kind of understand the other two, because I'm sure you are probably trying to get around the -- you know, that road just going all the way through there, you know, because of the length limit, but -- you know. So, those aren't near as bad as the issue -- the congestion I think that subdivision is going to end up with up in that corner there.

Beach: Thank you.

Wheeler: Madam Chair?

McCarvel: Commissioner Yearsley?

Wheeler: This is Wheeler.

McCarvel: This is Wheeler. Okay. I thought Commissioner Yearsley had joined us. Yes, Commissioner Wheeler.

Wheeler: No worries at all, Madam Chair. Yes. So, I just had a question for the applicant. Are you saying that you are -- you are willing to go ahead and comply and -- with the staff's recommendation concerning covering the canal?

McCarvel: No, I don't think --

Beach: We have requested to keep the -- the canal open. So, that -- we haven't been conditioned to tile the canal. We have -- code allows us to request a waiver to keep it open and we are requesting that due to the -- due to the size of that facility and to the -- the cost that it would be to -- to tile it.

McCarvel: Right. And that's --

Wheeler: Okay.

McCarvel: And that -- staff, correct me if I'm wrong, but that's Council's --

Beach: Correct.

McCarvel: -- purview, not ours.

Tiefenbach: That's correct. Council will grant the waiver. Our -- staff didn't have an opinion on this. We were just commenting that the applicant is requesting a waiver.

Wheeler: Okay. Okay. I did -- that was a clarification on my side. And, then, the -- the other question that I have is -- when it comes down to some of the -- the open space there, have you -- do you guys consider with some ultimate plans or some ways to maybe bring that more centric into your -- to your subdivision in here?

Beach: So, this is what we have -- I guess, no, this is -- this is -- this is the plan that we came up with and we feel like we are providing an amenity along the pathway on the south, which is going to catch folks from -- as they are walking on the pathway. Typically we like to split the open space up, so that there is some relatively close to all of the residents. So, in this case we did not put it in the center, we have -- we have split it up so that there is pieces on the north and on the south and there will be amenities on both sides as well.

Wheeler: Okay.

McCarvel: And you have got the park across the street.

Wardle: Madam -- Madam Chair, Commission Members, Mike Wardle again. I would like to just -- before we open it up to public input, I want to go to the -- this particular exhibit, because of the comment about a pathway along the Farr. There is no pathway along the Farr in any of the area out here that has already been approved and developed. It does not -- your city pathway plan is depicted in the upper left of this exhibit and we are complying with and providing that pathway. So, a pathway along the Farr up to Lake Hazel Road would be a pathway to nowhere, because it does not tie into anything to the north. So, I just wanted to clarify that particular item. And with regard to the Farr, again, it's -- it has not been piped anywhere in that particular vicinity in any of the projects that have been approved and developed and it's not a question of whether it's just feasible or not, it's just a very large canal and it -- it does not warrant that particular thing. So, again, we would suggest that the changes that we have made to the open space calc in taking that area out, with the open fencing at the back against the Farr for visibility aspect, but no pathway and that being left open. I do concur, Madam Chair, with your comment about the open space pattern there. We will take a look at reconfiguring those lots and kind of making that a little bit more of a -- an area. But as Josh pointed out, we have smaller areas with some passive facilities available close by, as well as an 80 acre city park. I would be happy to answer questions as well.

McCarvel: Yeah. Is there any way to do without that common drive? I mean it -- I know you need it in the short term, but maybe not --

Wardle: Actually, with all due respect, it's not just a short term, that will stay there, because if you note that the -- the way that the loop is on that north pod, that -- that will stay there forever as a fire access. Now, we will take a look and see if there is a way that we can modify and mitigate some of your concerns, but we have done this before and, frankly, we have not had -- and we have not had experience with any challenges in our project. This was actually done in our Hill Century Farm project in the first phase and -- anyway, we will take a look. Certainly before we get to City Council and see if we can modify some things to address those expressed concerns.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: So, real quick on the common driveway. Your Spurwing product that's there off Chinden, Spurwing -- what is it? West I think? I -- I visit there frequently and there is a common drive that serves three households on there and I can tell you on trash day that corner is a nightmare and a mess. So, there is somebody that lives right on the corner of it and there is just -- it's -- it's hard to get through and navigate it in a car, much less a service vehicle, to -- to service that part of it. The other part of that subdivision is -- I mean as a Commission we kind of have a record of any time we see these common driveways and the use of them where, you know, it seems like they are going to be congested -- so, that's -- we are not just beating up on you guys. You know, we kind of are pretty deliberate about, you know, letting folks know that that's something that we don't like to see. In that same Spurwing Subdivision there is -- there are some common driveways in there. It used to be less that you could have and, then, they saw what you guys could do with it in there as far as those horseshoe shaped ones that are in and that is a beautiful way to pull this off. The recommendation came down to increase that. I don't think anybody on Planning and Zoning wanted to see it go through with more than two on a common driveway when that came back through, because we didn't want to see things like this develop out of it. I mean the -- where we are seeing that horseshoe shaped and things like that, that really lends itself to kind of beautification and livability, that's an amazing way to do that. This right here is what we were afraid of seeing. So, to see it in another product like this that you are delivering is -- you know, it makes me have mixed feelings about it. So, you know, in here it looks like we have got the ability to do an R-4 and keep it an R-4, but we are just trying to put too many houses in here and it squeezes the whole thing.

Wardle: Madam Chair, Commissioner Seal, when we had the pre-application meeting staff noted that, yes, we, essentially, meet the R-4 lot standards, except there are some frontage questions, as well as a few setback issues and so staff recommended that we look at the R-8 and that does comply with the Comprehensive Plan. It complies with the developments that have been approved in that particular area. So, we understand the concern. I think -- we will certainly look at the one at the northwest corner, but the other two, serving two lots each, we have found that -- and I think the chair made the comment about pie-shaped lots. Well, in the olden days we did a lot of pie-shaped lots and it ends up some really weird yards and challenges and so I almost am the one that pioneered

-- because as Josh noted, I have been here for a long time. I kind of pioneered this concept of getting the access into these corners with a better shaped lot and more consistency in the way they lay out, than just the wedges that we always saw in the past.

McCarvel: I had one of those wedges for a long time and I really enjoyed it.

Wardle: I'm sure it was the biggest lot in the neighborhood, too.

McCarvel: It was.

Seal: I had the same thing. I hated the fact that, you know, the front of the lot was this big and the back of the lot was huge, so --

Wardle: And you could probably get caught in the corner of the fence where it -- it pinched down to that really tight. But, anyway, we appreciate the feedback and we will look at it.

McCarvel: Okay. Any other questions for staff or the applicant?

Beach: Thank you.

McCarvel: Madam Clerk, do we have anybody signed up to testify on this application?

Weatherly: Madam Chair, we do have a couple people signed up. First is Wendy Webb.

Webb: Good evening, Commissioners. My name is Wendy Webb. My address is 2299 East Lodge Trail Drive in Meridian, Idaho. I am speaking on behalf of the Southern Rim Coalition. At this time the Southern Rim Coalition is in opposition to the request to rezone the property from R-4 to R-8. I was not aware before tonight of the 2005 -- 2015 development agreement. So, just so you know that from the beginning. I was not aware of that. I'm a little disappointed. It's a little deceptive when it looks like, you know, when you look at it everything looks like it's supposed to be an R-4, you don't know that there is a development agreement behind -- behind that that allows for -- for the rezoning. I feel like it's very deceptive to the residents in the area that may not be aware of that. As you know, many people are really disappointed with the step-ups that happened in -- in -- in the planning and zoning in our city. Even just this last week City Council Tuesday night looked at rezoning something from an R-4 to an R-8 and our citizens are not happy with that. They feel like they can't trust the city or the land designations that are assigned in the city. Too often this is happening, applications are being stepped up. We understand that this development is on the low side. We appreciate that. It's so close I am like you, can't we just make it an R-4 by making a few adjustments, so that it will fit the designation? I'm not sure why you would put R-4 on it when you could change it to an R-8 or something else later on. I think that's -- that's wrong. And the other point that I have is proper transition. I don't feel like it's being held accountable as the Comprehensive Plan encourages. The property to the east has a very large estate home. The home is less than ten years old. Recently the owners invested hundreds of thousands of dollars in landscaping, adding trees, a brick paved drive with a beautiful

water fountain. There is a barn. They have put in an orchard. A gazebo. Clearly this property value is very high and I think proper transition should be encouraged. At the southeast corner of the proposed development the property borders a subdivision called The Keep. The average lot size in The Keep is 33,000 square feet. Very different from the average proposed in the Apex East Subdivision. Their original designation of R-4 zoning is more appropriate for this land and I understand a lot of it does fit the R-4 zoning. The variety of housing as encouraged in the comp plan is not occurring. Almost everything being passed in the last year is R-8 and above. There is the desire for larger lots. All 58 lots in The Keep to the east were presold. Ninety percent of the buyers and new homeowners are from the local area, who just wanted a little more elbow room. Large lots are desired. Community surveys have showed the desire and importance for open space in the community. I'm trying to stay in touch with the community and especially with the affordable housing crisis that we are having. I wondered if any sentiment had changed towards larger lots. You know, comparing that to affordability. So, I just put a question on Facebook really quick and within two hours I had 20 comments that absolutely confirmed and left no doubt that people still want those larger lots. I just thought that was interesting that I would -- I would let you know that. Open space is desired not only in parks and in neighborhood open spaces, but also in larger lots. Large lots are almost nonexistent in south Meridian. So, don't get me wrong, I like Brighton. The Southern Rim Coalition feels like Brighton is one of the most responsible developers that we have in the city. If all those homes backing the adjoining property were R-4 zoning standards and it was only the homes backing Lake Hazel that were R-8 standards, we would still be in opposition. The reason is the principle and the precedent. We would like to stick to the plan and setting a precedent that others can follow. Not trying to be catty, I'm not trying to be contentious, I feel like we have enough of that in our society right now. I'm only here to -- to honestly represent the city and citizens of south Meridian. You know how -- you need to know how we think and how we feel about these -- these important matters that affect our community. Thank you for your consideration. I understand that you don't really -- you are not really looking at schools here tonight. That's a whole other ballpark to open up and that that is a concern we have, but we will probably take that to City Council. Thank you.

McCarvel: Madam Clerk, who is next?

Weatherly: Madam Chair, Mary Affleck.

Affleck: My name is Mary Affleck. I live at 6519 South Raap Ranch Lane. I live in the little pie shaped acreage next to the subdivision that's going in. So, you are going to get all the personal stuff from me. I'm so sorry. But I'm going to start out by telling you that we are happy with Brighton. If there is any developer that we would sooner have on the south side of Meridian it's Brighton, because they have been very honest with us. There is a few things that have changed that we would have appreciated knowing about, but they -- I think that they do a pretty good job. The one thing that I wanted to say, though, is I had somebody tell me don't burn your bridges, you will -- you will lose more, and I'm like we have lost everything. Let me tell you what we have lost, just so you can keep in touch with the people in Meridian. We lost our privacy. We lost our view. The subdivision

to the east of us that went in, this was all farmland, what, two years ago when we -- our house was built before then. But they built it up about 12 feet, so that everybody now looks down on us and can see into our area. So, that's our privacy. We lost our view on the north side. They built it up 60 feet on the far end, so that they could have view lots all the way around and people could see over the city. Yeah. That's ours. We lost our view of the city. We lost our peace and quiet. We have no wildlife now. We had deer, coyotes -- we didn't care so much about the coyotes. And our resident owl left. We have -- still have birds there. Grateful for that. We lost a house. We are losing a house that's right down there on the road and the offer that we are getting from it by the highway department, which is highway robbery. Now I know what that word means. They are offering us 150,000 considering we put 100,000 into their house and we have our children down there. It's a family of five. So, we lose our family, too. We lost a half acre of land and as you can see, you know, how much land is worth where we are, we were offered 50,000 for a half acre. In The Keep it's around 400,000 per acre. We lost an irrigation system down there on the front. We will lose a well. People travel through our property and walk through it all the time now. We did gain a few things, so I don't want you to feel too bad for us. We got all the gophers that were in the field to the east of us and we will get all the gophers on the west and it's cost us over a thousand dollars so far to try to get him out of our field. It's ruined our alfalfa and it will cost us more, because, obviously, we are building again. We lost -- my son said to tell you we gained our night vision, because now we have lights all over the road and lights on the park, where it was all dark and we could see everything at nighttime before and now we can't. Now we can see everything; right? We have park and highway lights. The one thing that I wanted to talk about was the fencing and you were talking about the walkway on the canal bank there. That canal is very dangerous. It is our moat. We would sooner keep it than have it covered, even though it's dangerous for our grandkids. But it keeps the people from coming into our property, which we have all the time. The irrigation district put up a sign for us to -- that it was private property, because people don't know that. They think the canals are public and so they are walking there all the time. All the time. And on the far side also. So, the fencing we were told was going to be privacy fencing and that they weren't going to build up the land, so that they would overlook us again. I do not like the open fencing. That's what we have on the east side of us and everybody looks into our area. All day we have got eyes on us. It's not a great thing. And, you know, it's one more thing. I guess it was the fencing and the pathway. It would be nice to have a beautiful pathway, but it is a very dangerous canal and if it's not covered it would not be a good place for a pathway. If it is covered, then, we lose our moat and -- I don't know. We have lost our privacy. If my husband was a little older we would retire and just move out of the area, because we really like rural and that's why we were there in the first place. So, anyway, just wanted you to know that it does affect real people. And I'm with Wendy Webb. I think the step-up is huge going to R-8 from rural. It was all rural and everybody seems to come in and there is a pattern, they get it changed, and, then, they come back and they get it changed higher until we are just packed in there with not enough schools, not enough open space. It's just a sad thing and I know people are coming in and want a place to live, but they don't have to live in Meridian, there are other places. Meridian is beautiful and we love it. That's all I have to say. Thank you for listening.

McCarvel: Okay. Madam Clerk, anyone else?

Weatherly: Not that I show signed up, Madam Chair.

McCarvel: Okay. And I can see there is nobody else here in the room. Is there anybody on Zoom who wishes to testify on this application? Okay. With that would the applicant like to come back?

Wardle: Madam Chair, Commission, Mike Wardle. We appreciate -- and we have had, actually, over time really good communications with the Southern Rim Coalition and I'm aware that they have an interpretation of the way the Comprehensive Plan and the -- what the future was going to be out here, but I want to go to a couple of -- first I want to talk about the Comprehensive Plan itself. The area in the comp plan -- and it did not change in 2019. The land uses anticipated prior to 2019 remained the same and you will see that along that corridor, the lake Hazel corridor was anticipated and still will be a mobility corridor over time. It's going to be a lot of traffic. It's going to be a major connection. Eventually clear out to the interstate at Eisenman. But, regardless, the Comprehensive Plan anticipated in the -- the FLUM that was retained in 2019 -- in fact, two years ago December -- that there would be higher density uses along Lake Hazel and, of course, the community core there on the intersection of Lake Hazel and Locust Grove. We are creating -- and if you recall the concept that we have approved, there is a -- a village center at the northwest corner of that intersection. The area in the yellow is the medium density residential and anticipates a rezone potential up to R-8, which is not a step up, that complies with the Comprehensive Plan, and so this was the actual zoning as of yesterday when I took it off the city's website. Yes, currently it is zoned R-4 and for the most part our uses conform to the R-4, but because of some of the lot frontages and a few of the setback areas, we are asking for R-8 for those purposes, but not in terms of the size of the lots typically. The smallest lot is 7,000 square feet, but the average is 8,485. So, we actually conform and certainly the density anticipated of three to eight units per acre and we are at three, that really conforms to the low end of the anticipated, even within an R-4 zone. The comment was made of precedent. It's a little hard to see, but you can -- you can tell by the approvals that have already been granted in that area that the precedent was established first when the city annexed and set up development agreements in anticipation of what would happen when development actually occurred. So, you look at the approvals with some R-40, R-15. There is some R-2 as was noted over in The Keep. But one interesting thing about this property -- and I appreciate the -- the comment about the moat. In reality the Farr Lateral provides that, because it's above -- it's four to six feet above our property and we are not filling our property to gain any elevation or visibility. So, part of the challenge that we have with that -- that lateral and the right of way there is the slope that we have to take care of regardless. The actual access road for the Boise Project Board of Control is on the east -- the northeast side of that particular lateral. So, there won't be people walking on our side and certainly if we keep the -- a pathway conforms to the city's pathway plan along the lateral to the south as we propose and not put one up on the banks of the -- the Farr, then, at least we are protecting some of the concerns that have been expressed. So, in reality, the fact that, yes, we are requesting the R-8, we are keeping the basic elements of an R-4 density. We

are doing the R-8 simply to take care of some of the frontage issues as suggested by staff when they looked at the original concepts. I will affirm to you as we discussed a few minutes ago that we will look at the open space in that northerly area and we will look at that -- the lots along that fire access out to the northwest corner and we will work with staff prior to City Council and make any adjustments necessary and present them at that point well in advance of it, so that the Council would certainly have a look at them. I don't know that there is a lot more to say, other than the area out here has been anticipated by the city to be different over the long haul and everything that's been proposed and approved conforms to that plan and it does include a diversity, because you have got the larger lots to the east. You have got smaller lots to the north that, again, conformed to the Comprehensive Plan density anticipated and even though we are requesting that R-8 zone, we are providing consistency between the products that we are offering on both sides, east and west of the park. We appreciate your consideration. We ask that you recommend approval of the rezone to the City Council with whatever modifications you would like to recommend that we will work with staff to achieve. Answer anymore questions that you might have.

McCarvel: Okay. Any other questions for the applicant? Okay. Thank you.

Wardle: Thank you, Madam Chair.

McCarvel: With that can I get a motion to close the public hearing on H-2021-0086?

Seal: So moved.

Grove: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-0086. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Any other thoughts? Comments? We had several questions of the applicant, so --

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I will start off with this. The -- I'm still kind of at the point where I would rather see this stay an R-4, because I think this -- on that side of the property anyway -- that side of the park it will set a precedent. I kind of firmly believe that. So, understand where they are at in making it feel like an R-4, but they need the R-8 designation. I won't pretend to completely understand that. I just understand that if this happens it sets that precedence to where everything around it, you know, basically that's going to be their excuse to keep increasing it. So, I would almost rather see them come back and try and make this fit

completely into that R-4 designation, so that doesn't need to be -- we don't need to have it rezoned into R-8 and take that opportunity to take a look at that common drive servicing as many houses as it does in that northern section. Outside of that I like -- you know, actually like the way that the -- that it's put together. I mean it is next to a park. It does fit into everything else. I mean, I remember when Apex East came in and everything went through on that, that one knocked my socks off, to say the least. So, I understand that Brighton has been -- they have tried to be very responsible in their development of that area. This one here is really really close. I just think that R-4 designation needs to stick at this point.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I think I understand the R-4, R-8 and why we would want to keep it, but from my understanding of how it was presented at least, the -- when it was brought into the city as R-4 that was more of a placeholder similar to what we had a month or two ago with the Urban Renewal District on the Northern Gateway at Cherry and Meridian and it was more of a placeholder designation than a -- a true like platted designation that we would normally work with and so to me it doesn't feel like it's setting any precedent, because the precedent was set when it came in that there would be changes based on the future land use designation, which is not a zoning designation. And so to me it still feels like it's exactly what was presented, then, because the change was anticipated. So, I understand it -- the optics of it, but I feel like I -- I'm okay with the R-8. I think the area as it expands for the Lake Hazel Road itself being more of a fully built arterial, it has the capacity to handle that as it grows. Maybe not right now, but as it grows it does. I think putting more density close to a regional park versus a standard park is also a good use of city space. It allows a much larger facility to handle the recreational needs. I think the -- the biggest concerns that I have were brought up by Madam Chair with the northwest corner and I would prefer to see a lot reduced in that common drive area and it -- I think it feels even more crowded, as Madam Chair put it, because of the type of corner that it is, it's a very sharp corner to begin with and having a common drive with three lots directly on the common drive, plus whatever else is in that area, makes it even more crowded than a traditional three home common drive. I think that there are opportunities to reconfigure that to make it less problematic. Overall I think it's a good development. If it was not right next to a regional park I might have some thoughts about, you know, spacing out the -- the open areas, but because of its location next to a regional park and the fact that it is a little bit landlocked in the shape of the overall development I don't have concerns with that. I think that the -- the changes that were made by staff and agreed to by the applicant makes sense to me. Overall I'm okay with this project.

Wheeler: Madam Chair?

McCarvel: Commissioner Wheeler.

Wheeler: No. This is Commissioner Yearsley.

McCarvel: Oh, sweet.

Wheeler: I'm just kidding. I'm just kidding. This is Commissioner Wheeler. I'm just playing with you, Madam Chair.

McCarvel: Well, it was -- okay. We had thought -- I'm sorry, we had thought Commissioner Yearsley was just going to be late, but he's, obviously, gotten really late, so we will just -- like these voices that just come at me from the speakers, you know.

Wheeler: Right. Exactly.

McCarvel: They are competing with the ones in my head.

Wheeler: Well, then -- yeah. Then a head cold and, you know, now my voice lowers an octave and now I can start doing voiceovers for radios and stuff, so --

McCarvel: All right.

Wheeler: But, Madam Chair, I have -- my thoughts on it is similar to yours and what Commissioner Seal has also said. I just have some concerns up in that northwest corner with the congestion that that would -- that would create. I also have some other thoughts, too. I'm -- I would like to see some of the open space -- and where it's at, I understand that there is a buffer that goes along that -- that eastern side, but unless there is some way that we can connect that or be able to make that more usable than what it is, it's not -- I'm trying to figure out how that's going to benefit the -- the residents there. So, it would be nice to see a little bit of that and I understand that they are -- you know, if they want to have some fun they can just go across the street and go into a park, too. Big regional park. So, you know, you don't want to duplicate those amenities here to when they can just go across the street to some greater amenities. But some -- some of the issues I have, too, is on that -- that entry that's right there at the bottom of that green zone. As it comes in right there, I just -- I just -- to me I just see a lot of congestion issues and some traffic issues. I think that the way to solve that is on that R-4 zoning or lightening up the density more so and I think that that's a -- I think if there could be a plan that could come back that could share that, that would be something that I could support.

McCarvel: Okay. Commissioner Lorcher.

Lorcher: Brighton has done such a good job of being able to create subdivisions that, you know, accommodate the space. Looking at this to me it seems way too crowded. If you look at the middle section as -- as a letter A, I don't even understand what's happening here in the middle with these little spurs that come out and how these houses even work together. With all the land that they have and your comments about the northwest corner being congested, where the southwest corner is not, there should be a different way to be able to configure this in a way that creates that open space, keeps it the R-4 and being able to maximize their -- their product. I do take exception -- I live in a rural part of Meridian as well and as current homeowners you are almost forced out, because

everything comes around you and doesn't really take into account of what's already there. So, I appreciate your comments and I understand, because I'm feeling it in my neck of the woods as well. But the middle part of the A there is -- there is no road, it just it's like backyard after backyard after backyard and there is plenty of space here to create a good product. I think it just needs to be reconfigured a little bit more. I would be inclined to only keep it R-4.

McCarvel: Okay. Yeah. I would agree. I mean there is such a -- it seems like there is so few lots that are -- that they are wanting the R-8 dimensions for and I think a lot of our concerns would be solved with a little configuration of -- in keeping with the R-4 standards. I think a lot of those little niches that we are concerned about would go away.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I mean I can't speak for everybody, but it seems like we are all on the R-4 bandwagon for the most part. But I would almost think that we should maybe open it up -- the public hearing open up again and see if they were -- the applicant would be more inclined to want a continuance or we can act on a denial and they can take their chance with City Council.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Question for staff, because this was recommended by staff to go from R-4 to R-8, essentially; is that correct?

Tiefenbach: Staff supports the application that's proposed to us. This density that they are proposing is actually less than the range of density that the comp plan recommends. The comp plan recommends eight to 12. This is about four.

McCarvel: Yeah. I don't think it was the density that -- yeah. It's the setbacks and it's the lots that we are having issue with. I mean just -- I don't know. Maybe it's a -- recommend moving it forward and recommendation to Council that, you know, those -- see what we can do with the common lots going away. But I think that's a big enough redesign that maybe we want to see it and not just kick the can down to Council.

Seal: I would agree with that. And part of this is -- I mean it's, you know, the lens that you view it through, so I -- you know. And I understand that it's probably not going to reduce lot count drastically, if at all, as far as the density and the count goes. So, it will reduce something, obviously, but there is a large push -- I mean everybody that I talk to they do not want more, they want less. So, this is an example of where, you know, perception and reality -- the perception is it's going to be more homes if it's R-8. The reality is even with R-4 it probably isn't going to be more homes, it will still be the same

amount of homes, it will just have to be reconfigured. You know, that said I'm -- you know, in order to help the perception piece of it I think R-4 is where it needs to land.

McCarvel: Yeah. And I -- I think we are just trying to hold on to a piece that is so close and we finally have, you know, a density count that is matching more of the R-4, because there is so much that's being thrown our way that's tight. Sometimes it's -- it's not really in-fill, but the odd shape lots just lend themselves better to just, you know, open it up a little bit, instead of trying to cram stuff in. So, with that, do we have a motion or do you want to --

Seal: Madam Chair, I would prefer to talk to the applicant again and see what their wishes are, so --

McCarvel: Do we need a motion to open up the public hearing?

Seal: Yeah. Madam Chair, I move to open the public hearing for H-2021-0086.

Grove: Second.

McCarvel: It has been moved and seconded to open the public hearing for H-2021-0086. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Wardle: Madam Chair, Commission Members, that's a good question and I don't know -- you may be correct, Commissioner Seal, that the density may not change, the number of lots may not change, but I suspect that it will. I think our druthers at this point -- we are comfortable with the design with the suggestions that have been made relative to the northwest corner and a little bit of finessing on the open space to the interior. We would appreciate a recommendation to the Council, so that we can move it forward, because I think that we are compliant with virtually everything in the comp plan and the expectations of what happened when the city annexed this with -- as a holding zone until development applications came forward. So, we would ask that you move it forward, provide your recommendations, and let us take the Council's determination.

Seal: Okay. Appreciate that.

McCarvel: And I guess this is a question for legal and/or staff or maybe fellow commissioners. I don't know. Is it possible for us to -- in our recommendation that it would be -- that we recommend the R-4 or is that -- once it's been posted and like as an application for the R-8.

Tiefenbach: You are going from less -- from more to less. I would probably defer to legal. This -- it's been noticed as R-8, but they want to go to R-4. It's less lots than they are proposing. Generally less is better.

McCarvel: Yeah.

Starman: Madam Chair, if I understood your question correctly -- your question is can this body recommend R-4 to -- yes, it is your purview to do so. You can make a recommendation to City Council. From a noticing perspective, which would -- which is what Alan was referring to -- we are fine from a noticing perspective, because the notice is R-8 and --

Wheeler: Can you, please, speak into the microphone?

Starman: It's this portable microphone, so I will hold it close to my mouth.

McCarvel: That's much better.

Starman: How about that?

McCarvel: Yeah.

Wheeler: Thank you.

Starman: If I need to repeat something just let me know. My -- so, I think, just to sum up, it's certainly within this body's prerogative -- prerogative to recommend to the Council R-4 and from a noticing perspective, because it's noticed as a higher density, we are fine from that perspective as well.

Wheeler: Thank you.

Parsons: Madam Chair, Commissioners, the property is already R-4. There is no recommendation to make it R-4. That's what it is.

McCarvel: But with what Alan said it's -- you know, it's the application before us. So, in --

Parsons: Yeah. You would recommend denial of the rezone.

McCarvel: -- making that motion to City Council. We know what we can and can't.

Tiefenbach: That's what I was going to say. You wouldn't -- you would be supporting the development agreement modification, but not supporting the rezoning and you could pass your concerns on with what you think should be done, that it be kept R-4 with the open space reconfigured and the common lots -- the northwest corner and supporting that there will be a development agreement modification.

McCarvel: Okay. Commissioner Seal?

Seal: I guess my question was more based on do we -- would the applicant like a continuance in order to come back and present something that was R-4 or would they like us to go ahead and move it along, which he said -- the applicant said they would like to move it along. My opinion is we do that with a denial, because they are presenting R-8. We would like it to be R-4. We can -- I think we can present it that way. That way it does move to City Council and which they can plead their case at.

McCarvel: Right. And that was my question to staff and legal is can we -- in our motion recommend that it stay R-4 and with -- and with, you know, the other modifications we asked. But it can move forward without having to be a denial per se, because we are not recommending a higher use, we are recommending it stay the lower use classification. So, we can --

Wardle: Yes, Madam Chair, just -- we do want it to move forward. Thank you.

Tiefenbach: That would be a denial, Madam Chair, if you wanted to -- you would be denying -- you would be proposing denial of the R-8 zoning for it to be kept R-4 and you could express what your issues were. I would put that into the staff report, that these are the things that the Planning Commission discussed.

McCarvel: Okay. So, we are recommending denial of the proposal, but with -- with the modifications that, yeah, we would like to see.

Weatherly: Madam Chair, just for the record I wanted to note, while the public hearing is open, there is a J.E. Edwards that came late into the Zoom platform and has had their hand raised a couple of times throughout the meeting. Just for the record.

McCarvel: Okay.

Seal: Madam Chair, we -- we created this mess, so I think we should hear them.

McCarvel: I agree. All right. Go ahead, Madam Clerk.

Weatherly: J.E. Edwards -- or J. Edwards, you should have the ability to speak.

Edwards: Hi. Can you hear me? Hello? Hello?

Weatherly: Yes, ma'am.

McCarvel: Yes, we can hear you.

Edwards: Okay.

McCarvel: You have three minutes.

Edward: My name is Julie Edwards and my address is 1310 East Mary Lane and I just wanted to say -- I had a couple comments. My first one is I appreciate that you recognized the congestion up in the northwest corner there. I think a lot of people -- or a lot of the developers assume that people moving in they don't mind, you know, having -- they just want everybody to have the rectangular lot and so something up at that corner, you know, I think that the diamond shaped lot, whatever lot can fit in there, where you have those three homes on that common driveway, you know, make it into one. It's okay to -- to have a subdivision that has regular size lots and slightly larger lots, you know, there -- just to have a variety for people to choose. Also within -- how you said -- up on the screen -- my screen, anyway, there is Apex East. So, like the A on the right side of there there are the two common driveways that lead to those four lots. So, one concern as a parent, when they are talking about usable space -- in this it's kind of spread out, a triangle here up at the north and at the south and, you know, as a parent I want my kids kind of to be tucked in and what about remove the -- down on the southwest corner, you know, you could add two more lots right there, but, then, up on the right side of the A where those four lots are by the common driveway, turn that into a park, connect those two common driveways, make it a walking path, you know, so -- yes, you are eliminating four houses in that slot, but you are also -- I don't know how the resident that spoke that's just to the east of there, how she feels, but, you know, at least when she looks out her maybe kitchen window she sees a park, she doesn't see the back of four houses and the same thing on the southeast side, you know, there is those two houses in the corner there, you know, maybe turn that into two lots and they might be odd shapes, but in all honesty people like -- they don't mind odd shapes. You know, they can put a garden in the back, they can grow some fruit trees, they can do things like that. So, really, I think those are my main concerns with this. I think sometimes less is more and the residents that move in I believe would actually appreciate that, rather than, you know, just being elbow to elbow with their neighbor. Thank you.

McCarvel: Okay. Anyone else on Zoom, Madam Clerk?

Weatherly: Madam Chair, that's it. Thank you.

McCarvel: Thank you.

Seal: Madam Chair?

McCarvel: Yes.

Seal: I move that we --

Starman: Madam Chair, I was going to recommend for -- in matter of fairness for due process we should allow the applicant to respond.

McCarvel: Yeah.

Wardle: Madam Chair, the only thing that I wanted to comment relative to Julie Edwards' comments, the southwest corner that -- that green open space cannot is not buildable. It's a pipeline. Two 24 inch pipelines run through there. So, that's open space. But -- thank you.

McCarvel: Okay. Thank you.

Seal: Madam Chair, I move we close the public hearing for H-2021-0086.

Grove: Second.

McCarvel: It has been moved and seconded to close the public hearing on H-2021-0086. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Who would like the honors?

Seal: I can try it here. Madam Chair?

McCarvel: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to deny H-2021-0086 as presented in the staff report for the hearing date of December 16th, 2021, for the following reasons: That we would like to see the R-4 designation followed for this, instead of bumping it to the R-8. That the configuration in the northwest corner with the common driveway be altered or changed or completely eliminated, if possible, to get rid of the common drive and the congestion that's going to be caused on that -- that area and that the common area be reconfigured in that same area as well to alleviate more congestion on that corner and that items 2-A and 10 are excluded from the staff report as they are not applicable.

Grove: I believe 2-D as well.

McCarvel: 2-A and 2-D.

Seal: And 2-D.

Wheeler: I second.

McCarvel: It has been moved and seconded to recommend denial of H-2021-0086. All those in favor say aye. Opposed?

Grove: Nay.

McCarvel: Madam Clerk, do you need a count?

Weatherly: Madam Chair, just to clarify for the record. Commissioner Grove, you voted nay; is that correct?

Grove: Correct.

Weatherly: That's the only nay I heard, Madam Chair.

McCarvel: That's the only one I heard as well. Motion to deny H-2021-0086 passes.

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

McCarvel: Next motion?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I move we adjourn.

Grove: Second.

Lorcher: I second.

McCarvel: It has been moved, seconded twice that we adjourn. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 7:31 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RHONDA MCCARVEL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Public Hearing for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

Project Requires Continuance

A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: January 6, 2022

Topic: **Public Hearing** for Apex West Subdivision (H-2021-0087) by Brighton Development, Inc., Located on the North Side of E. Lake Hazel Rd., Approximately 1/4 Mile West of S. Locust Grove Rd.

A. Request: Preliminary Plat consisting of 208 building lots (207 single-family and 1 multi-family) and 34 common lots on 96.08 acres in the R-2, R-8 and R-15 zoning districts.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)



AGENDA ITEM

ITEM TOPIC: Public Hearing for Ten Mile RV Storage (H-2021-0090) by Hatch Design Architecture, Located on Parcels R5629430106, R5629430090, and R5629430080, Located Near the Northwest Corner of W. Ustick Rd. and N. Burley Ave./W. Nelis Dr.
Applicant Requests Withdrawal of Application

A. Request: Rezone of 5.65 acres from C-G to I-L.

B. Request: Development Agreement Modification to enter into a new development agreement to revise the approved concept plan to allow for a self-storage facility including outdoor RV storage.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: January 6, 2022

Topic: **Public Hearing** for Ten Mile RV Storage (H-2021-0090) by Hatch Design Architecture, Located on Parcels R5629430106, R5629430090, and R5629430080, Located Near the Northwest Corner of W. Ustick Rd. and N. Burley Ave./W. Nelis Dr.

- A. Request: Rezone of 5.65 acres from C-G to I-L.
- B. Request: Development Agreement Modification to enter into a new development agreement to revise the approved concept plan to allow for a self-storage facility including outdoor RV storage.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



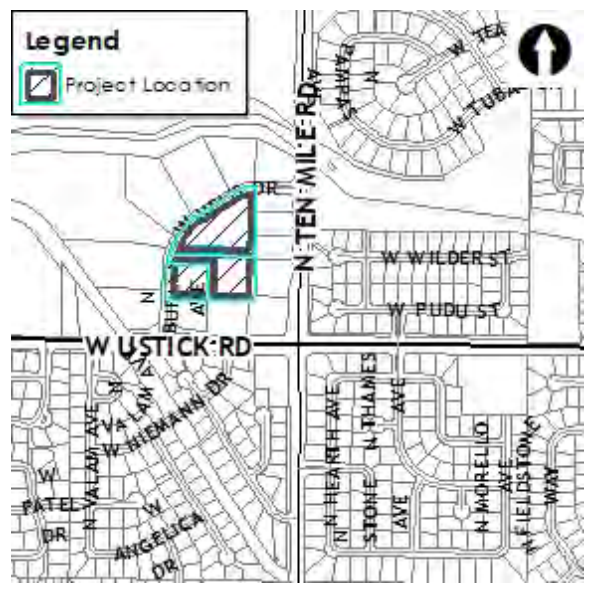
HEARING DATE: 1/6/2022

TO: Planning & Zoning Commission

FROM: Alan Tiefenbach, Associate Planner
208-884-5533

SUBJECT: H-2021-0090
Ten Mile RV Storage

LOCATION: 3425 W. Nelis Dr., 3302 N. Burley Ave., and 3386 N. Burley Ave., at the northwest corner of N. Ten Mile Rd. and W. Ustick Rd.



I. PROJECT DESCRIPTION

Request to rezone 5.65 acres from C-G to I-L, and development agreement modification to enter into a new development agreement to revise approved concept plan to allow self-storage facility including outdoor RV storage, by Hatch Design Architecture.

II. SUMMARY OF REPORT

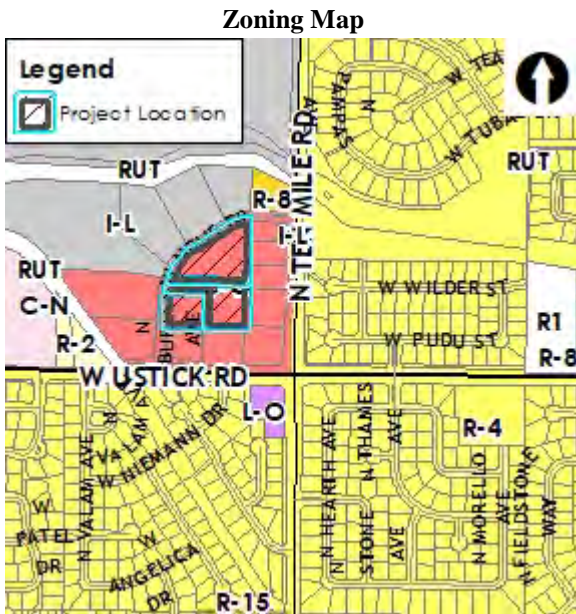
A. Project Summary

Description	Details	Page
Acreage	5.65	
Future Land Use Designation	MU-NR (Mixed Use Non-Residential)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	RV and Boat Storage	
Lots (# and type; bldg./common)	3 existing lots	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	November 9, 2021; No attendees	
History (previous approvals)	Annexation and Preliminary Plat AZ, PP 04-004, FP 05-047, DA Instr. #104093293, Rezoning and Comprehensive Plan Map Amendment CPAM 10-002, RZ-11-001, and DA Modification Instr. #112054621	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	No	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Primary access will occur from N. Burley Rd. / W. Nelis Dr, a local road. There is also secondary access to N. Ten Mile Rd via an easement through the adjacent properties at 3325 and 3377 Ten Mile Rd.	
Stub Street/Interconnectivity/Cross Access	There is secondary access to N. Ten Mile Rd via an easement through the adjacent properties at 3325 and 3377 Ten Mile Rd.	
Existing Road Network	N. Burley Re / W. Nelis Dr and N. Ten Mile Rd via an easement.	
Existing Arterial Sidewalks / Buffers	There is presently 6' wide sidewalk along N. Burley Ave / W. Nelis Dr. 20 ft. wide landscape buffer will be required along N. Burley Re / W. Nelis Dr.	
Proposed Road Improvements	None	
Fire Service		
<ul style="list-style-type: none"> No comments 		
Police Service		
<ul style="list-style-type: none"> No comments 		
Wastewater Comments		
	<ul style="list-style-type: none"> Existing 8" stub to site. If the stub is not used it needs to be abandoned at the manhole. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Ensure no sewer services pass through infiltration trenches. Flow is committed. 	
Water		
<ul style="list-style-type: none"> Distance to Water Services 	0	
<ul style="list-style-type: none"> Pressure Zone 	2	
<ul style="list-style-type: none"> Water Quality 	No concerns	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> There are no utilities shown in this record. Public Works will need to review and approve the utility plan. There are nine (9) existing water stubs that will either need to be used or abandoned. 	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Steve Thiessen, Hatch Design Architecture - 200 W. 36th St., Garden City, ID, 83714

B. Owner:

Ten Mile Investments – 621 N. Robinson Blvd, Nampa, ID, 83687

C. Representative:

Jeff Hatch, Hatch Design Architecture - 200 W. 36th St., Garden City, ID, 83714

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	12/16/2021	
Notification mailed to property owners within 300'	12/15/2021	
Applicant posted public hearing notice sign on site	12/27/2021	
Nextdoor posting	12/16/2021	

V. STAFF ANALYSIS

This is a proposal to rezone from C-G to I-L to allow outdoor RV, boat and vehicle storage. A development agreement modification is also proposed with this application.

The subject property consists of three lots located at 3425 W. Nelis Dr., and 3302 and 3386 N. Burley Ave., northwest of the W. Ustick Rd. / N. Ten Mile Rd. intersection. The subject property is zoned General Retail and Service Commercial (C-G) and is 5.65 acres in area. The property is bordered on the east by a drive-through coffee shop, pawn shop and associated retail uses. There is a tire shop directly to the south. There is an Idaho Power Sub-Station and industrial uses across W. Nelis Dr. to the north.

The property was originally annexed in 2004 as part of the McNelis Subdivision (Inst. #104093293). In 2011, the subject property was part of a larger rezoning, comprehensive plan amendment and DA modification (CPAM-10-002, RZ-11-001, MDA-11-002, Instr. # 112054621). This DA Mod included a conceptual site plan for the entire McNelis Subdivision which included building locations, maximum square footages and parking.

There have been several recent pre-applications on this property, including self-storage and vehicle repair. In August of 2021, staff held a pre-application meeting with the applicant to discuss the possibility of constructing a covered RV and boat storage facility. Staff informed the applicant that the C-G zoning district allowed indoor storage by conditional use, but outdoor storage was not allowed as a principally-permitted use; it could only be accessory to the indoor storage. Staff also mentioned the site plan as proposed was significantly different than what is approved under the existing DA. As a result of this meeting, the applicant requests to rezone to I-L to allow outdoor storage as a principally permitted use and for approval of the revised site plan as a DA modification.

A. Development Agreement Modification

The property is within the McNelis Subdivision, which is governed by DA Instr. #104093293 and DA Modification Instr. #112054621. The DA allows a broad range of commercial and light industrial uses and contains conceptual site plans for the subdivision. The approved concept plan reflects a building layout characteristic of commercial and office buildings, whereas the applicant proposes a RV and boat storage site layout. As the concept plan submitted by the applicant is a significant change from what is approved, the applicant also requests the DA be modified to include the revised concept plan. The concept plan has been updated to reflect the storage facility, how build-out has already occurred within the McNelis Subdivision, and retains the approved building footprints of areas which have yet to build out.

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

Mixed Use Non-Residential - The purpose of this designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City's Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Sample uses, appropriate in MU-NR areas would include: employment centers, professional offices, flex buildings, warehousing, industry, storage facilities and retail, and other appropriate non-residential uses.

The subject site is zoned General Retail and Service Commercial District (C-G). This allows a broad range of commercial uses. The property is bordered by a drive-through coffee shop, pawn shop and associated retail uses to the east. There is a tire shop directly to the south. There is an Idaho Power Sub-Station and associated industrial uses across W. Nelis Dr. to the north. Rezoning to I-L to allow outdoor RV and boat storage would be consistent with the Mixed-Use Non-Residential designation for this area, subject to the specific use standards listed in UDC 11-4-3-33.

C. Zoning

The applicant proposes to rezone from C-G to I-L to allow RV and Boat Storage. This is a principally-permitted use in the I-L zoning district in conformance with the FLUM subject to the specific use standards as listed below.

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

- “Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City.” (3.01.01F)

City services are available and will be extended by the developer to the proposed lots upon development of the site in accord with UDC 11-3A-21.

- “Require all commercial and industrial businesses to install and maintain landscaping.” (2.01.03B)

Landscape buffers and parking lot landscaping is required to be provided with development of this property in accord with UDC 11-3B-8C. As mentioned in the specific use standards section below, staff is also recommending additional perimeter landscaping.

- Maintain integrity of neighborhoods to preserve values and ambiance of areas (3.05.02).

If the applicant complies with the design guidelines outlined in the ASM, UDC design standards and specific use standards, staff is of the opinion the proposed use should maintain the integrity of the neighborhood.

- Restrict private curb cuts and access points on collectors and arterial streets (3.06.02D).

One access is being proposed from W. McNelis Dr. / N. Burley Ave. and an emergency access is shown out to N. Ten Mile Rd. via an internal easement across the property to the east. No other access is proposed or approved with the subject application.

- Require appropriate landscape and buffers along transportation corridors (setback, vegetation, low walls, berms, etc.) (3.06.02F).

The subject property abuts W. McNelis Dr. / N. Burley Ave. (local road). The UDC requires a minimum 10-foot landscape buffer along local roads. Although there is a partial buffer existing along this road, the concept plan indicates a 35 ft. wide buffer. This will be reviewed in detail at time of certificate of zoning compliance in accord with UDC 11-3B-7C.

- Plan for a variety of commercial and retail opportunities within the Impact Area (3.05.01J).
This is an area of Meridian characterized by industrial and commercial uses. A RV and boat storage facility is appropriate in this location.
- Ensure development provides safe routes and access to schools, parks and other community gathering places (3.07.02N).
Five-foot wide attached sidewalks currently exist along W. McNelis Dr. / N. Burley Ave. in accord with UDC 11-3A-17.

E. Existing Structures/Site Improvements:

The property is presently vacant.

F. Proposed Use Analysis:

The proposed use is defined as “Storage Facility, Outside” in the Unified Development Code (UDC) and is a principally permitted use in the I-L zoning district per UDC Table 11-2C-2. Outdoor storage facilities are also governed by specific use standards in UDC 11-4-3-33.

The proposed development will be approximately 51,483 sq. ft. in area and consist of four three-sided buildings lining the perimeter (part of building 4 will contain a small office) and six canopy structures internal to the development. The perimeter buildings will be constructed first, with the canopies as a second phase.

The subject property is internal to the McNelis Subdivision and is bordered by an Idaho Power Substation, fire truck certification building, beverage distribution facility, church, and wastewater treatment plant to the north and northwest (all zoned I-L), a drive through-coffee shop, pawn shop, auto parts dealer and liquor store directly to the east (which are zoned C-G and front onto N. Ten Mile Rd.) and a gas station and automobile repair shop directly to the south (also fronting N. Ten Mile Rd. and zoned C-G), with vacant C-G land directly across N. Burley Ave. As this subject property is internal to the McNelis Subdivision with no direct street frontage with N. Ten Mile Rd., has limited visibility, and is surrounded by industrial and service-commercial, staff believes this is an appropriate location for adequately-screened outdoor storage verses prime commercial frontage with direct access. All buildings require Certificate of Zoning Compliance (CZC) and Design Review and Staff will use these additional applications as a chance to ensure the site develops according to the conditions of approval in this staff report.

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

UDC 11-4-3-33 lists the specific use standards for outside storage facilities. These include maintaining the storage in an orderly manner, not blocking sidewalks or parking areas, and not using the facility for a “junk yard” or for storing flammable materials. For properties that are adjacent to nonindustrial properties and/or public streets, outdoor storage of materials, equipment, inventory, and/or supplies shall be incorporated into the overall design of buildings and site landscaping so that the visual impacts of these functions are fully contained and screened from view of adjacent nonindustrial properties and/or public streets by a solid fence and/or wall with a minimum height of six (6) feet.

The applicant’s narrative states this facility is for the purpose of RV and boat storage. The site plan and architectural elevations indicate all storage is internal to the site, with three-sided buildings serving as the screening. The property abuts adjacent nonindustrial uses to the east, and it appears there is an existing landscape buffer with trees along the W. McNelis Dr. / N. Burley Ave. frontage.

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

The I-L zone district requires a 35 ft. street setback, 10 ft. landscape buffer along local roads, and allows building heights of up to 50 ft. Based on the site plan, it does appear the 10 ft. wide landscape buffer and 35 ft. setback is satisfied, although a more detailed review will occur at the time of the Certificate of Zoning Compliance (CZC).

The property is comprised of three different lots, and it appears the proposed buildings straddle internal lot lines. As a condition of approval, the applicant will be required to complete a parcel boundary adjustment to merge all lots into one property.

I. Access (*UDC 11-3A-3, 11-3H-4*):

The site plan indicates one access from W. McNelis Dr. / N. Burley Ave. and a secondary access to N. Ten Mile Rd. at the east via an internal easement. Although staff does support this second point of access, staff recommends it be clarified as a condition that the N. Ten Mile Rd. access be for emergency access. Staff has concerns with RVs and trucks pulling trailers turning onto N. Ten Mile Rd. at this location rather than the controlled intersection at N. Ten Mile Rd. and W Ustick Rd.

J. Parking (*UDC 11-3C*):

UDC 11-3C-6 states in all industrial districts self-service storage facilities shall only require parking based on the gross floor area of the office space. With the office being shown at 500 sq. ft., only one parking space would be required whereas at least 5 parking stalls are provided adjacent to the office. Also, all drive aisles are at least 40 ft. in width which allows for parking near individual storage spaces. The site plan indicates bicycle parking adjacent to the office, although the number of spaces is not indicated (only one would be required).

K. Pathways (*UDC 11-3A-8*):

No pathways are shown on the master pathways plan for this site or provided with this development.

L. Sidewalks (*UDC 11-3A-17*):

There are already 5 ft. wide attached sidewalks along W. Nelis Dr.r / N. Burley Ave.

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

A landscape plan is not required with a rezone. However, the concept plan reflects a 35 ft. wide landscape buffer along W. McNelis Dr./ N. Burley Ave. At time of Certificate of Zoning Compliance, the site will be required to meet the provisions for parking lot landscaping which would include a five-foot wide minimum landscape buffer adjacent to the drive aisles (entry and exit) at the east and west sides of the property and at either side of the parking lot end-caps.

As mentioned above, the subject property is surrounded by a broad range of commercial and industrial uses, with established residential across N. Ten Mile Rd. to the east, and will be highly visible from W. Nelis Dr. / N. Burley Ave. In order to soften the impacts of this storage facility on adjacent existing and future development, Staff is also recommending that in addition to the required landscape buffer along the road frontage and internal parking lot landscaping, there should be a five-foot wide minimum landscape buffer meeting the requirements of UDC 11-3B-8C along the entire perimeter of the property, and at least two trees planted in the “open area” at the northern tip of the property.

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

The submitted perspective suggests wrought iron style fencing at the entry gate along the entry gate and front entrance.

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

Water and sewer mains exist in W. Nelis Dr. / N. Burley Ave. According to Public Works, there are nine (9) existing water stubs that will either need to be used or abandoned. Given the nature of the use, little water and sewer service is necessary except for within the 500 sq. ft. office. Public Works will require any unused mains not serving the proposed development to be abandoned back to the mains in McNelis Dr. and Burley Ave.

Staff believes there may be easements that encumber the property that may need to be vacated, although the one indicated on the McNelis Final Plat is a pressure irrigation easement bisecting the property east to west approximately through the middle. At time of the property boundary adjustment (see the dimensional standards section above), all existing easements shall be identified on the plat and whether they will be retained or vacated.

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

The applicant has submitted building elevations. The elevations reflect elongated storage buildings, one of which will be approximately 600 ft. long fronting W. McNelis Dr / N. Burley Dr. and providing screening for the RV / boat storage internal to the development. There are also at least six canopy buildings internal to the development.

The west elevations (the ones directly fronting the street) overall do contain a variety of material and colors that are above average in level of design. However, the elevations as proposed probably do not meet the minimum requirements of the Architectural Standards Manual (ASM). The elevations propose a significant amount of metal paneling, whereas the ASM prohibits metal paneling as a field material unless there are at least two other qualifying materials. There are requirements for fenestration (windows) or fenestration alternatives, whereas this does not appear to be met. There are requirements for at least two pedestrian scale architectural features and a combination of concrete, masonry, stone, or unique variation of color, texture, or material, at least 10-inches in height, around the base of the building. Complete review of the proposed elevations against the ASM will occur at time of Certificate of Zoning Compliance, but due to the visibility of the site, and that it will be within an area of both commercial and light industrial uses, as a DA provision, staff recommends architecture meet the commercial requirements of the ASM.

VI. DECISION

A. Staff:

Staff recommends approval of the requested rezoning and development agreement modification with the conditions noted in Section VIII. per the Findings in Section IX.

VII. EXHIBITS

A. Rezone Legal Description and Exhibit Map (date: 10/5/2021)



Annexation Description

An annexation area to the City of Meridian consisting of Lots 8, 9, 10, 11, Block 1 and the half-roadway adjacent westerly and northwesterly of said Lots, said area is located in the Southeast Quarter of the Southeast Quarter of Section 34, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the found brass cap monument at the corner common to Sections 34 and 35, T4N, R1W and Sections 2 and 3, T3N, R1W from which the found brass cap monument at the quarter corner common to Sections 34 and 35, T4N, R1W bears N 00° 53' 05" E a distance of 2643.54 feet; thence N 00° 53' 05" E for a distance of 905.83 feet; thence N 89° 06' 37" W for a distance of 277.99 feet to a found 5/8th inch iron pin illegibly marked at the northerly projection of the east line of said Lot 11, Block 1 and the **REAL POINT OF BEGINNING**;

Thence S 00° 53' 16" W along the easterly line and its projection of Lots 11 and 9, Block 1 for a distance of 640.94 feet to a found 5/8th inch iron pin labeled PLS 11463;

Thence N 89° 07' 15" W along the southerly line of Lots 8 and 9, Block 1 and its projection for a distance of 490.25 feet to a found 5/8th inch illegibly marked iron pin on the centerline of N. Burley Ave.;

Thence N 00° 52' 45" E along said centerline for a distance of 144.84 feet to a found 5/8th inch illegibly marked iron pin;

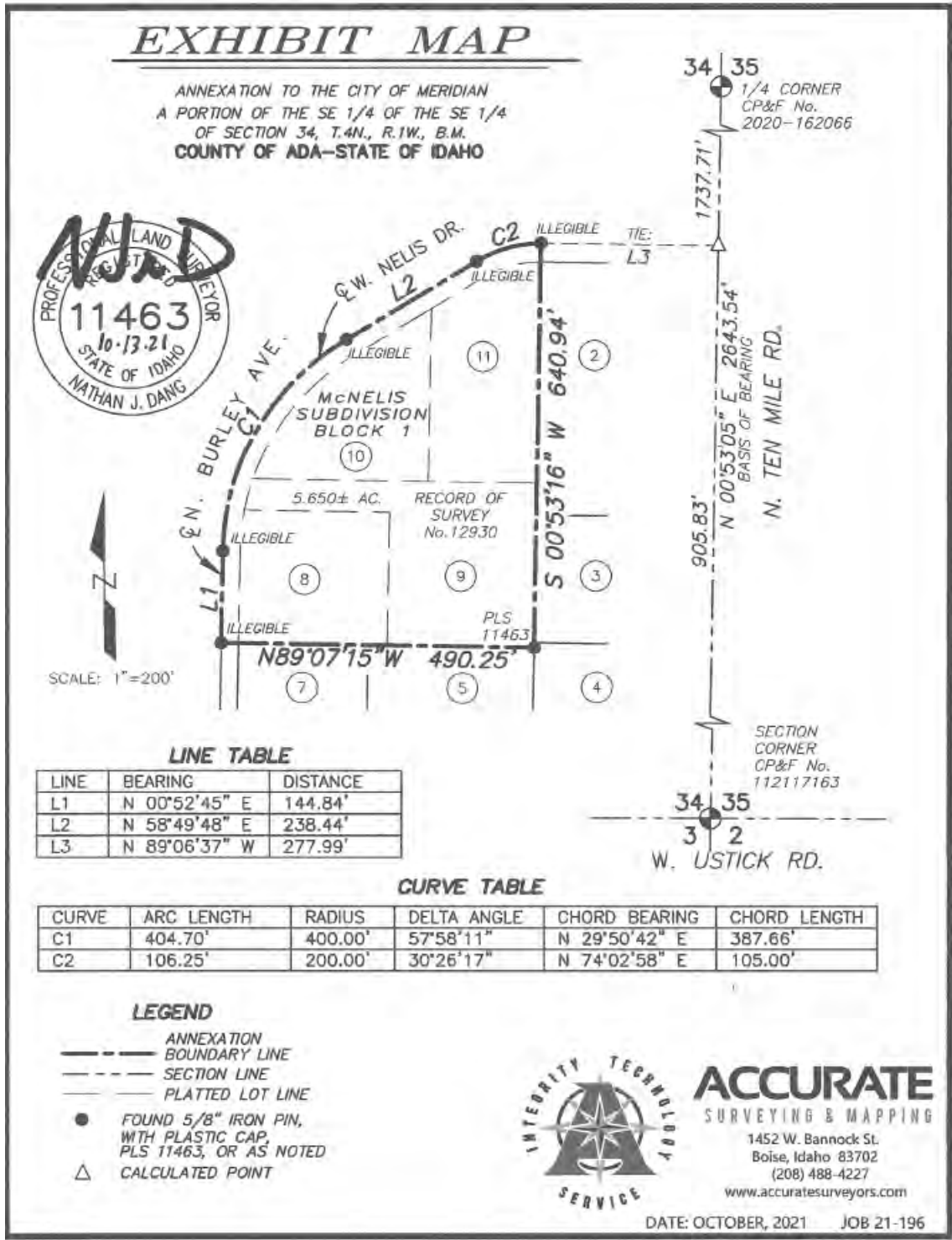
Thence 404.70 feet along the centerline of N. Burley Ave., transitioning to W. Nelis Dr. on a 400.00 foot radius curve right having a central angle of 57° 58' 11" and a long chord bearing N 29° 50' 42" E a distance of 387.66 feet to a found 5/8th inch illegibly marked iron pin;

Thence N 58° 49' 48" E along the centerline of W. Nelis Dr. for a distance of 238.44 feet to a found 5/8th inch illegibly marked iron pin;

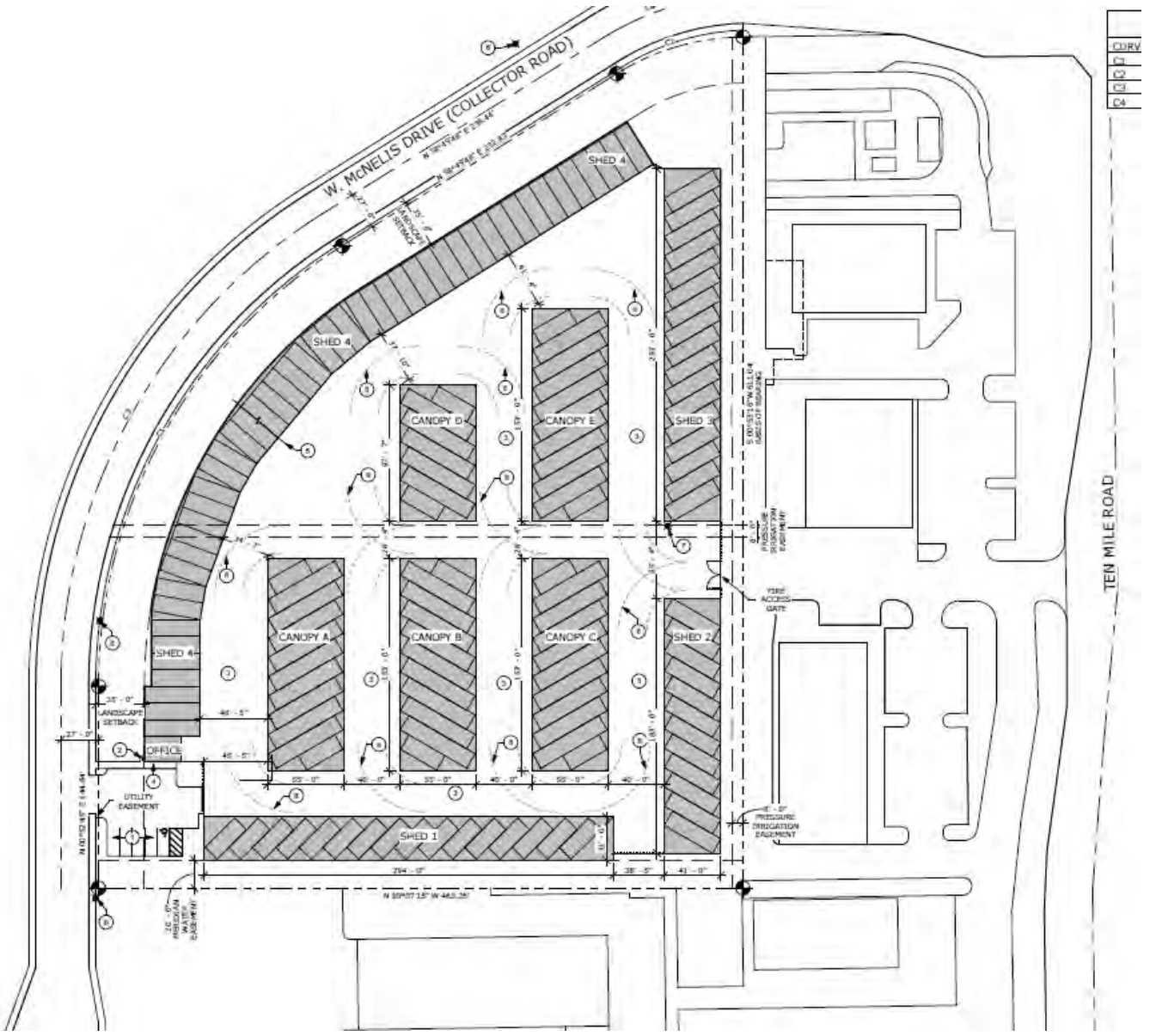
Thence 106.25 feet along said centerline of a 200.00 foot radius curve right having a central angle of 30° 26' 17" and a long chord bearing N 74° 02' 58" E a distance of 105.00 feet to the **REAL POINT OF BEGINNING**.

Annexation area is 5.65 acres, more or less.



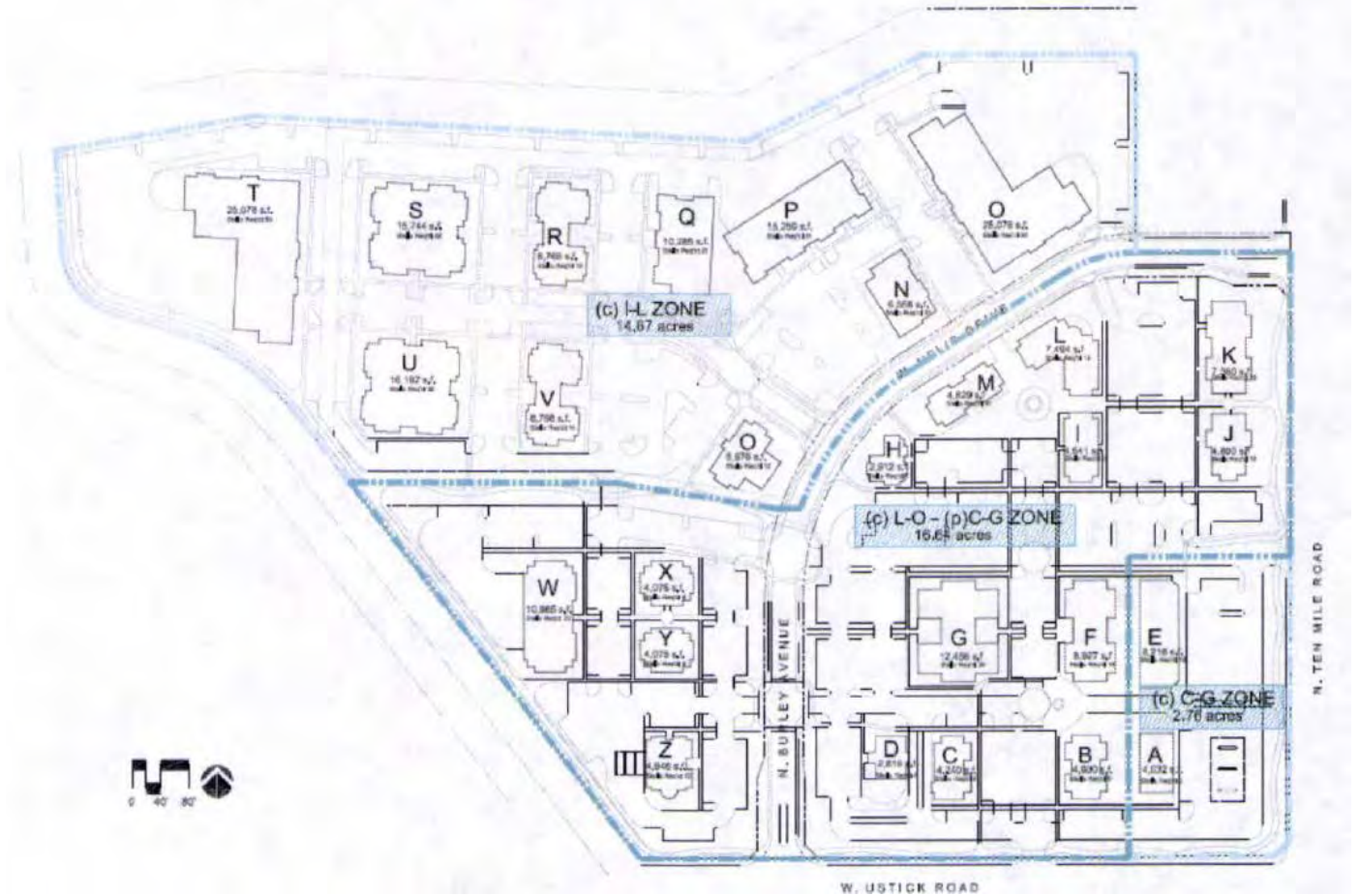


B. Site Plan (date: 12/13/2021)



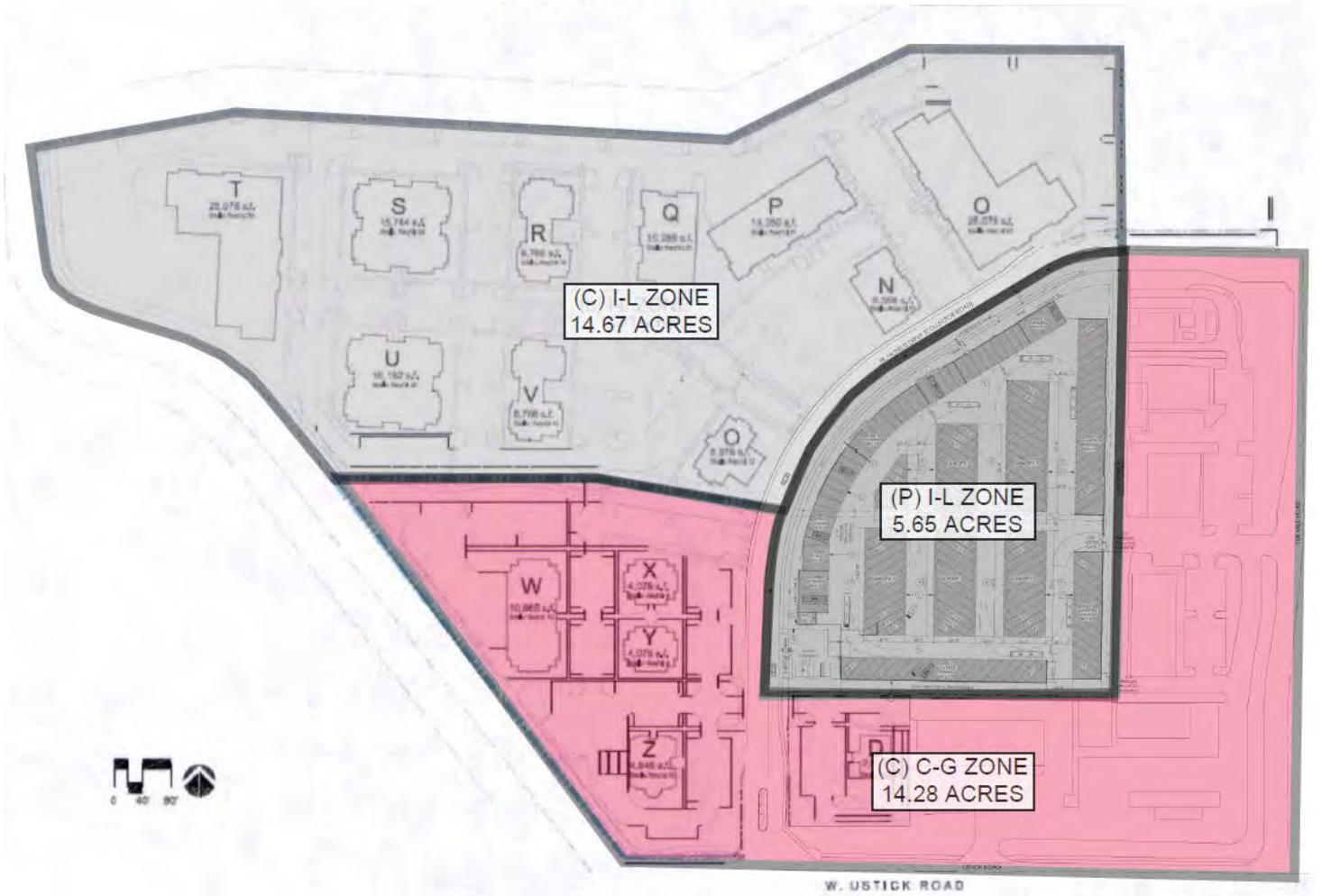
CURV
C1
C2
C3
C4

C. Approved Development Agreement Concept Plan (date: May 24, 2011)



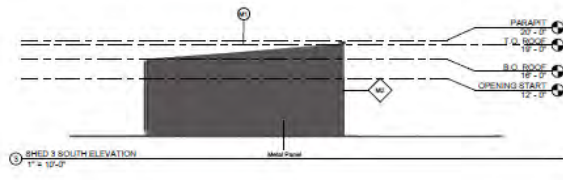
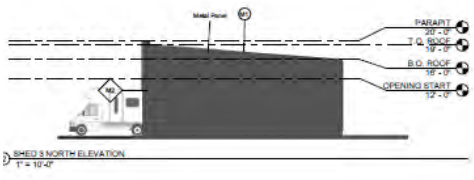
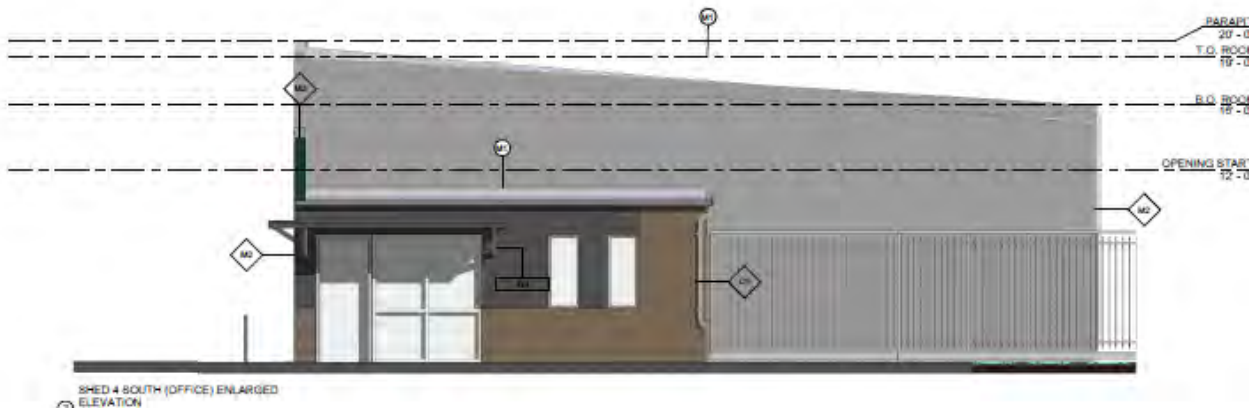
D. Proposed Development Agreement Concept Plan (date: November 5, 2021)

CONCEPTUAL SITE PLAN

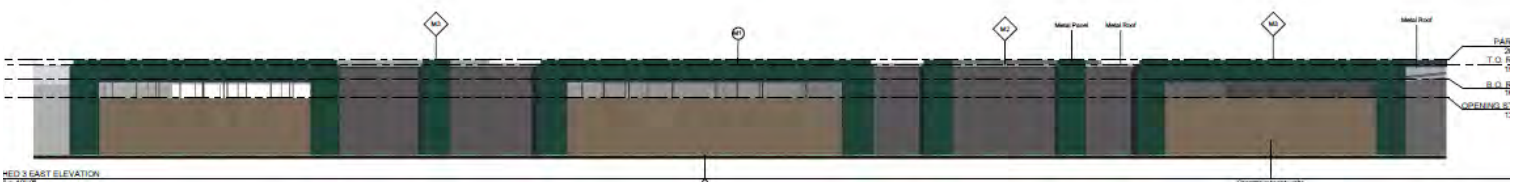
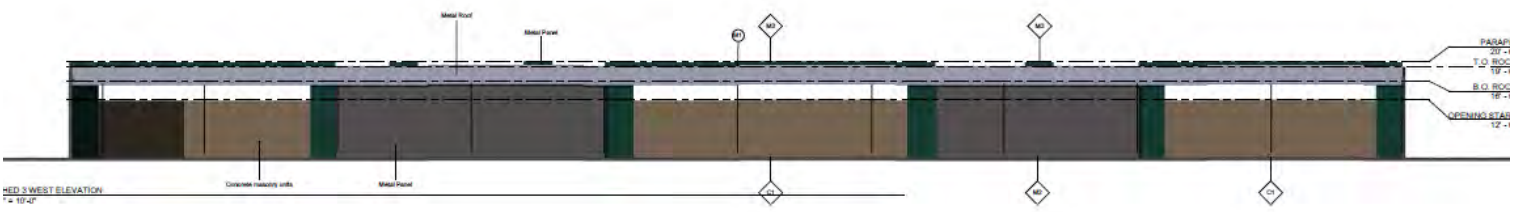


E. Building Elevations (date: 6/1/2021)



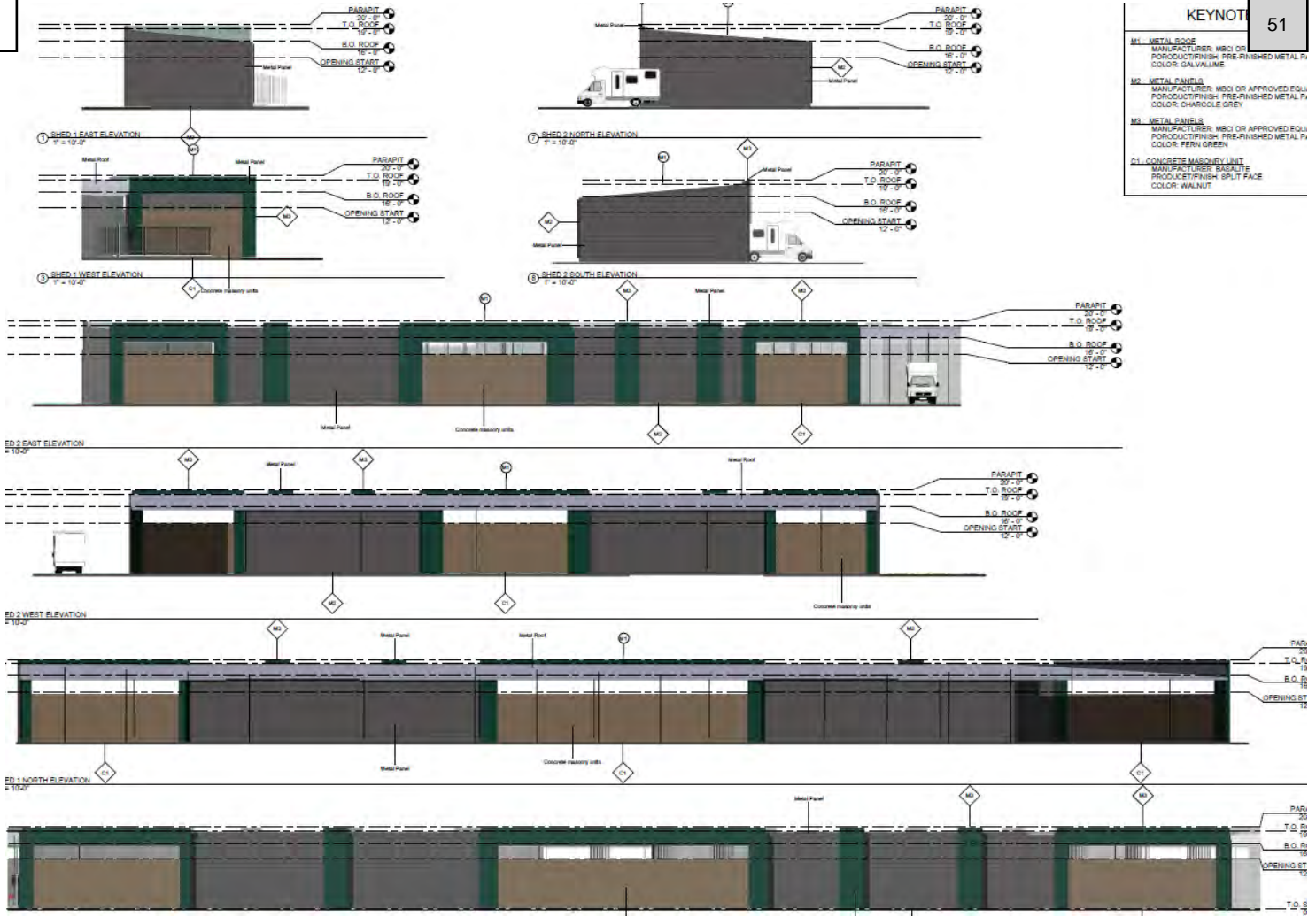


- M1 - METAL ROOF**
MANUFACTURER: MSCI OR APPROVED E
PRODUCT/FINISH: PRE-FINISHED METAL
COLOR: GALVALUME
- M2 - METAL PANELS**
MANUFACTURER: MSCI OR APPROVED E
PRODUCT/FINISH: PRE-FINISHED METAL
COLOR: CHARCOLE GREY
- M3 - METAL PANELS**
MANUFACTURER: MSCI OR APPROVED E
PRODUCT/FINISH: PRE-FINISHED METAL
COLOR: FERN GREEN
- M4 - LOW-SITE MASONRY UNIT**
MANUFACTURER: BASALTIC
PRODUCT/FINISH: SPLIT FACE
COLOR: WALNUT



Item 3.

KEYNOT		51
M1	METAL ROOF	MANUFACTURER: WBCI OR APPROVED EQUI PRODUCT/FINISH: PRE-FINISHED METAL P. COLOR: GALVALUME
M2	METAL PANELS	MANUFACTURER: WBCI OR APPROVED EQUI PRODUCT/FINISH: PRE-FINISHED METAL P. COLOR: CHARCOLE GREY
M3	METAL PANELS	MANUFACTURER: WBCI OR APPROVED EQUI PRODUCT/FINISH: PRE-FINISHED METAL P. COLOR: FERN GREEN
C1	CONCRETE MASONRY UNIT	MANUFACTURER: BASALTE PRODUCT/FINISH: SPLIT FACE COLOR: WALNUT



CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING CONDITIONS

1. A new Development Agreement (DA) is being requested with the rezone of this property. Prior to approval of the rezone ordinance, a new DA shall be entered into between the City of Meridian and the property owner(s) at the time of rezone 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 new 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 rezone. The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the conceptual development plan and elevations included in Section VII and the provisions contained herein.
- b. Future structure(s) on the site shall comply with the non-residential design standards in the Architectural Standards Manual for commercial districts (i.e. CD).
- c. A property boundary adjustment to merge all lots will be required prior to certificate of occupancy.
- d. At the time of property boundary adjustment, all unused easements shall be vacated and utility mains abandoned.
- e. In addition to the required landscape buffer along the road frontage, there should be a five-foot wide minimum landscape buffer meeting the requirements of UDC 11-3B-8C along the entire perimeter of the property, and at least two trees planted in the “open area” at the northern tip of the property.
- f. The entire perimeter of the property shall be enclosed with structures or a wall. All structures shall comply with the non-residential design standards in the Architectural Standards Manual for commercial districts (i.e. CD).
- g. The Applicant shall comply with the specific use standards listed in UDC [11-4-3-33](#) – Self-Service Storage Facility.

B. PUBLIC WORKS CONDITIONS

Site Specific Conditions

1. There were no utility plans included with this application. Any changes to Public Works infrastructure must be reviewed.
2. There is an existing 8” sewer main stub into the property, if the stub is not used, it must be abandoned back to the manhole that is to remain in service per current City of Meridian standards.
3. Ensure no permanent structures are built within any City easement including but not limited to trees, bushes, buildings, car ports, trash enclosures, fences, infiltration trenches, light poles, etc..
4. Ensure no sewer services pass through infiltration trenches.
5. There are nine existing water stubs that must be utilized or abandoned per current City of Meridian standards.

General Conditions

6. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
7. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
8. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
9. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
10. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
11. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
12. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment
13. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211
14. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.

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

IX. FINDINGS

A. 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 rezoning of the subject site with an I-L zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

Staff finds the proposed land use and concept plan for outdoor RV and boat storage is consistent with the regulations as all setbacks, landscaping and use limitations are met.

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

Staff finds that the proposed zoning map amendment should not be detrimental to the public health, safety, or welfare. Staff recommends the Commission consider any oral or written testimony that may be provided when determining this finding.

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 that the proposed zoning amendment will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.

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

As the FLUM designates this area for Mixed Use Non-Residential, which lists warehousing and storage as a sample use, Staff finds the proposed zoning amendment is in the best interest of the City if the property is developed in accord with the provisions in Section VII.



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from December 2, 2021 for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

A. Request: Annexation of 25.76 acres of land with a C-G zoning district.

B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.

C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: January 6, 2022

Topic: **Public Hearing** Continued from December 2, 2021 for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

- A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
 - B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
 - C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

there is a Super Bowl party or a Christmas party or something, there is -- there will be -- there is plenty of parking there. I think -- I don't think it's going to be as bad. So, I'm -- I like the final outcome. I like that they have downsized those -- those units from four to three.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: No one else has any comments, I will make a motion.

Allen: Madam Chair? May I clarify something real quick? You mentioned another file number. There is actually only one file application file number before you tonight --

McCarvel: Okay.

Allen: -- and that is the one on your agenda, H-2021-0082. The other file number is one you have already acted on.

McCarvel: Okay. That's what I -- I wondered how did I miss that, but I glanced over at the staff report and it's still listed on there. Okay. So, just addressing H-2021-0082.

Yearsley: Okay. After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2021-0082 as presented in the staff report for the hearing date of December 2nd, 2021, with no modifications.

Grove: Second.

McCarvel: It has been moved and seconded to recommend approval of H-2021-0082. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

6. Public Hearing for Rackham East/Eagle View Apartments (H-2021-0075) by Brighton Development, Inc., Located on the south side of I-84, ¼ mile east of S. Eagle Rd.

- A. Request: Annexation of 25.76 acres of land with a C-G zoning district.
- B. Request: A Preliminary Plat consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land.
- C. Request: A Conditional Use Permit for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G

zoning district.

McCarvel: Next item on the agenda is H-2021-0075, Rackham East and Eagle View Apartments. We will begin with the staff report.

Allen: Thank you, Madam Chair, Members of the Commission. The last application before you tonight is a request for annexation and zoning, preliminary plat, and a conditional use permit. This site is located on the south side of Interstate 84, approximately a quarter mile east of South Eagle Road and north of East Overland Road on the south side of 84. A small portion of the southwest portion of this site was previously annexed with the development to the west and zoned C-G. The Comprehensive Plan future land use map designation for the property is mixed use regional. Annexation of 25.76 acres of land is proposed with a C-G zoning district as shown. A preliminary plat consisting of two multi-family residential building lots and six commercial building lots on 29.7 acres of land and conditional use permit for a multi-family residential development consisting of 396 units on approximately 16 acres of land in the proposed C-G zoning district is proposed. There is a 14 foot wide sliver of land that exists to the north of the eastern portion of the site adjacent to I-84 that is not included in the proposed subdivision and that is depicted there in the blue on the left preliminary plat exhibit there at the top. It appears to previously have been part of ITD right of way for I-84 that was sold off as surplus right of way. Staff has determined it to be an original parcel of record, which deems this property eligible for development without that parcel. The applicant is attempting to obtain the parcel and include it in this development. However, if this doesn't happen there will be an undeveloped enclave with county zoning surrounded by city annexed land with no access and likely no maintenance of the property if this property around it is annexed. Access exists to the site via South Rolling Hill Drive, an existing local street that serves the rural residential properties to the south and via two driveway accesses from the west, which provide access to Silverstone Way, a collector street, through the adjacent commercial property. It will also provide access to the signalized intersection at Overland Road. Rolling Hill Drive is not improved to urban standards. It's narrow, lacks streetlights, and doesn't have curb, gutter, and sidewalk. We do not have the staff report from ACHD yet. They don't expect it to happen until hopefully later next week. ACHD did communicate to staff some of the things they may be looking at requiring, including some site improvements to Rolling Hill Drive, which may include widening of the street in certain areas, traffic calming, and pedestrian facilities. A sidewalk likely on one side of the street. City staff is recommending streetlights are also installed as off-site improvements. The Ridenbaugh Canal exists along the east boundary of the site. The applicant is requesting a Council waiver to allow the canal to remain open and not be piped. No connectivity to this property exists from the single family residential development to the east. The multi-family residential development contains a mix of studio, one and two bedroom units on 16 acres of land and this is an overall concept development plan for the site and a portion of that -- this area here on the left is part of the previous development plan on the adjacent site. Staff is recommending the multi-family property is annexed with R-4, rather than C-G zoning as proposed. The applicant is in agreement with staff's recommendation on that. The gross density of the development is 24.8 units per acre, which is consistent with that desired in the mixed use

regional designation. Common open space and site amenities are proposed in excess of the minimum UDC standards. Shown before you there is an open space exhibit for the site. The applicant has requested alternative compliance to the private usable open space standards as noted in the staff report. The director has approved a 20 percent reduction to the minimum standard. Shown before you are the site amenity exhibits submitted with this application. Off-street parking does not meet the minimum UDC standards. Six hundred and sixty standard parking spaces are required as a minimum, including 348 covered spaces and 14 spaces for the clubhouse. Six hundred and forty-nine spaces are proposed, with 391 of those being covered in garages or carports, which includes compact spaces. Compact spaces are discouraged, but may be used for parking above the minimum required. Additional parking is required to meet the minimum standards and compact spaces will be required to be removed for those that are required. They may be used for extra spaces, though, as I mentioned. This is a copy of that pedestrian circulation plan for the site. There is a pedestrian pathway around the perimeter of the site, as well as internally throughout the site for pedestrian circulation. Conceptual building elevations are proposed as shown. These are the four story multi-family residential buildings. The fitness building and the leasing building in the multi-family development. And these are the two five story office buildings proposed on the northern portion of the site along I-84. Final design is required to comply with the design standards in the architectural standards manual. Only one letter of testimony was received from Pam Haynes, an adjacent property owner in Rolling Hills Subdivision. She is concerned pertaining to the volume of the traffic this project will generate on Rolling Hill Drive. She requests the terminus of Rolling Hill Drive at the southern boundary of this site have bollards to block off traffic, but that would provide emergency access to the site. Staff is recommending approval of the proposed applications as noted in the staff report. Staff will stand for any questions.

McCarvel: Thank you. Would the applicant like to come forward?

Wardle: Good evening, Commissioners. My name is Jon Wardle. My address is 2929 West Navigator Drive, Suite 400, Meridian, Idaho. 83642. I am here representing Brighton and also BVA. We are partners on the property that's in front of you tonight and they -- our teammates are here if there is any questions that come up regarding the project and they will be available to answer questions if I cannot. Make sure I can -- so, tonight before you we have a request for annexation, rezone, and preliminary plat for the Rackham East Subdivision as well and a conditional use permit for the Eagle View Apartments. As Sonya noted, the location here -- the location in front of you is generally located north of Overland, south of I-84, and east of Eagle Road. The request before you tonight, like I said, is for annexation and zoning of -- to C-G and R-40 of about 25.76 acres and a preliminary plat for eight lots on 29.7 acres. The future land use map shown here on the left is designated as R-G. Of note the R-G designation, the regional designation, goes all the way from Eagle Road to the east to the Ridenbaugh Canal and, then, also goes all the way down to Overland -- actually, goes across Overland as well, the R-G regional designation there. On the far right exhibit here that's showing the current zoning that exists today, which is predominantly C-G on the part that is brought into the City of Meridian. There is still existing R-1 zoning, including the property that we own is R-1 and

RUT, as well as the property going south along Rolling Hills Drive down to Overland Road. This area right here is showing you the part that we are bringing in today. The Rackham East part, which is the 25.7 acres for annexation and zoning and this one shows you what was originally brought in. So, combined these two properties will equal about 90 acres in total. This also shows you the existing roadway circulation, which the public roads, which are to the south of the site and, then, dropping and here is the overall master plan, again, showing some internal circulation, as well as the public road connections going down to Overland Road. When we started looking at the overall project for Eagle View Landing and the uses that had been approved previously and the desire to also include residential living opportunities where we have a mix of uses, we -- we decided -- or we -- we started acquiring the property to the east all the way over to the Ridenbaugh Canal. In doing so we are able to bring to you a complete master plan for all the property, which is south of I-84 within the city's area of impact. The land uses in the original Rackham project are office, retail, hotel and entertainment and, then, we are bringing forward to you both office and multi-family on the Rackham East part of this. And here is a close up of the same exhibit, just showing, again, the internal circulation that has been planned for the site. There are two major east-west drive aisles on the property to collect the -- the automobile movements in and out of the site. We are intending to connect to both Silverstone. There would be a connection on the far west with Rackham Way, which ends up being a right-in, right-out and, then, to Rolling Hills as well. Those would be the public street connections going down to Overland. Everything north where the public streets end will all be private drive aisles internal to the site. As it relates to the comp plan -- and Sonya did a great job in the analysis in the staff report that the Rackham East project, which is before you, is consistent with the city's Comprehensive Plan, the future land use map, and policies and staff has noted that they believe the proposed development is generally consistent with the vision of the Comprehensive Plan for the area per the analysis within the staff report. Just to be clear as to what is happening here -- like I mentioned before, the annexation and zoning part of this is for 25.76 acres. The preliminary plat is slightly larger than that, because we are incorporating these lots -- these two lots, which were previously platted and incorporating that into the project and so the overall preliminary plat area is 29.7 acres. The original Rackham is shown in yellow. The blue is the new Rackham East and the red boundary is the preliminary plat area that Sonya provided to you in the staff report previously. One of the items on the -- within the staff report was a request to take the residential piece of that and make it R-40. When we made our request we requested all C-G. Multi-family uses, regardless of the zone, whether it's R-40 or a C zone requires a conditional use permit, so we viewed it as the same. The -- the C-G already exists out there and other projects we have done have also been done in the C-G designation, but staff has asked that we modify that residential area to R-40. So, the -- the split would be about 13.8 acres for commercial and, then, the balance of that would be for the multi-family. So, the commercial being green, the multi-family being blue. As it relates the annexation, rezone, and preliminary plat, we do concur with staff on the conditions of approval that are before you tonight. We do agree with modifying the rezone to R-40, like I indicated for the multi-family piece, with the balance of it being C-G and also amending the existing development agreement that was previously approved in 2019, so that these two projects, both Rackham original and Rackham East can be combined in a complete document with one single master plan and one development

agreement. Also before you tonight is this conditional use permit for the Eagle View Apartments. As I -- as I noted from the site plan, the -- the apartment part of the project is on the southern piece of the annexation area, which I show in blue there. It is approximately 15.94 acres. We are -- have about 24.8 units to the acre. There are a mix of unit types for a total 396. We are -- based on the required parking we show 648, but staff did a recalculation today and show 660, so we do need to look at that and evaluate it. We do have bike parking on site as well. For overall qualified open space we are about 3.5 acres and we do -- we will develop this property in two phases, 218 units on the west side of it, including the clubhouse, pool area amenities and, then, we would come back and do the other 178 at some point in the future. However, all of the roadway improvements that you see would all be part of the original project with phase one. In the staff report there were a variety of elevations shown for you, but I just wanted to highlight a couple. Here in the middle of the project is the -- the amenity core. We have two different buildings, which is the leasing building, as well as the residents' club and, then, on the backside of that there is a fitness facility and other resident facilities there and, then, the lower left this is the -- looking into the site, pointing the direction to be looking into the site into that building and these are all four story buildings, climate controlled with elevators throughout. Again, just a quick overview of amenities here. In the center we will have a variety of uses there as mentioned already. Entertainment area, game areas, fitness facility, swimming pools, year around internal spa area. There will also be outdoor gathering areas in the center area and Wi-Fi throughout the entire property and smart access into the units and into the community center. On the east and west, if I can just highlight this, internal to each of these buildings is an amenity core. So, the buildings surround this. There is a circulation system going east to west through the site and into the middle community center there. They are pretty similar in nature. There are some variations between them. For example, one side there is sand volleyball, outdoor ping pong table, cornhole, that type of thing. On the other side we would have Bocce ball, Snook ball, but, then, also there will be shade structures, outdoor barbecues, kitchen areas, benches, seating areas. So, there is a lot of outdoor space that is actually accessible very close to each set of buildings on the east and the west. As Sonya noted, we did ask for alternative compliance on a couple of items. We still need to work through a few of those with them, which will be a function of sitting back down through -- looking at the site plan, addressing the parking just to make sure we can make the parking work, as well as the calculation of the private open space and after this, but prior to the certificate of zoning compliance we would sit down with staff and talk through those issues one more time. In conclusion, we do concur with staff. The recommendations that are seen here in the staff report, including the city and agency comments and conditions. We respect -- we request that P&Z approve the conditional use permit for Eagle View Apartments, giving us also the latitude to go back and work with staff on the alternative compliance items and also request that Planning and Zoning Commission support the applications for annexation, zoning, and ultimately a modified development agreement for Rackham East and the preliminary plat. And I stand for any questions you might have.

McCarvel: Any questions for staff or the applicant?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: So, I'm not sure -- I mean that -- that road that's just to the south of your clubhouse that's not yours, I actually share some concerns about a lot of people trying to drive down that road, instead of going around. Have you looked at any provisions on that -- that section of road that's -- I know it's not on your property, but it will be impacted by your property.

Wardle: Madam Chair, Commissioner Yearsley, that's a great question regarding the -- the road that we are talking about is Rolling Hills. Rolling Hills is a -- it's a rural road and we have had a couple of neighborhood meetings and I know that it's -- it is a -- it is a concern for all those residents that live on Rolling Hills and the -- the nature of the development and how things will change. While we don't have a current -- we have not received the staff report, we have been given indications as to some of those things that will be required to make that road both safer for pedestrians, but also some traffic calming on there. ACHD has noted passive traffic calming. We don't have an answer as to what that would be, but they are definitely looking at ways to make sure that the traffic that does move up and down Rolling Hills is appropriate in both speed and volume. There is also a requirement that we would install sidewalk on one side at a minimum and add streetlights, which are not on that road currently. So, those are some of the elements that would still need to be worked through with ACHD as they continue to work through their final recommendation, but that's what they have indicated thus far on those improvements on Rolling Hills Drive.

Yearsley: Thank you.

McCarvel: Any other questions for staff or the applicant? Thank you.

Wardle: Thank you.

McCarvel: Madam Clerk, do we have anybody signed up to testify on this application?

Yearsley: Madam Clerk, we have one signed in. Alicia Eastman.

McCarvel: Okay.

Eastman: Good evening. My name is Alicia Eastman and I live at 1485 Rolling Hill Drive. That's singular, not Hills, as is on their map. Which is Lot 3, Block 2, of Rolling Hill Subdivision. My concern is traffic and I believe that Rolling Hill should be blocked off at the end as a dead street where the current residential housing ends and we had a reply from Tonn Petersen of BVA to Gary Rainey on July -- or June 7th, 2001, that was shared with some of the neighbors. Tonn confirmed that the egress and ingress for this project would be Silverstone. I don't know what was going on today, but this afternoon there was some work being done and I counted two cement trucks and 14 huge dirt trucks, which was a total of 32 huge vehicles going back and forth past my house between like 1:00 p.m. and 5:00. When the -- just the -- not even the rest of the commercial lots in the

business, just the 396 units, when those are done and they have all residents living in there, I won't be able to back out of my driveway. If even -- there is one car from each of those -- or even half of the number I won't be able to back out of my driveway, let alone onto Overland Road. As was tonight when I left my home I left at 5:20 and I barely made the meeting at 6:00 and that's like Eagle and Overland is our intersection there. So, it's already difficult to access. I'm not really against development and I feel like eventually I'm probably going to have to move, because we are going to do some other phase of that, you know, and I'm -- and I'm even considering, well, maybe I should build on my property. I own an acre. Storage units. I would have some income producing property. But as it is right now if they are -- if they want to widen the road, Rolling Hill, where you have the access to the easement that you can -- that's already there that you can take to put a sidewalk there, that's going to be right on the edge of where my well is. If you widen the road anymore that's going to affect my well and I don't want to annex to Meridian. I like having a well and I like having my septic. So, I just think the anticipated traffic that's going to come with this project would really impact us and kind of -- I think that when they started this project -- they started at the wrong end of the street and it just -- it -- it is a lot of housing. It sounds like a wonderful place if you are going to teleport in and out, but how are those people going to get in and out, even if you do widen Rolling Hill or do something with that and do -- went with that project. So, I just think for us the impact would be too great of that traffic coming up and down if we didn't -- well, this space is done, just make that a dead end and go -- use the egress through Silverstone like they said they would. Thank you.

McCarvel: Thank you. That being the only one signed up, is there anyone else in the room or online that wishes to testify? Okay. Come forward.

Blowers: Try to be more calm this time. My name is Mike Blowers. I live at 1325 Rolling Hill Drive. I think you probably heard enough about traffic and stuff, but I think that's pretty obvious what's going to be happening. I hope everyone can appreciate that this is not a normal sort of traffic increase, so I would like to bring up some more -- some points we probably haven't talked about as much, but aesthetically -- and -- and I have tried to find this myself, but I'm struggling to understand why we think it's okay to have a residential neighborhood be a thoroughfare for commercial development. I mean, obviously, it's going to connect the TopGolf as well. Aesthetically I don't understand this -- the planning around that. It doesn't make any sense to me. I think it was by design that it's this way. I don't understand why we weren't given the opportunity -- I know no one ever approached us to say, hey, would you be interested in selling your property, anything like that, and I believe that's, you know, by design, but unless someone has information for me about plans to develop our properties -- I mean I know I don't plan on moving, so I don't -- I don't really understand why we are spending the money to develop this road. It's going to look weird. I just picture like the Villages at Eagle and Fairview, just picturing 15 one and a half acre 1960s homes, just -- it would look silly and I know we have been talking about aesthetics on these other projects. At the end of the day that -- and we have been in these talks for four years. No one has still answered the question why can this not be dead ended? Like what specific code, what specific law, what's preventing this from being a dead end -- a dead ended safety access only and if, for some reason, there is a law for

that -- I know I spoke with -- sorry if I got your name wrong, Jon, but spoke with him in the past about at bare minimum as part of the approval of this project can we at least say, you know, it's a no construction access thing. Some -- something beyond signs. Like contractual, something that can be fallen back on. Like this -- this is going to be a lifestyle change. This isn't, oh, it's going to be slightly noisier, because, you know, there is neighborhood being impact -- or built, you know, two streets down. I mean this is -- our home sits 20 feet from the road. This street was not designed for this sort of traffic. It may be legal, it doesn't make it right, but it's -- beyond all the obvious, like absurdities of what's about to happen with this, I don't understand how we want the city to look this way by design. It -- I encourage you to take the time to drive down the street and see exactly what we are talking about. But as a final point I also don't really know how we could come to a decision on something like this today without having those ACHD reports. I mean it's a big part of this thing. There is a lot that's going to go into it as part of this project and I just think at bare minimum it needs to wait for that information before a decision is made. Thank you.

McCarvel: Thank you. Anybody else in the room wishing to testify? Okay.

Wattles: My name is Amy Wattles. I'm a resident at 1360 Rolling Hill Drive. I do want to point out kind of what was already addressed, but the fact that they don't even know the street name is concerning. There is no S on it. There never has been. My comments tonight are less about this specific development. All neighbors are sharing the same concerns with the traffic -- the flow of traffic coming down and what that's going to do for our properties. Most of the residents -- or some of the residents have been in these properties long term and the position -- and so tonight is just a representation of one meeting out of 20 years since this plan has -- since the city planning took effect. Every time the residents have to come out and fight whatever the new development is, whatever the new idea is -- and we respect the fact -- we know where we live. We saw all the videos of what's coming and what's planned for our area of town. So, we are not living with any false realities as far as that goes. However, through the years it was, well, we will just annex you. Well, you are just going to get water. Oh, it's just going to be a fire lane. Oh, now it's just going to be an access road for some apartments down your street. It's always something. And when it comes down to it the -- that road, kind of like what Mike said, it's a want. It's not a need. I specifically asked that at one of our neighborhood meetings. Help me understand why you need that road coming down -- access down Rolling Hill. Do you need it or do you want it? We want it. It makes it convenient for the residents. It makes it convenient for the business owners, with a complete disregard for the existing homeowners. Through the years the prevailing message from the city has been development will -- will dictate what happens to our properties. So, when -- when we get a new business coming in, then, it would be annexed into the city. Then it would connect to city water. Our neighbors had that option and they chose to sell out. The developer bought the property, they want to develop it, that's their right. What we are asking is not to be impacted and forced to deal with the consequences of their plan. If they want they can -- they have indicated that in the future there is plans to potentially buy our properties out. Okay. We all know that. So, why the rush to get this road there now? Give us the opportunity to retain our lifestyle and our properties and why we all

chose to live there. It feels like we are being forced. The residents that are here tonight, there is -- while it's a small number, there is 50 percent of the residents here tonight. That's how strongly we feel. Whether or not they testify or not, that's their own decision. But we are all on the same page.

McCarvel: Thank you. Yes. Come on forward. Yeah. And if -- if everybody feels the same and just prefers to raise their hand and not testify, if it's been -- if what you intend to say has already been said, we can see that you are here and acknowledge that. You don't have to -- everybody testify if you have nothing new to add. Okay. Go ahead.

Majorca: Madam Chair, Commissioners, thank you so much. Amy just spoke and we live next to Amy and she has a -- oh, yes. My name is Chris Majorca and I live at 4160 East View Circle. Amy has a potbelly pig and her cow chases the pig and the pig squeals and I have four kids that just love that and we do feel like we have a shire and it's hard not to think of BVA and Brighton as Sauron and Saruman spreading the shadow of Mordor and destroying our way of life, but I know that sounds a bit dramatic. It does feel like that. Whenever I go to Home Depot I ask a question should I buy this apple tree, because I might not get to see the fruit of it. Leaving those analogies aside, 660 parking spaces, that is -- that is making our quiet residential road a freeway. We understand that -- that -- I know Tommy Ahlquist is on record saying that this is what progress looks like. Perhaps it is and that's fine. If this is what progress looks like in the modern day, we -- we acquiesce to that. We just ask that you would spare us and allow us to live our lives and just keep that road a country road. I can't fathom it being a thoroughway for all that traffic. This is a first world problem, but when I was coming from Overland to take a left onto -- onto Rolling Hills it took me about 90 seconds just to break through the traffic. That is your number one traffic problem in Meridian is Overland and Eagle and you are looking at increasing that traffic problem probably by ten fold with progress. Thank you.

McCarvel: Anyone else in the room wish to testify on this application? Thank you.

Adsitt: Hi. I'm Lynette Adsitt and I live at 1360 Topaz Avenue. Is there a way we can get that last picture of the presentation up? I wanted the one with the -- the overall picture where you have your -- the -- this -- Rolling Hill coming down and Topaz -- it was the last one that was up. Is that okay to request that?

McCarvel: Yeah. It's just going to take him a minute, because he was running it through Zoom. It was our presentation -- it wasn't the presentation that the clerk has.

Adsitt: That one. That one right there. Perfect. One thing that I would like to ask the Commissioners to look at is the rural area between Overland and the shaded areas. This is our wonderful little oasis. I have got livestock. I know there are several neighbors that have livestock. Increasing the traffic is detrimental to them. It stresses them out. I would just ask that the consideration be of our lifestyle and we would like to keep that lifestyle. I propose that we block off Rolling Hill. Anything that we can do to preserve this wonderful little rural area is open for suggestion. We do know progress is coming, but there has got to be a way to compromise, so that we can keep our lifestyle and the community can

grow. Thank you.

McCarvel: Thank you. Anybody else wishing to testify?

M.Adsitt: I am Matt Adsitt. I live at the same address, 1362 Topaz. If I would have known she was coming up I would have asked her to ask this question. So, one thing that -- that I have always wondered is on -- on Eagle and the light there, where the freeway on ramp goes -- the freeway on ramp goes east and, then, there is one coming from the west. If you would just make an access to all that commercial stuff in there, people don't have to come down Eagle, all the way down Overland and get into it from there, they could come in straight from the freeway and they could leave straight to the freeway and it would relieve a lot of congestion Eagle and Overland and that intersection, which is the worst in the county. So, that was my suggestion and I think -- I'm just surprised that -- I mean the light is already there, you just have to make it a four way light instead of threeway, which it is now.

McCarvel: Okay.

M.Adsitt: So, that's it. Thanks.

McCarvel: Thank you.

Weatherly: Madam Chair, point of order. Sir, could you state your name for the record.

McCarvel: Oh. Sorry. Yeah. It was kind of muffled. Come back to the microphone and just say it. It was kind of muffled at the beginning.

Adsitt. Adsitt.

McCarvel: Okay. Anybody else in the room wishing to testify or online? Okay. We can't have shout out. Everything's got to be in the microphone, but, yes, got you. Thanks. That being said, would the applicant like to come back?

Wardle: Madam Chair, for the record again Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. The obvious point here is that traffic is going to increase dramatically on Rolling Hills -- Rolling Hill. I apologize, Amy. I did it again. No disrespect. Didn't intend to throw an S on there. But Rolling Hill. It is a public right of way. It is dedicated to ACHD and in talking with them they -- they do have ultimately the say on what Rolling Hill will be. There is enough room that it could expanded to a 36 foot wide road with two seven foot sidewalks on each side. That -- with that stated that doesn't mean that that won't impact all those residents. We know that. I want to, you know, acknowledge that right off. We have had conversations and that's -- that is, obviously, the theme tonight. I did want to address one thing. Mike Blowers mentioned -- and we did have this conversation in our last neighborhood meeting about trying to limit construction traffic in total through the build out of the project to Silverstone. We -- we have been somewhat successful in making that work, but I think that's something we could commit to and try to make that

work so Silverstone is the primary source of traffic for construction. I will tell you that that doesn't always trickle down to the last mile. There -- there is always a delivery, there is always a truck that is delivering, but may not know that, but we -- on other projects we have had we have been very quick to monitor that. I think signage can be helped as well. I do want to clarify Alicia's comment regarding the e-mail that Tonn Petersen did provide to them. We just reviewed that. It did talk about limiting traffic, but it was specific to construction traffic and so just to be consistent there we do feel like we can do -- make our internal roadway improvements and make Silverstone the primary source for construction traffic through. As it relates to long-term, need versus want, I -- we feel like with the public road there it does improve overall circulation. We -- we do intend to connect to it and would prefer to. Ultimately the highway district will make that call whether it would be limited to emergency only. But we feel like having it -- the connection there is important. In the -- you know, in the immediate we want to be good neighbors. We -- we understand that the residents live there and we do need to do our part to -- to make the improvements as -- as good as possible and -- and minimize the safety issues that would occur as well. Long term, as it relates to this, all of this property is mixed use regional. Not saying that it will change today. In fact, there is -- there is a lot of -- mention from the residents who live on Topaz that there is also, you know, in that rural designation, but long term it will all change and so we feel like, you know, at least establishing and being consistent with the connection to Rolling Hill is -- is important and we are committed to make the improvements both expanding it and enhancing pedestrian and life safety with streetlights as well. Pardon me. I'm losing my voice a little bit. We do feel like this project is -- is a complete project with the uses that are in front of you today and -- and by tying all of this together into a single project in a development agreement where we really can have all of the uses that are desired within a mixed use regional location, this -- this does it and over time some of these properties of the south will also change and enhance and address the additional or new regional needs. But we feel like this is one complete cohesive project. Like I mentioned, we are requesting tonight your approval for the annexation and rezone of the project, as well as a preliminary plat and at these recommendations of those to the City Council and your approval specifically for the conditional use permit and I stand for any questions you might have.

McCarvel: Any questions for the applicant?

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: Do you know is there a hearing date set for ACHD or are they just -- is that already past and they are now just going to report?

Wardle: Madam Chair, Commissioner Seal, it's my understanding that a staff report will be issued, but it will not go to commission unless there is something in the report that they feel like they need to. But it would be a staff level decision based on the review of the TIS.

Seal: Okay. Thank you.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: Jon, just curious. Did you look at having a traffic flow pattern through there that would direct all the traffic out Silverstone? I think it -- and I don't know if that Rackham Way, is that even an option in that property to the -- to the far west? Because, obviously, Silverstone was built to handle the majority of that traffic when the other -- so, you are -- you know -- yeah, everything's zoned there regional. It may never happen. Everybody -- if none of them -- but not the right ones anyway that sell to make that -- to make that happen. If that stays -- if those stay rural one acre parcels on Topaz and Rolling Hill indefinitely, what -- what alternative did you have as far as designing traffic flow through there to come out Silverstone, if any?

Wardle: Madam Chair, Commissioner Cassinelli, if -- if there is no access to Rolling Hill, then, it would be Silverstone. That's where the traffic would go. And, you know, I think if -- if the access a Rolling Hill eliminated it just -- you know, Silverstone in the -- in the near term would carry all of that, whereas Rolling Hill is a public road and it does get you access down to Overland Road. So, in our traffic study and in the scoping with ACHD we looked at all those public roadways actions to get down to Overland as access points for the project.

Cassinelli: If that didn't exist could you make it?

Wardle: Madam Chair, Commissioner Cassinelli, I think that becomes a question of -- kind of a life safety question. Could it -- could it work? Sure. But we feel like with the public road that's already dedicated and making enhancements there that that does provide also another connection to the overall development, so -- based on our conversations with ACHD, however, that was not part of the scope. They -- when -- when we look at these transportation plans they look at all the available public roads and look to see how the traffic would be dispersed and it was included in that review and application with them.

McCarvel: Any other questions for the applicant or staff?

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: Jon, since we don't have the ACHD report -- I mean a lot of what we have talked about tonight is really related to traffic and will have an impact with what -- what comes out on that report. Is there a reason why we should not postpone until we have that information?

Wardle: Madam Chair, Commissioner Grove, that's a good question. The indication that we are getting out of ACHD and also what you find in your staff report is that the -- anticipating the connection to Rolling Hill and they -- and they have looked at everything, they just haven't finalized the report, so it's not in front of -- in front of you tonight. The bullet points, which are in this staff report or the notes that are made in there do come from ACHD directly from their review, so that there was something on the record. So, I don't know that the staff report will vary much from the recommendation or notes which are in there currently.

McCarvel: Okay. Any other questions? Okay. Thank you.

Wardle: Thank you very much.

Seal: Madam Chair? Oh.

McCarvel: Do -- I have heard the word continuance roll around, so I'm wondering do we want to leave the hearing -- public hearing open or do you want to go ahead and close it?

Cassinelli: I would be in favor -- I would be in favor of keeping it open right now.

Seal: Agreed.

Yearsley: I agree.

McCarvel: Okay. All right.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I just -- yeah, for this -- without having the ACHD staff report I do have a question for staff. I mean there is a lot of people here that want to weigh in on this. They are weighing in with the city. We don't own the road. ACHD does. So, is there a way to give them the information that they need in order to interface with ACHD on this? Do we know the report number, the hearing number, the -- whatever that might be or do they just get a go through the calling tree at ACHD, like we all love to do?

Allen: Madam Chair, Commissioner Seal, Commissioners, the planner assigned to it is Paige Bankhead. The file number is the same as the file number in the staff report for this application. I believe they put on their prefix for ACHD. I think it's MER.

Seal: Okay.

Allen: Does that cover your question?

Seal: I think so.

Yearsley: They were asking if we could repeat that information so they could write it down.

McCarvel: Yeah. I think it cut out just a little bit on your mic.

Allen: Paige Bankhead.

McCarvel: Okay. And the project number would be the same as this -- the staff number on this application. I guess I have a question for staff or legal. Is it even in our purview to block that road to say that's not an access, it's emergency access only?

Starman: Madam Chair, I will start off and I would ask my planning colleagues to join me here, but I think it's already noted --

McCarvel: I don't think your mic's on.

Starman: My voice is also going. Is that any better?

Yearsley: Yes.

Starman: I will yell a little bit. As previously noted, the roads are owned and maintained and controlled by ACHD, so the city doesn't have the ability to close a road. I think you have some ability -- you and the Council through your conditioning process, particularly in a conditional use permit for the apartment complex or multi-family to place some conditions in terms of how the project is designed or how traffic flows, but I don't believe the city has the ability to close the road itself. That would be an ACHD decision and I invite the planning staff to chime in if they think differently.

Allen: Madam Chair, I would concur with that. However, I think the city does have some input on that. As long as emergency access is provided to the site I believe it would meet the life safety issues with the Fire Department, but they probably should weigh in on that.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I have been thinking about that and, you know, closing the road doesn't make really good sense, because there is no way to turn around for any vehicle or if you have larger vehicles, but I wondered if -- if you could actually make the last hundred feet or the last 50 feet a one way going north, that way if someone gets down to that road he could actually get out, but people couldn't come down that road. I think that might be a better option than having emergency access only point, you know. Because, I agree, I think it's -- it's going to be a huge amount of cars going to go down that road and disturb that neighborhood, so that would be my -- my recommendation.

McCarvel: I seem to remember a couple of projects where we have done something

similar.

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: If I could -- just on that point, that -- all what -- all that is going to do, really, is cut half of that traffic, because you are going to get everybody going -- they know they can get in that way, they are going to go in that way, they will come out Silverstone, but they are going to go in that way, so that only cuts it -- and that cuts it to half. Half is better than all, I guess, if that -- if that's the option you have. But clearly that road was never designed to be -- to handle this level of traffic and if -- Silverstone was designed with this project in mind to handle the traffic, but I'm -- I'm definitely of the mindset right now that we need to at least continue this to see ACHD's -- what they come back with. We don't know what they are going to come back with. I don't want to assume.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: I mean I would add to that. I know that if the city has some input on it -- I mean I have been involved in this in other committee meetings and things for a while and there has -- there has been a couple mistakes that I think Meridian has made. One was eliminating the rural designation altogether, which this kind of ties into a little bit in my mind. I mean this is a very small rural community that's right in the middle of a large area of -- of development. I think if we didn't have some input on this and how this is going to impact those folks it would be yet another mistake that we would be making as a city. I mean we -- you know, they aren't technically residents, because they are residents of the county, but, you know, here they are in the middle of this whole thing, so, you know, I -- as -- as I look at the development and how it's being put together I agree, it's kind of -- we are starting at the wrong end of the road. It would be nice to go from Overland out to the freeway, but that's not the way that this is happening. You know, I mean Brighton does -- they have brought some quality products that we have reviewed and that have also turned ACHD on their head a couple times in projects that I have had the ability to review. So, you know, hope maybe there can be something done here with ACHD that will help preserve that road and eliminate the traffic that's on it. I would imagine that -- that Brighton and their partners will probably definitely be policing that road a little bit more, hopefully in good faith to help this thing move forward at a future date, but I think there is a whole lot of things that can be done here for all -- all of us to be better neighbors and to bring this project in with a little bit more tact as it would be.

Allen: Madam Chair? If I may, I would just like to second Mr. Yearsley's point about if -- if the access from Rolling Hill was closed off a turnaround would be required and, you know, there is no place for that, except for on that adjacent property on the residential property, so --

McCarvel: Okay.

Allen I know ACHD is probably going to require a mini roundabout on this site at the terminus of Rolling Hill and, then, the remainder of the existing right of way will be vacated by the applicant. So, anyway, just wanted to second that.

Parsons: Yeah. Madam Chair, Members of the Commission, I would like to just kind of clarify some things for the record. One, going back to this gentleman's comment about access to the interchange. It's not going to happen and the reason why is it's ITD right of way. You know, you want to eliminate conflicts on those types of roadways, as you all know. So, I know this applicant has tried to approach ITD and allow for something like that to happen. Others have tried in the past as well. And that's why it's sat empty for so many years, C-G zone, since 1994, because no one could get adequate access to this site. It's constrained by the interstate on the west. On the north we have a canal that has a connect to the city of Boise on the other side and the only funnel outlet to this -- for this project is to Overland Road. So, yes, we have an issue that we have created because of the site constraints. So, what this applicant -- what we can't do, at least from -- from a planning perspective -- and I totally agree with these neighbors, their world is going to change if this road happens, because this is an intense land use on this property, including their property. Right now their -- their property is low density residential. It's rural residential county properties. But in the future -- and I know the city's had many conversations with a lot of the neighbors out there that we have this as mixed use regional and when you look at a mixed use regional designation we anticipate vehicles and trips going with a destination. You draw people to that place and that's what drew TopGolf to this area. So, yes, in instances where we have had challenges with access, the city's had the ability to restrict access to a road for a period of time and, then, at such time as something else occurs we open that road and make it happen and allow it to function the way it needs to function to get other people out of that area. So, I think from my perspective this Commission doesn't have everything it needs to make a decision tonight. That's what you are tasked to do. You are tasked to make the finding that this is consistent with the Comprehensive Plan and it meets the code. If you think you need ACHD staff report to -- to make the appropriate decision, then, by all means continue this and get that decision. If the neighbors have concerns with this project and the traffic, they should be contacting ACHD. That in itself may trigger a hearing at ACHD commission for them to take it under consideration, again, where they could have that ability to say, no, this is pedestrian access only or this is emergency access or whatever it may be. But I can tell you with my experience at the city we have -- so many times we have restricted access from things happening and one example is Woodbridge. I think you guys hear it every time, we had two stub streets to that property and we missed it and now we still have access issues and that's what we could potentially end up here. We have planned for this to be mixed use regional, we have a master street map that's going to have additional collector roadways to serve this area, but what we are not going to be able to do is get another access to any other property -- arterial except Overland and that's the challenge where ACHD is going to have to figure out how to fund that and widen that to seven lanes. It's planned to be a seven lane roadway to try to address some of those concerns -- those congestion issues. But, again, we are not going to solve that issue

tonight. It's -- it's whether or not you get ACHD's staff report, we fully understand those impacts and whether or not we can mitigate that through the public hearing process. So, that's all I wanted to contribute tonight, so something for your consideration. But certainly if -- if the neighbors reach out to ACHD and it gets set aside to hearing, two weeks isn't going to be enough. A staff -- you know, it may be four weeks before they get it on a docket. I don't know what ACHD's schedule is. But it could be some time before that happens. So, I just wanted you to be aware of that.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I just had a question real quick about Rolling Hill. Is -- what's its classification currently under ACHD and what is it projected to be? Like does it have a -- is it, you know, a collector or what -- like what's -- what's its classification?

Allen: Madam Chair, Commissioner Grove, it's classified as a local street and that's what it's planned to remain.

Yearsley: So, my guess is what -- what date do we want to continue this to? Because if it has to go to ACHD, you know, do we want to push it into February?

Cassinelli: That would be my thought.

McCarvel: Uh-huh.

Parsons: Madam Chair, Members of the Commission, I think we call the applicant up. We still have the public hearing open. Let's see what -- what they would prefer and, then, we can at least decide on what we should do.

Seal: Sure you want February?

McCarvel: Yes.

Wardle: Madam Chair, for the record Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. Obviously, we would have preferred to have had a full staff report here and not just parts of that information. As I noted before, I don't know that the staff report will be different than what we have communicated or what we have been told, but, with that said, having that as a point of clarification, so that this Commission has that as information and we know where ACHD will land on that, we -- we don't disagree with that. We -- we are concerned about pushing out until February. We do feel like there will be a staff report that will be issued here shortly. So, our preference would be to not go that far out and we pick a date sometime in January.

Allen: Madam Chair, I would recommend January 6th if the Clerk's agenda is available for this project.

Cassinelli: Madam Chair?

McCarvel: I'm wondering with the holiday and everything -- I mean --

Cassinelli: Yeah. I was thinking -- I mean if we make it for the 6th or the 20th, but contingent upon having that. So, if -- if that report is not done and ready then -- then it moves to the -- it slides out from there.

Yearsley: Madam Chair, that would be my thought, too, is if we do January 6th we could -- then if the staff report -- if it gets held up we just continue it again would be my -- my thought until we actually get the staff report.

McCarvel: Okay. Anybody want to make a motion?

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I move to continue file number H-2021-0075 to the hearing date of January 6th, 2022, for -- to wait for ACHD's traffic report to understand what's going to happen with Rolling Hills.

McCarvel: Hill.

Yearsley: Hill. Sorry.

Grove: Second.

Seal: Could we add a couple things to that? But give them time to deal with the sliver of land that we don't want to have to deal with at a later date.

McCarvel: Yeah.

Yearsley: Okay.

Seal: And --

McCarvel: Sorry, that was the other one.

Seal: Also to work on enforcement of no construction traffic on Rolling Hill Drive.

Yearsley: And that one I don't know -- that one there -- that was just more of an internal discussion I think with the construction guys, so --

McCarvel: Yeah. Let's pause the motion for a minute and we do want to address that sliver, because that -- I don't want to -- I don't think we want to move forward without

having that dealt with.

G.Wardle: Madam Chair, Commissioners, my name is Geoffrey Wardle. My address is 251 East Front, Suite 310, in Boise. I'm counsel to the applicant. I understand the concern with that strip, but there have been more spent in terms of professional fees for attorneys and title companies and others talking about a 40 foot wide strip that got created because ITD screwed up years ago than the property is worth. Staff raised this issue. We had evaluated this issue. BVA has been negotiating to acquire that property. That property was severed years ago and, then, conveyed to the Petersens and they lost it by tax deed. So, A, that property has never had access. The owner of that property acquired it via a tax deed. Has never asserted access and, ultimately, because of its configuration and shape, if and when we acquire it -- and BVA has been working in that regard -- it will be part of the buffer, because it's within 50 feet of the interstate and so under your code it is part of the landscaped buffer. I mean we -- if we can't acquire it we may go ahead and trespass anyway and landscape it. But I don't know what the condition would be that you would have us to come back and deal with it, because it is an enclave, but it is -- it is a conundrum that was created 50 years ago when ITD and that property owner decided to create it. And just to clarify from staff's presentation, it wasn't property that ITD acquired and, then, got rid of, they literally had a big piece of land that came down 40 feet south of the interstate. They dedicated the right of way through and it was created later when everything to the south was -- was conveyed. So, if that is a concern we understand it. It is something that we have been working on. Mr. Petersen and I have been working on that title issue for going on -- well, Tonn has been working on it for years. I first addressed that when Gardner Company had this property under contract seven years ago. So, it's -- it's one of those things that let's not let -- let's not strain at gnats here for something that isn't -- you know, isn't that big of a deal. Give us guidance, but we cannot hold up -- and we had this conversation with staff. You know, we cannot be held hostage to go get somebody else's property and included it in our plat. There is just -- there is no legal basis to do that. We have diligently tried, but I can honestly tell you that I have billed clients thousands of dollars to date over a piece of property that sold for a tax deed for approximately less than 500 dollars 15 years ago. So, give us guidance, but let's not overreach.

McCarvel: I am not an attorney, but I think to protect the city you would have to provide access to it if you don't acquire it.

G.Wardle: And if that's the concern, then, we will -- we will provide access. We can address that, because, again, it's within the commercial portion and it can only be used by your code --

McCarvel: Yeah.

G.Wardle: By your code it can only be utilized for a 50 foot wide buffer, because it's a nonconforming parcel. There -- there -- it's not developable.

McCarvel: I would say whatever you come back to with this has to be cleared by the city

attorney's, because we don't want to put the City of Meridian in a position of being then --

G.Wardle: But -- but, again, it's not the city's fault that there is not access to that property and there is nothing about creating this plat that -- that would create that. But I just -- I'm passionate about it, because, to be honest, I'm sick and tired of the Wood parcel, because every three years I have to go open the file, I have to go back to First American, I have to go back to staff, and I have to share with everybody the history of this parcel.

Wardle: We can do access, but it is -- it was deemed to be a parcel of record legally created through that ITD dedication. So, we will work through it, but it does not need to be included in the plat.

Yearsley: I don't think we need to include that in the motion. I -- personally.

Starman: Madam Chair, I was just going to add two thoughts there. So, I think there is two topics at play. First of all, I'm very sympathetic with the history of that -- that parcel and the ordeal to try to rectify that situation. I think there is two issues at play here. One is the issue of access and to the extent I think we had a concern earlier today that -- that if that sliver of parcel had legal access today and this project would block that access, that would be a concern. In other words, if this project was to land lock that parcel that would be a concern. If the parcel has never had legal access that's a different story. So, I think we could have that discussion. Part two, though, also part of the Commission's concern for sure and part of your consideration is just the public policy consideration of the annexation and do you -- is it in the city's best interest to approve or recommend the approval of annexation knowing that we are going to create a small little enclave that may never be annexed, that may not be maintained and it may be an issue for the community on a going forward basis. So, that would appear is a public policy question for you and ultimately for the City Council. So, there is two issues at play on that issue. One is the legal access issue and that may or may not be a concern if it doesn't have access today, but there is certainly a public policy issue for the Commission's consideration as well.

McCarvel: Okay. I guess we would like that wrapped up in a nice pretty little bow before -- before the next year anyway.

Yearsley: So, I don't want to include that in my motion. It stands.

Seal: Then I will second it.

McCarvel: Okay. It has been moved and seconded to continue File No. H-2021-0075. All those in -- to the hearing date of January 6th. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: One more.

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



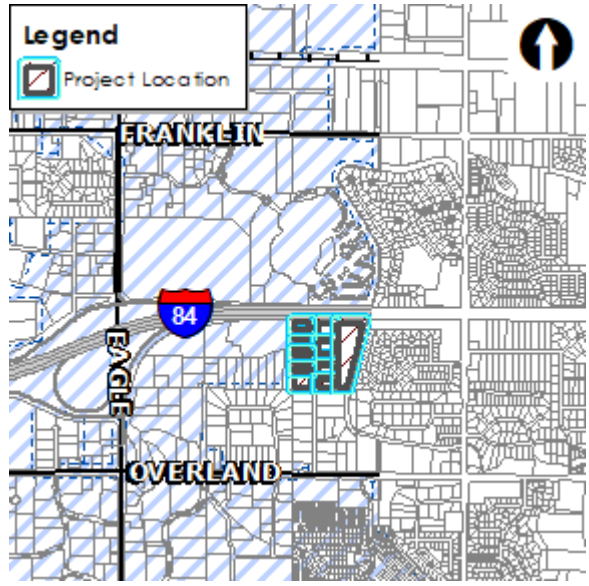
HEARING DATE: January 6, 2022
 DATE: *Continued from: December 2, 2021*

TO: Planning & Zoning Commission

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

SUBJECT: H-2021-0075
 Rackham East – AZ, PP
 Eagle View Apartments – CUP, ALT

LOCATION: South side of I-84, ¼ mile east of S. Eagle Rd., in the south ½ of Section 16, T.3N., R.1E.



I. PROJECT DESCRIPTION

Annexation (AZ) of 25.76 acres of land with a C-G zoning district; Preliminary Plat (PP) consisting of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land; and Conditional Use Permit (CUP) for a multi-family development consisting of 396 units on 15.94 acres of land in the proposed C-G zoning district.

Alternative Compliance is requested to the following UDC standards with the CUP application:

- UDC 11-3A-19B.3, which requires no more than 50% of the total off-street parking area for the site to be located between building facades and abutting streets, to be allowed due the site design which enhances usable site amenities by placing them internal to the development with parking mostly on the periphery of the site;
- UDC Table 11-3C-6, which doesn't include off-street parking standards for studio unit apartments, to allow the parking standards for vertically integrated residential to apply;
- UDC 11-4-3-27B.3, which requires a minimum of 80 square feet of private, usable open space to be provided for each unit, to allow zero (0) for studio units (0% of the standard), 54-60 square feet (s.f.) for 1-bedroom units (67.5%-75% of the standard) and 58-85 s.f. for 2-bedroom units (68%-106% of the standard).

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	25.76-acres (AZ); 29.7-acres (PP); 15.94-acres (CUP)	

Description	Details	Page
Existing/Proposed Zoning	R1 and RUT in Ada County (existing)/C-G (proposed)	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use(s)	Vacant land (formerly single-family homes)	
Proposed Land Use(s)	Commercial (mixed use) and multi-family apartments	
Lots (# and type; bldg./common)	8 buildable lots (2 multi-family & 6 commercial)/0 common lots	
Phasing Plan (# of phases)	1 phase (plat); 2 phases (CUP)	
Number of Residential Units (type of units)	396 multi-family apartment units	
Physical Features (waterways, hazards, flood plain, hillside)	The Ridenbaugh Canal runs along the east boundary of the site.	
Neighborhood meeting date; # of attendees:	3/3/21 – 6 attendees; and 9/1/21 – 7 attendees	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Pg
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p> <p>A Traffic Impact Study (TIS) was submitted.</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	All road segments are projected to meet ACHD's acceptable level of service (LOS) thresholds for a 5-lanes principal arterial road under all conditions, except for during the PM peak hour for the segment of Overland Road between Eagle Road and Silverstone Way and Rolling Hill Drive under the 2023 total traffic conditions.	
Stub Street/Interconnectivity/Cross Access	Two (2) driveways will be extended into the site from the west boundary. S. Rolling Hill Dr. will stub at the southern boundary of the site.	
Existing Road Network	S. Rolling Hill Dr., a local street, extends from the south from Overland Rd. to the north boundary of the site.	
Existing Arterial Sidewalks / Buffers	There are no existing arterial streets on or abutting this site.	
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> • The intersection of Overland Road and Eagle Road is scheduled in the CIP to be widened to 7-lanes on the north and south legs, and 8-lanes on the east and west legs, and reconstructed/signalized in the future. The design year is listed as 2025 in the IFYWP and the is listed to be improved between 2031 and 2035. • Overland Road is listed in the CIP to be widened to 7-lanes from Eagle Road to Cloverdale Road between 2036 and 2040 and is listed as unfunded. • The intersection of Cloverdale Road and Overland Road is listed in the CIP to be widened to 7-lanes on the north and south legs and 8 lanes on the east and west legs and signalized between 2026 and 2030. 	
West Ada School District		
<ul style="list-style-type: none"> • Distance (elem, ms, hs) • Capacity of Schools 		

Description	Details	Pg																																										
<ul style="list-style-type: none"> # of Students Enrolled 	<table border="1"> <thead> <tr> <th></th> <th style="text-align: center;">Enrollment</th> <th style="text-align: center;">Capacity</th> <th style="text-align: center;">Approved prelim plat parcels per attendance area</th> <th style="text-align: center;">Approved MF units per attendance area</th> <th style="text-align: center;">Miles (Dev. to School)</th> </tr> </thead> <tbody> <tr> <td>Pepper Ridge Elementary</td> <td style="text-align: center;">542</td> <td style="text-align: center;">675</td> <td style="text-align: center;">313</td> <td style="text-align: center;">360</td> <td style="text-align: center;">1.6</td> </tr> <tr> <td>Lewis & Clark Middle School</td> <td style="text-align: center;">886</td> <td style="text-align: center;">1000</td> <td style="text-align: center;">774</td> <td style="text-align: center;">1331</td> <td style="text-align: center;">2.5</td> </tr> <tr> <td>Centennial High School</td> <td style="text-align: center;">1946</td> <td style="text-align: center;">1900</td> <td style="text-align: center;">443</td> <td style="text-align: center;">1358</td> <td style="text-align: center;">4.9</td> </tr> <tr> <td colspan="6"><u>School of Choice Options</u></td> </tr> <tr> <td>Christine Donnell-Arts</td> <td style="text-align: center;">489</td> <td style="text-align: center;">500</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">5.3</td> </tr> <tr> <td>Spalding Elementary - STEM</td> <td style="text-align: center;">657</td> <td style="text-align: center;">750</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">N/A</td> <td style="text-align: center;">1.5</td> </tr> </tbody> </table>		Enrollment	Capacity	Approved prelim plat parcels per attendance area	Approved MF units per attendance area	Miles (Dev. to School)	Pepper Ridge Elementary	542	675	313	360	1.6	Lewis & Clark Middle School	886	1000	774	1331	2.5	Centennial High School	1946	1900	443	1358	4.9	<u>School of Choice Options</u>						Christine Donnell-Arts	489	500	N/A	N/A	5.3	Spalding Elementary - STEM	657	750	N/A	N/A	1.5	
	Enrollment	Capacity	Approved prelim plat parcels per attendance area	Approved MF units per attendance area	Miles (Dev. to School)																																							
Pepper Ridge Elementary	542	675	313	360	1.6																																							
Lewis & Clark Middle School	886	1000	774	1331	2.5																																							
Centennial High School	1946	1900	443	1358	4.9																																							
<u>School of Choice Options</u>																																												
Christine Donnell-Arts	489	500	N/A	N/A	5.3																																							
Spalding Elementary - STEM	657	750	N/A	N/A	1.5																																							
<ul style="list-style-type: none"> Predicted # of students generated from proposed development 	40 +/-																																											

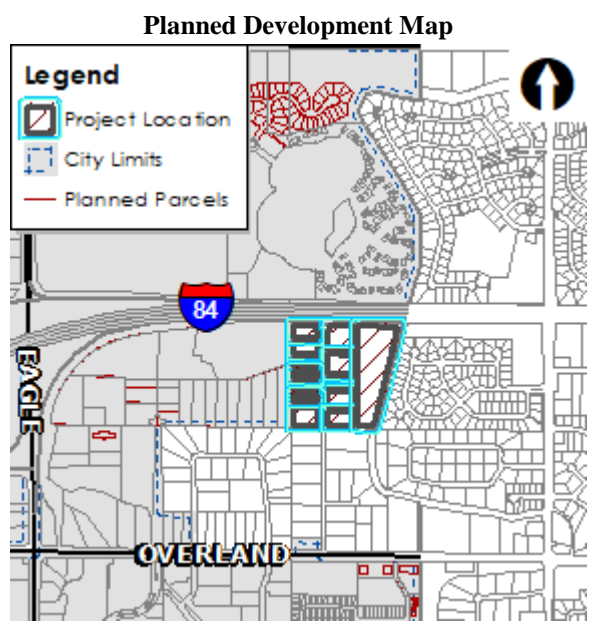
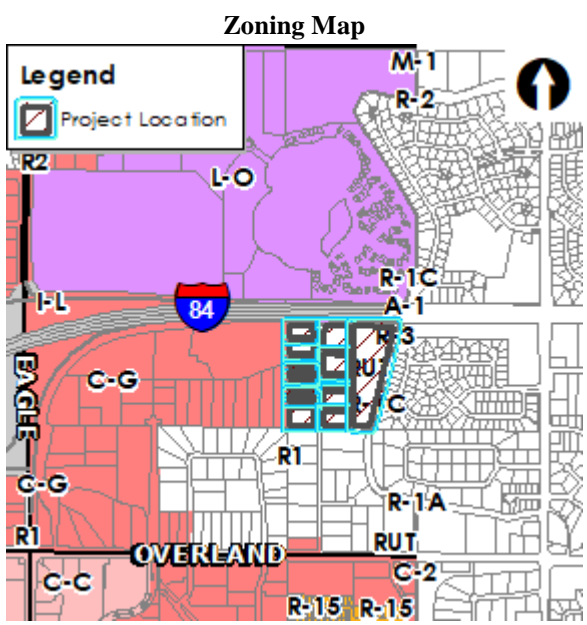
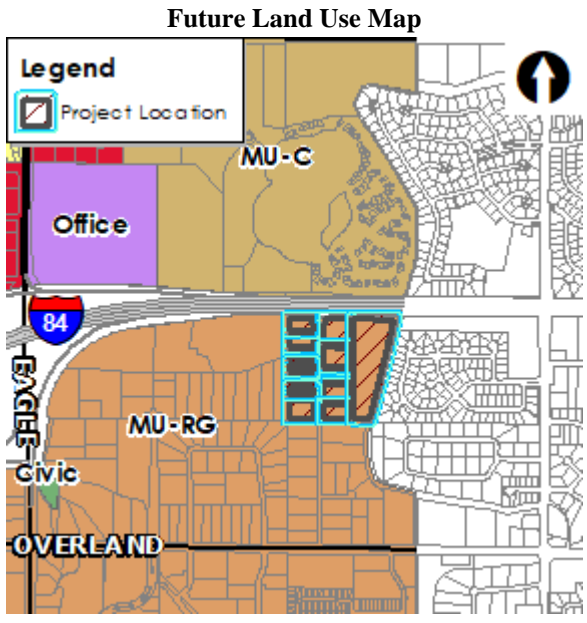
Police Service	
<ul style="list-style-type: none"> Distance to Police Station 	2.7 miles
<ul style="list-style-type: none"> Police Response Time 	Meets response time goals
<ul style="list-style-type: none"> Calls for Service 	3,400 (in RD 'M752') – between 10/16/19 and 10/15/21)
<ul style="list-style-type: none"> % of calls for service split by priority 	% of P3 CFS 2.9% % of P2 CFS 76.0% % of P1 CFS 19.9% % of P0 CFS 1.3%
<ul style="list-style-type: none"> Accessibility 	
<ul style="list-style-type: none"> Specialty/resource needs 	
<ul style="list-style-type: none"> Crimes 	185 (RD – M752 – between 10/16/19 and 10/15/21)
<ul style="list-style-type: none"> Crashes 	224 (RD – M752 – between 10/16/19 and 10/15/21)
<ul style="list-style-type: none"> Other 	MPD can service this area if approved. For more info, see: https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241580&dbid=0&repo=MeridianCity&cr=1

Wastewater	
<ul style="list-style-type: none"> Distance to Sewer Services 	Directly adjacent
<ul style="list-style-type: none"> Sewer Shed 	Five Mile Trunk Shed
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See application
<ul style="list-style-type: none"> WRRF Declining Balance 	14.25
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> Impacts/concerns 	<ul style="list-style-type: none"> Flow is committed Do not have a sewer stub to the south on Rolling Hill Dr. These properties will be serviced from Overland Rd.

Water	
<ul style="list-style-type: none"> Distance to Water Services 	Directly adjacent
<ul style="list-style-type: none"> Pressure Zone 	4
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application
<ul style="list-style-type: none"> Water Quality Concerns 	None
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes

Description	Details	Pg
<ul style="list-style-type: none"> Impacts/Concerns 	The development needs a second connection to water. There are two options to do so; either connect to Overland Rd via S Rolling Hills Dr or connect to the northwest existing 16'' water main.	

C. Project Area Maps



A. Applicant:

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

B. Owners:

BVA Rolling Hills No. 1, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

C. Representative:

Josh Beach, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

III. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	11/16/2021	
Notification mailed to property owners within 300 feet	11/12/2021	
Applicant posted public hearing notice on site	11/22/2021	
Nextdoor posting	11/12/2021	

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).

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).

The Applicant proposes to develop the site with office (and possibly some secondary retail uses) and multi-family residential uses. The site is located near S. Eagle Rd. and E. Overland Rd., a major arterial intersection, and the Eagle Rd./I-84 interchange. The proposed offices will provide nearby employment opportunities and services for residents in the vicinity. Other commercial uses (offices, entertainment, multi-tenant retail, hotel, etc.) exist to the west in the larger MU-R designated area for a larger mix of uses as desired in MU-R designated areas. Pedestrian walkways are proposed for interconnectivity within the overall area.

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 development includes office and multi-family residential (i.e. apartments) which will add to the variety of uses planned in the larger MU-R designated area to the west consisting of office, retail, entertainment and hotel uses.

- “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 multi-family high density development should provide housing options in close proximity to nearby employment uses located along SH-55 and I-84.

- “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 proposed annexation application for the subject property that’s located within the MU-R designation. 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 area between the two office buildings that appears to meet this guideline; more details should be submitted on a site plan submitted for development of these buildings that comply with this guideline.

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

Multi-family residential uses are proposed on the southern portion of the site adjacent to existing rural residential properties as a transition and buffer to commercial office uses on the northern portion of the site. A 25-foot wide landscaped buffer with dense landscaping is also required in the C-G zoning district along the southern boundary of the site to residential uses. Staff also recommends a 6-foot tall sight obscuring fence is constructed along the southern boundary of the site as an added buffer to adjacent rural residential properties.

- “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 office buildings are unknown at this time; however, St. Luke’s hospital and medical offices are less than a mile away to the northwest of this site.

- “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.”

An outdoor gathering area is depicted on the conceptual development plan between the two office buildings on the northern portion of the site. Details should be submitted with development of these buildings that demonstrate compliance with this guideline.

- “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.”

The proposed conceptual development plan depicts a plaza/gathering area between the two office buildings on the northern portion of the site. A pedestrian circulation network, which will connect to the larger 90-acre Eagle View/Rackham development to the west, is proposed around the perimeter of the overall development as well as throughout the site that provide pedestrian connections to the multi-family development, office, retail, restaurant and hospitality uses within the development.

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

The proposed development is directly accessible to residents in Rolling Hill Subdivision to the south by vehicle via S. Rolling Hill Dr. There are no pedestrian pathway stubs to this site from the adjacent residential development. S. Rolling Hill Dr. is currently a substandard street and lacks pedestrian facilities; ACHD ~~is requiring~~ may require off-site improvements with this application consisting of a sidewalk along one side of Rolling Hill and possibly pavement widening if access via Rolling Hills isn't restricted to emergency access only.

The Ridenbaugh Canal provides a barrier between the subject property and the residential development to the east; no vehicular or pedestrian connections exist across the canal to this site.

Staff recommends pathway stubs are provided at the southern boundary of the site near the west and east boundaries of the site for future extension upon redevelopment of the properties to the south for pedestrian connectivity with adjacent developments.

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

A 25-foot wide densely landscaped buffer and a driveway is proposed along the southern boundary of the site as a transition and buffer between existing rural residential properties and the proposed high-density multi-family residential development.

- “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.

The total development area consists of 29.7 acres; the multi-family residential portion consists of 15.94 acres, which is 53% of the site in accord with this guideline. Multi-family apartments are proposed at a gross density of 24.8 units/acre, which falls within the desired density range.

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

A mix of non-residential commercial uses will be provided on 47% of the development area in accord with this guideline. Retail uses are expected to comprise only a small portion of the development.

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 in the MU-R designated area on this site.

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 commercial uses should be compatible with existing and future commercial uses to the west and the proposed residential apartments should be compatible with existing residential uses to the south.

- “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 mix of residential and office uses will provide opportunities to live and work in close proximity. The existing and planned office, retail and entertainment uses to the west will provide nearby shopping, work and play opportunities to enhance livability and sustainability.

- “Encourage the development of supportive commercial near employment areas.” (3.06.02C)

Ancillary retail uses may be provided in the proposed office buildings; no stand-alone retail uses are proposed on the site. However, retail/restaurant uses are anticipated in the multi-tenant building(s) within the development to the west.

- “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 a pathway within the street buffer along I-84. The pedestrian plan included in Section VII.H depicts internal pedestrian walkways throughout

the site for safe and convenient access.

- “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 though 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 Dept. and Fire Dept. meets the established goals.

- “Require appropriate landscaping, buffers, and noise mitigation with new development along transportation corridors (setback, vegetation, low walls, berms, etc.).” (3.07.01C)

A 50-foot wide landscaped street buffer is required to be provided along the northern boundary of the site on land that abuts I-84; noise mitigation is not required per UDC 11-3H-4D.

- “Evaluate the feasibility of annexing existing county enclaves and discourage the creation of additional enclaves.” (3.03.03I)

Excluding the outparcel (#S1116427890) along the northern boundary of the east portion of the site from the subject annexation and development plan will create a County enclave surrounded by City annexed land, which is not desired. Note: The Applicant is attempting to acquire this parcel.

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

Urban infrastructure 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 25.76-acres of land with a C-G (General Retail and Service Commercial) zoning district. The proposed use of the property will include multi-family residential apartments and office uses. A multi-family development requires approval of a CUP in the C-G zoning district and is subject to the specific use standards for such listed in UDC [11-4-3-27](#); office uses are principally permitted in the C-G zoning district as are retail uses.

Staff recommended in the pre-application meeting to the Applicant that they request R-40 zoning for the multi-family portion of the development – they did not do so. The proposed use still requires approval of a CUP in the R-40 district; however, the R-40 zoning would more accurately reflect the land uses developed on the site when looking at the City’s zoning map. For this reason, Staff recommends the multi-family portion of the site is zoned R-40 instead of C-G; the remainder of the site should be zoned C-G as requested. With this

change, new legal descriptions and exhibit maps should be submitted prior to the City Council hearing. *Because the R-40 district is less intense than the C-G district, the project does not need to be re-noticed.*

The proposed C-G zoning and recommended R-40 zoning is consistent with the associated MU-R FLUM designation as are the proposed uses.

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 VIII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because this site is part of a larger 90-acre overall development that includes the property to the west, Staff recommends that DA (Inst. #2019-037825 – Rackham) is amended to include this property and the provisions noted in Section VIII.A., 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 plat is a re-subdivision of Lots 18 and 19, Block 1, Rackham Subdivision No. 1 and Lots 8-12, Block 2 and Lots 13-16, Block 1, Rolling Hill Subdivision. The proposed plat consists of two (2) multi-family residential building lots (i.e. Lots 1-2, Block 1) and six (6) commercial building lots (i.e. Lots 3-8, Block 1) on 29.7 acres of land and is proposed to be developed in one phase. *Note: The Applicant anticipates that many of the commercial lots will be consolidated or realigned at the time of final plat as users determine precise site area requirements.*

Staff recommends the property is subdivided prior to application for any building permits for the site; or, the existing PUDI easements and right-of-way for S. Rolling Hill Dr. may be vacated and a property boundary adjustment application approved to consolidate the existing lots into one (1) parcel. Either method should be done prior to submittal of applications for building permits.

Note: There is a 14-foot wide sliver of land (Parcel #S1116427890) that exists to the north of the eastern portion of Lot 6 and Lots 7 and 8 that is not included in the proposed subdivision (see preliminary plat exhibit in Section VII.B). It appears to previously have been part of the right-of-way (ROW) for I-84 that was sold off as surplus ROW. It was not included as part of the adjacent building lots in the Rolling Hill Subdivision plat in 1968; therefore, Staff determines it to be an original parcel of record as defined in UDC 11-1A-1. As such, the subject property is deemed to be eligible for development without that parcel. However, Staff strongly urges the Applicant pursue obtaining the parcel and include it in this development; otherwise, there will be an undeveloped enclave with County zoning surrounded by City annexed land with no access and likely no maintenance of the property. Ideally, it would be included in the subject annexation and preliminary plat application, which would require re-noticing and a continuance of the hearing – Staff has suggested this to the Applicant but they wish to proceed without it as they continue trying to acquire the property. Since it is not included with this application, the applicant will have to submit a subsequent AZ application to the City for review and approval.

Existing Structures/Site Improvements:

There are no existing structures on this site; the previous homes and accessory structures have been removed.

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the C-G and R-40 zoning districts in UDC Tables [11-2B-3](#) and [11-2A-8](#).

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.

Access (UDC [11-3A-3](#))

Access to the site exists via S. Rolling Hill Dr., a local public street that currently extends from E. Overland Rd. to the south and runs through this site to the north boundary; this street will ultimately stub at the south boundary and may be restricted to emergency access only. **The portion of Rolling Hill north of the southern boundary of the site is required to be vacated prior to signature on the final plat.**

Rolling Hills Dr. is not improved to urban standards (i.e. it's narrow, lacks street lights and doesn't have curb, gutter or sidewalk). Two (2) driveway accesses are proposed to be extended from the commercial property to the west for access via S. Silverstone Way from E. Overland Rd. ACHD has requested the Applicant submit an updated analysis to Staff for the intersection of Silverstone Way/Overland Rd. to see if the intersection can handle all of the traffic for this development if Rolling Hill Dr. is restricted to emergency access only. If so, ACHD will not require additional off-site improvements to Rolling Hill Dr. Cross-access/ingress-egress easements should be provided between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC [11-3A-3A.2](#).

Road Improvements: The intersection of Overland Rd. & Eagle Rd. is scheduled in the CIP to be widened to 7-lanes on the north and south legs, and 8-lanes on the east & west legs, and reconstructed/signalized in the future. The design year is listed as 2025 in the IFYWP and is listed to be improved between 2031 and 2035. Overland Rd. is listed in the CIP to be widened to 7-lanes from Eagle Rd. to Cloverdale Rd. between 2036 and 2040 and is listed as unfunded. The intersection of Cloverdale Rd. & Overland Rd. is listed in the CIP to be widened to 7-lanes on the north & south legs and 8-lanes on the east & west legs and signalized between 2026 and 2030.

If Rolling Hill Dr. isn't restricted to emergency access only, ACHD is requiring will likely require the following improvements for Rolling Hill Dr.: restriction to right-in/right-out only; construction of passive traffic calming measures; improvement with 24-feet of pavement, 3-foot wide gravel shoulders and a 6-foot wide concrete sidewalk on one side of the street within existing right-of-way; and construction of a mini roundabout at the terminus. The segment of Rolling Hill Dr. within the site is required to be vacated. See ACHD's staff report in Section VIII.I for more information.

Pathways (UDC [11-3A-8](#)):

There are no pathways depicted on the Pathways Master Plan for this site. **Staff recommends internal pedestrian walkways are provided throughout the site for interconnectivity; where pedestrian walkways cross vehicular use areas they should be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC 11-3A-19B.4.**

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

There are no public streets proposed within this site; therefore, sidewalks are not required. 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](#)):

A 50-foot wide street buffer is required on Lots 3-6 along the north boundary of the site adjacent to I-84 per UDC [Table 11-2B-3](#), landscaped per the standards listed in UDC [11-3B-7C](#). The buffer depicted on the landscape plan complies with this standard. The street buffer is required to be maintained by the property owner or business owners' association per UDC [11-3B-7C.2b](#) and should be depicted on the plat in a common lot or permanent dedicated buffer.

Landscaping is required adjacent to the pathway proposed along the northern boundary of the site in accord with the standards listed in UDC [11-3B-12C](#). **A 5-foot wide landscape strip is required on both sides of the pathway planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover.**

Storm Drainage:

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. **Staff recommends street lights are installed along S. Rolling Hill Dr. in accord with the City's adopted standards, specifications and ordinances in accord with UDC [11-3A-21](#).**

Waterways (UDC [11-3A-6](#)):

The Ridenbaugh Canal is a large open waterway that lies within a 100-foot wide NMID easement (50 feet on each side) along the east boundary of the site. **The Applicant requests approval from City Council of a waiver to UDC 11-3A-6B, which requires canals to be piped when not used as a water amenity or linear open space as defined in UDC 11-1A-1, to leave the canal open due to its large capacity. Council may grant a waiver if it finds that the public purpose requiring such will not be served and public safety can be preserved.** In order to ensure public safety can be preserved if the canal is approved to be left open, the Applicant proposes to construct a 6-foot tall open vision (wrought iron) fence along the eastern boundary of the site at the edge of the irrigation easement.

This project is not within the flood plain.

Fencing (UDC [11-3A-6](#) and [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is not depicted on the landscape plan; however, a 6-foot tall open vision wrought iron fence is proposed along the Ridenbaugh Canal to preserve public safety if Council approves a waiver to allow it to remain open and not be piped.

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

Conceptual building elevations were submitted for the future 5-story office buildings, 4-story multi-family residential buildings, leasing and fitness buildings as shown in Section VII.I. **Final design must comply with the design standards in the Architectural Standards Manual.**

C. Conditional Use Permit (CUP):

A CUP is requested for a multi-family development consisting of 396-units in four (4) 4-story buildings on 15.94 acres of land in the proposed C-G zoning district. Unit types consist of 48 studio, 196 1-bedroom and 152 2-bedroom units. The proposed gross density of the development is 24.8 units per acre, which is consistent with that desired in MU-R designated areas. *Note: Staff is recommending R-40 zoning, instead of C-G, for the multi-family residential portion of the development.*

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. *Staff is unable to determine if the buildings depicted on the concept plan meet the minimum setback standard. The site plan submitted with the Certificate of Zoning Compliance application should clearly depict the property lines in order to determine compliance with this standard.*
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.

Alternative Compliance is requested to this standard to allow zero (0) for studio units (0% of the standard), 54-60 square feet (s.f.) for 1-bedroom units (67.5%-75% of the standard) and 58-85 s.f. for 2-bedroom units (68%-106% of the standard). The Applicant's justification for the request is that the extraordinary site amenities proposed coupled with innovative, new urban design with an emphasis on integrated, internal open space, facilities, form the basis of the request in lieu of the standard. The Director is of the opinion that the requested reduction is too much for this site. As an alternative, the Director approves a 20% reduction (i.e. 64 square feet) for the reasons offered by the Applicant as justification for the reduction.

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. *The proposed parking meets and exceeds UDC standards (see parking analysis below).*
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)

These items should be depicted on the site plan submitted with the Certificate of Zoning Compliance application.

C. Common Open Space Design Requirements:

1. 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 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. *All 396 units contain between 500 and 1,200 square feet of living area.*
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area. *None of the units exceed 1,200 square feet of living area.*

At a minimum, a total of 99,000 s.f. (or 2.27 acres) of outdoor common open space is required to be provided in the proposed development. A total of 3.49 acres is proposed consisting of street/driveway buffers, area around leasing building, landscaped areas in parking lot and amenity areas. in excess of the minimum requirement as shown on the exhibit in Section VII.G.

2. 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 common open space areas depicted on the open space exhibit in Section VII.G meet this requirement.*
3. 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. *This project is proposed to develop in two phases. The first phase will consist of the west two buildings along with their associated garages and carports, the west courtyard amenities, the leasing office and the fitness building. The second phase will consist of the east two residential buildings along with their associated garages and carports, and the east courtyard amenities (see phasing plan in Section VII.E).*
4. 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.*

D. 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.
 - b. Open space:
 - (1) Open grassy area of at least fifty by one hundred feet (50 x 100') in size.
 - (2) Community garden.
 - (3) Ponds or water features.
 - (4) Plaza.
 - c. Recreation:
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
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)

Based on 396-units, a minimum of 5 amenities are required but the decision-making body is authorized to consider additional similar amenities if they believe the proposed amenities aren't adequate for the size of the development.

Amenities are proposed from each of the three categories in excess of the minimum standards (see list and exhibit in Section VII.G). Amenities include several outdoor sport

courts/games (snook ball, cornhole boards, bocce ball, ping pong table, volleyball), open grassy areas at least 50' x 100' in size, walking trails, a swimming pool, a clubhouse with a fitness facility, kitchen and lounge, shade structures with seating and outdoor seating around a fire table.

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 on all elevations facing the private drives 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 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.**

A minimum 25-foot wide buffer to residential uses is required with development along the southern boundary of the site per UDC Table 11-2B-3, landscaped per the standards in UDC 11-3B-9C, which requires a mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover. **The buffer depicted on the landscape plan needs to be widened and additional landscaping depicted in accord with these standards.**

Parking: Off-street vehicle parking is required for the proposed multi-family dwellings as set forth in UDC Table [11-3C-6](#). The UDC standards applicable to this application do not include minimum parking standards for studio units; the code has since been updated (on 10/5/21) to require one (1) space per studio unit. The Applicant has requested alternative compliance to allow the parking standards for vertically integrated residential to apply. Because one (1) space is required for vertically integrated residential uses, which is the same as the current code for studio units, the Director finds this request acceptable and grants the request.

Based on 48 studio, 196 1-bedroom units and 152 2-bedroom units, a minimum of ~~570~~ 646 off-street spaces are required with ~~396~~ 348 of those being in a covered carport or garage. Off-street parking is required for the clubhouse as set forth in UDC 11-3C-6B.1 for non-residential uses.

Based on 6,952 square feet, a minimum of 14 spaces are required to be provided. Overall, a *minimum* of ~~584~~ 660 standard parking spaces are required.

A total of ~~651~~ 649 spaces are proposed with 391 of those being covered in garages (88)/carports (303), which includes compact spaces; **compact stalls are discouraged but may be used for parking above the number of required parking spaces. Additional parking should be provided to meet the minimum standards; the site/landscape plan submitted with the Certificate of Zoning Compliance application should be revised to reflect compliance.** *Note: The calculations on the landscape plan state 651 spaces are proposed, which differs from that on the site plan.*

Bicycle parking is required per the standards listed in UDC [11-3C-6G](#) and should comply with the standards listed in UDC [11-3C-5C](#). **Based on 651 spaces, a minimum of 26 spaces are required. Bike racks should be provided in central locations for each building.**

Alternative Compliance (ALT) is also requested to UDC 11-3A-19B.3, which requires no more than 50% of the total off-street parking area for the site to be located between building facades and abutting streets, to be allowed due the site design which enhances usable site amenities by placing them internal to the development with parking mostly on the periphery of the site. Because the parking areas on the east and west sides of the site are screened by garages and there is only one drive aisle with parking on each side on the north and south sides of the site and internal parking between the structures, leaving less than 50% of the off-street parking visible from the abutting street/driveway, Staff is of the opinion the site design complies with UDC standards without approval of ALT.

Fencing: No fencing is depicted on the landscape plan for this development. A 6-foot tall open vision wrought iron fence is proposed along the Ridenbaugh canal to preserve public safety if Council approves a waiver to allow the canal to remain open and not be piped.

As an added buffer to the two adjacent rural residential properties to the south in Rolling Hill Subdivision, Staff recommends a 6-foot tall sight obscuring fence or wall is constructed along the southern boundary of the site.

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

Conceptual building elevations were submitted for the proposed 4-story multi-family residential buildings, leasing and fitness buildings as shown in Section VII.I. Final design must comply with the design standards in the Architectural Standards Manual. **A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.**

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.

B. The Meridian Planning & Zoning Commission heard these items on December 2, 2021. At the public hearing, the Commission moved to recommend approval of the subject AZ, PP and CUP requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Wardle, Brighton Corp. (Applicant's Representative); Geoffrey Wardle
- b. In opposition: None

- c. Commenting: Alicia Eastman, Mike Blowers, Amy Wattles, Chris Majorca, Lynette Adsitt and Matt Adsitt.
- d. Written testimony: Pam Haynes
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Bill Parsons
- 2. Key issue(s) of public testimony:
 - a. Concern pertaining to high volume of traffic this project will generate on S. Rolling Hill Dr. (commercial traffic through a residential neighborhood) – requests bollards are installed at the terminus of Rolling Hill Dr. at the southern boundary of this site that would block off traffic but that would provide emergency access to the site;
 - b. Concern pertaining to construction traffic using S. Rolling Hill Dr. to access the site;
 - c. Against proposed development due to loss of current lifestyle (livestock and effects to them from noise and traffic);
 - d. The Applicant committed to limiting construction traffic via S. Rolling Hill Dr. and making Silverstone Way the primary access.
- 3. Key issue(s) of discussion by Commission:
 - a. Concern pertaining to generation of traffic from this development on S. Rolling Hill Dr. and lack of urban improvements on Rolling Hill Dr.; possibility of restricting public access for the site via S. Rolling Hill Dr. for the development;
 - b. Desire to have ACHD’s staff report prior to making a recommendation to Council on this application;
 - c. Desire for the sliver of land along the northern boundary of the site (Parcel #S1116427890) to be included in the annexation and preliminary plat boundary so as not to create an enclave surrounded by City annexed land; at a minimum, an access easement should be provided to it.
- 4. Commission change(s) to Staff recommendation:
 - a. None
- 5. Outstanding issue(s) for City Council:
 - a. Staff recommends a condition is included for construction traffic for the proposed development to access the site from the west via Silverstone Way rather than from S. Rolling Hill Dr. as committed to by the Applicant.

VII. EXHIBITS

A. Annexation Legal Description & Exhibit Map

NOT APPROVED



June 2, 2021
Project No. 20-219

**Exhibit A
Legal Description for
Annexation and Rezone to C-G
Rackham Subdivision No. 2**

A parcel of land being Lots 13 through 16, Block 1, Lots 8 through 12, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho) and unplatted land situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

Commencing at an aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a brass cap marking the South 1/4 corner of said Section 16, thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 227.22 feet to a 5/8-inch rebar on the southerly right-of-way line of Interstate 84 and being the **POINT OF BEGINNING**.

Thence following said southerly right-of-way line, S89°34'32"E a distance of 672.76 feet;
Thence leaving said southerly right-of-way line, S00°00'07"E a distance of 14.37 feet;
Thence S89°15'23"E a distance of 478.72 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;
Thence following said westerly boundary and said centerline the following two (2) courses:

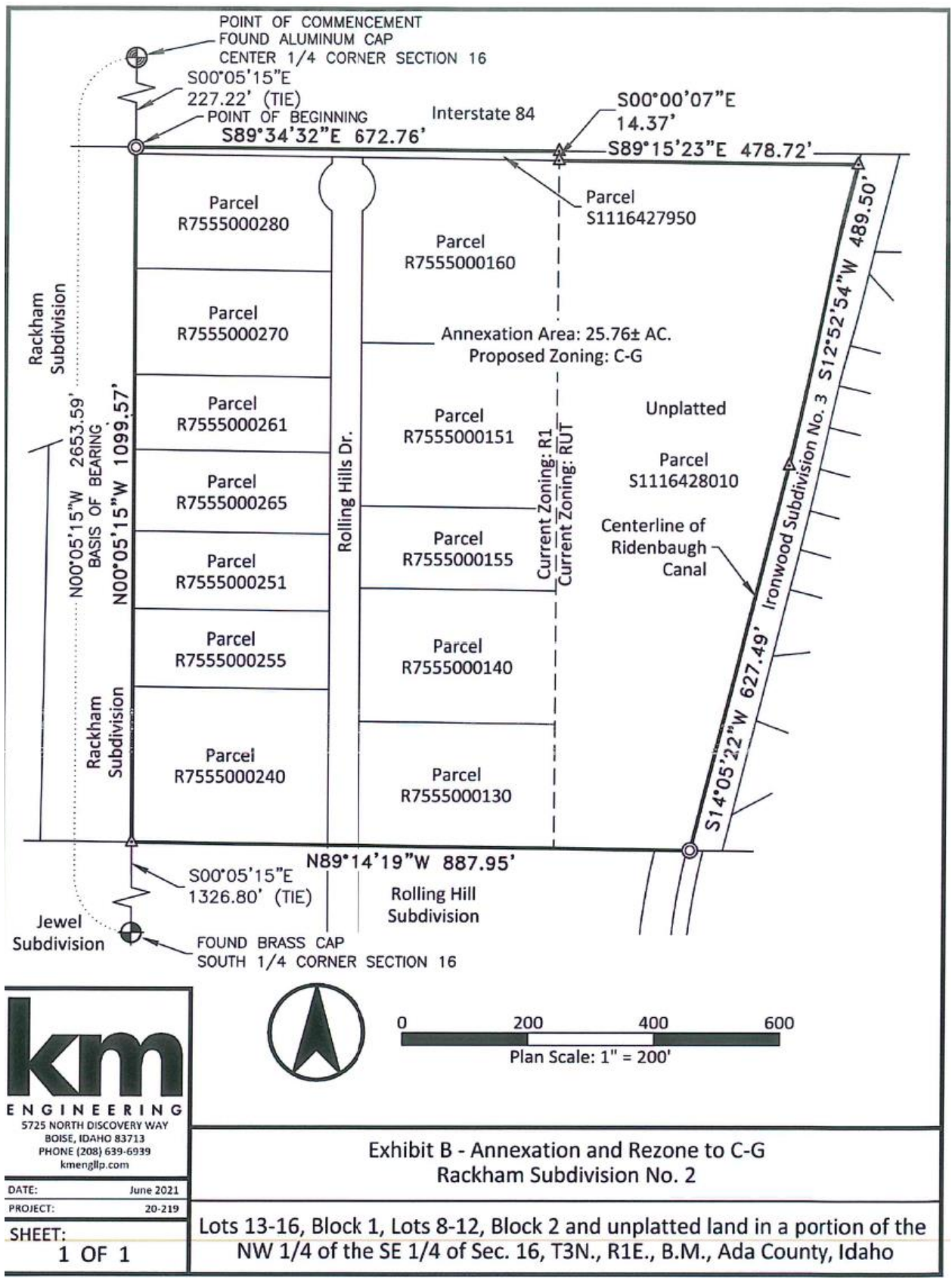
1. S12°52'54"W a distance of 489.50 feet;
2. S14°05'22"W a distance of 627.49 feet to a 5/8-inch rebar on the southerly line of said Northwest 1/4 of the Southeast 1/4;

Thence leaving said westerly line and said centerline and following said southerly line, N89°14'19"W a distance of 887.95 feet to the Southwest corner of said Northwest 1/4 of the Southeast 1/4 (Center-South 1/16 corner);
Thence leaving said southerly line and following the westerly line of said Northwest 1/4 of the Southeast 1/4, N00°05'15"W a distance of 1099.57 feet to the **POINT OF BEGINNING**.

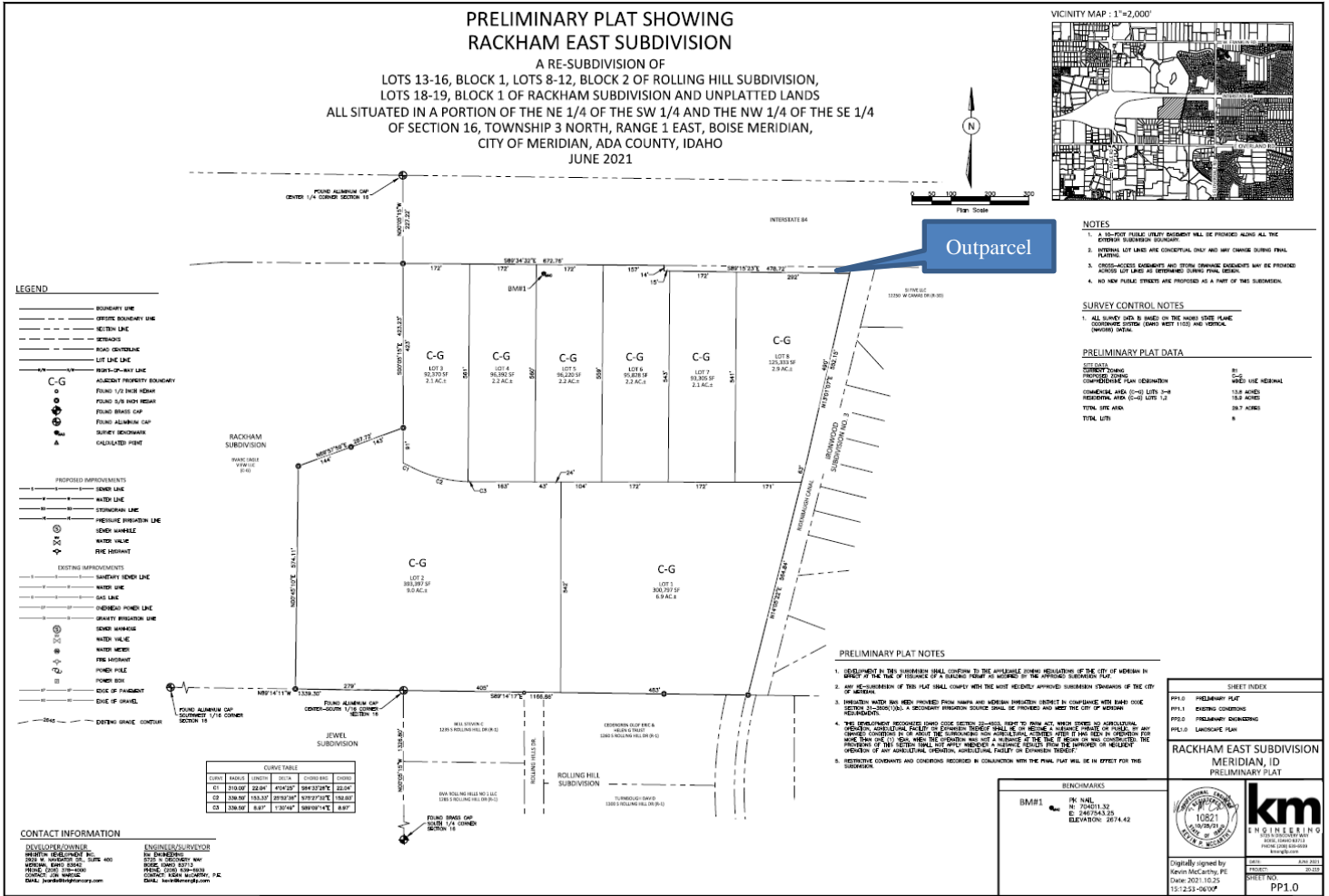
Said parcel contains a total of 25.76 acres, more or less.

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

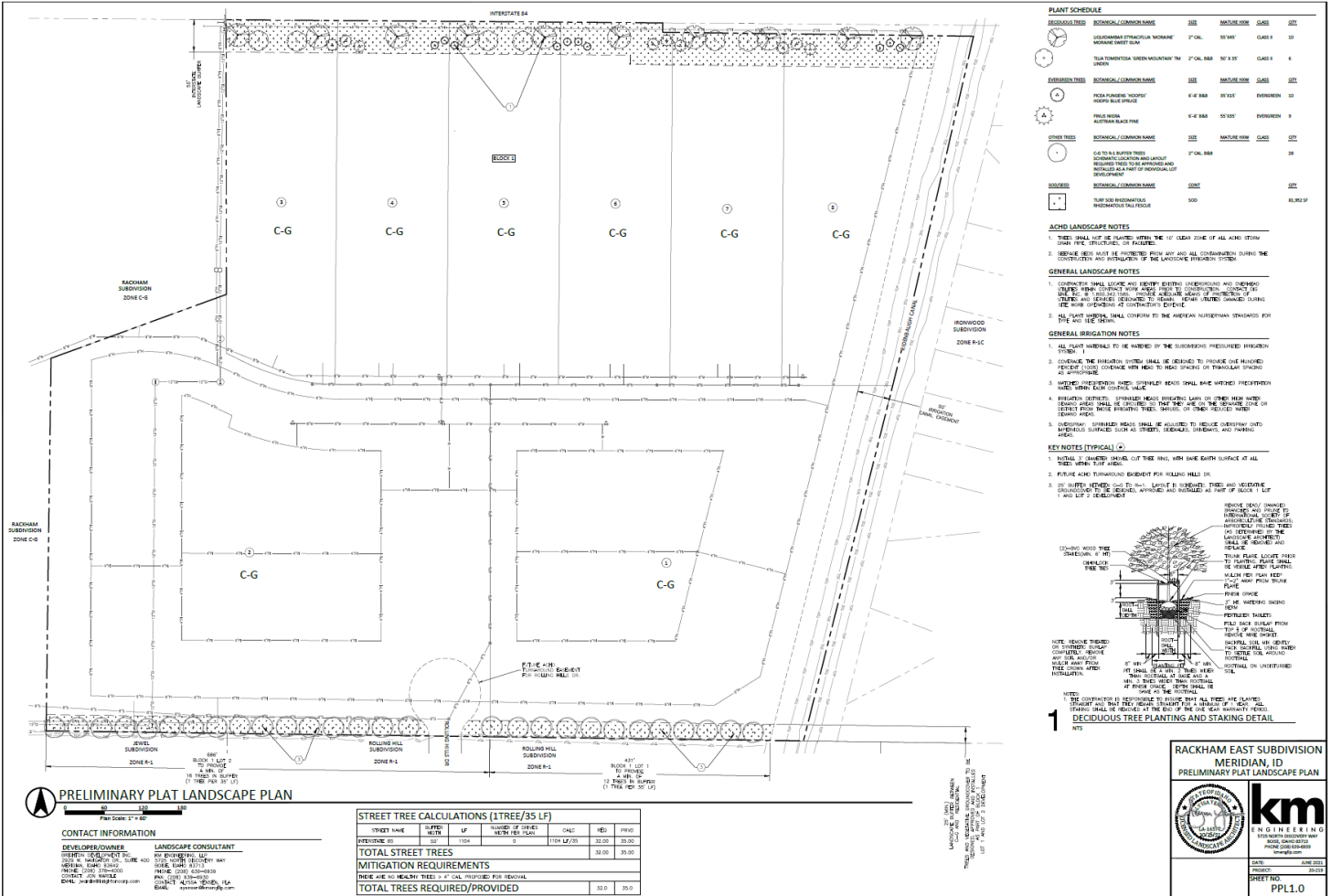




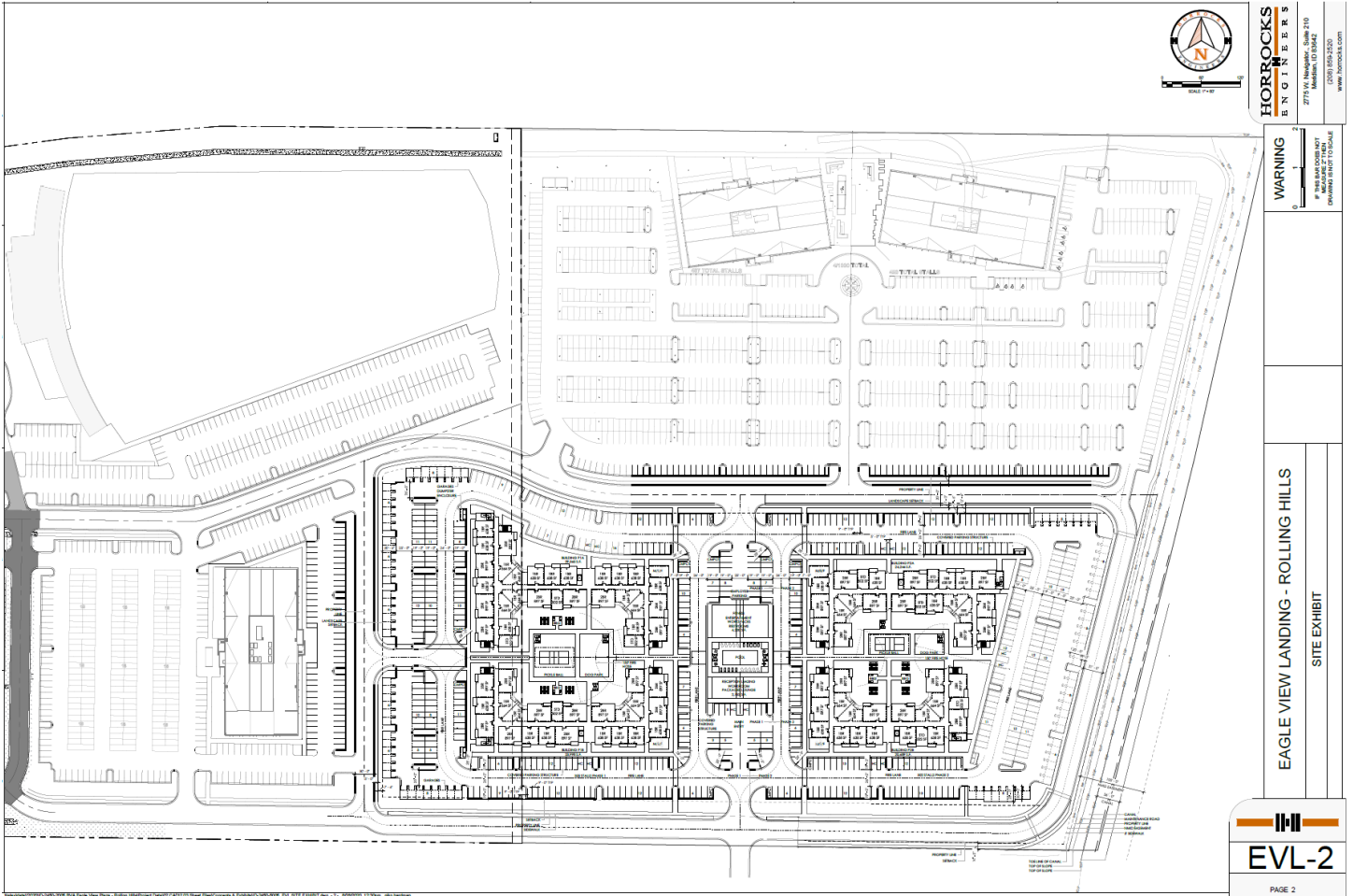
B. Preliminary Plat (date: 10/25/2021)



C. Landscape Plan – Preliminary Plat (date: 10/15/2021)

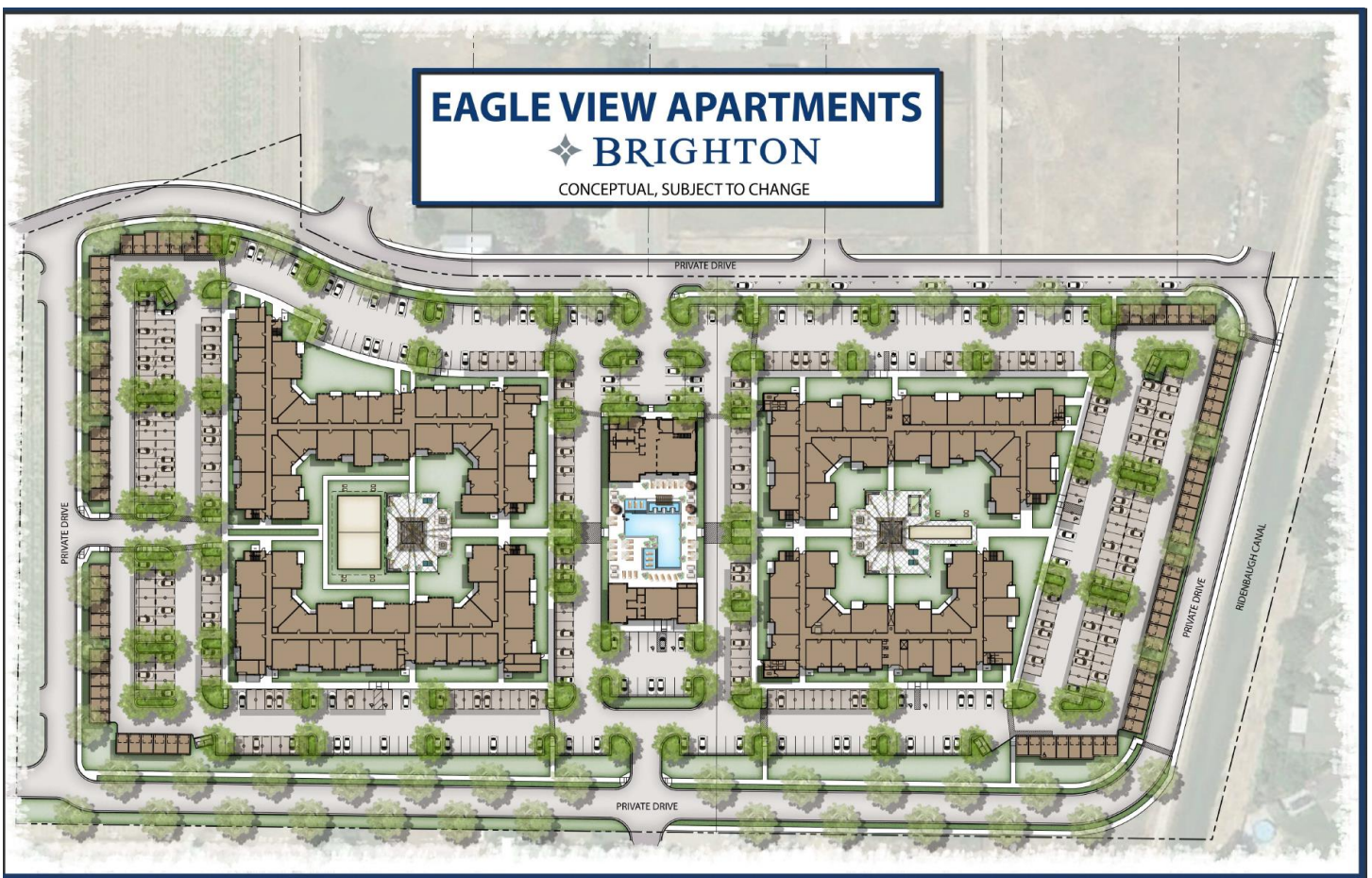
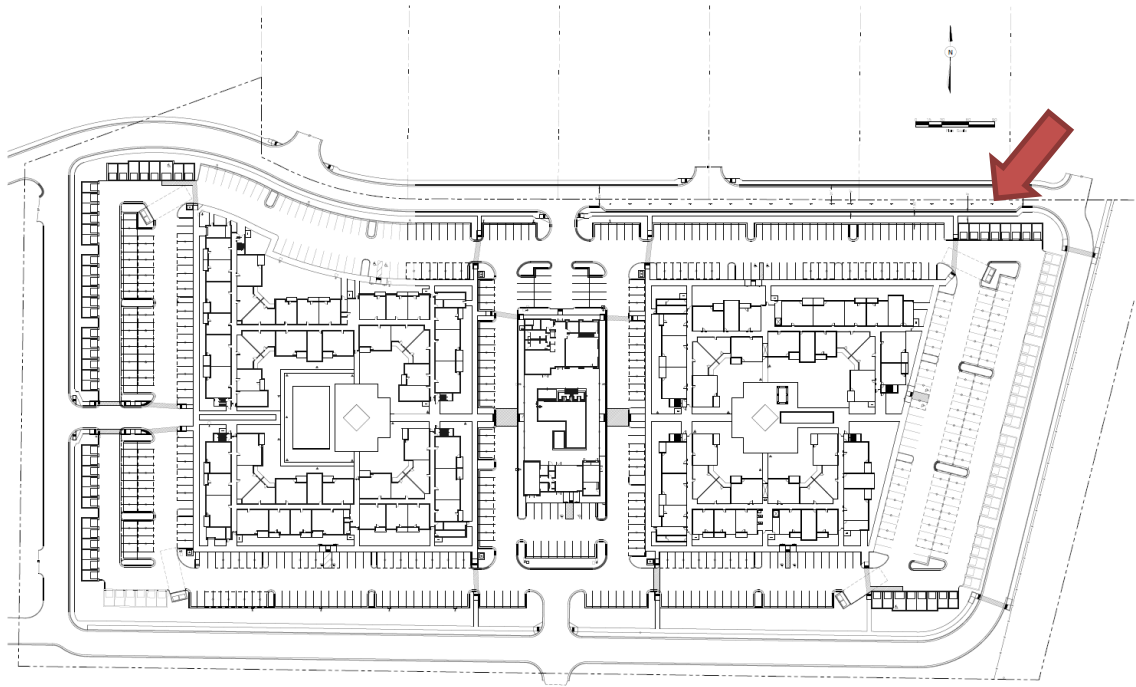


D. Conceptual Development Plan

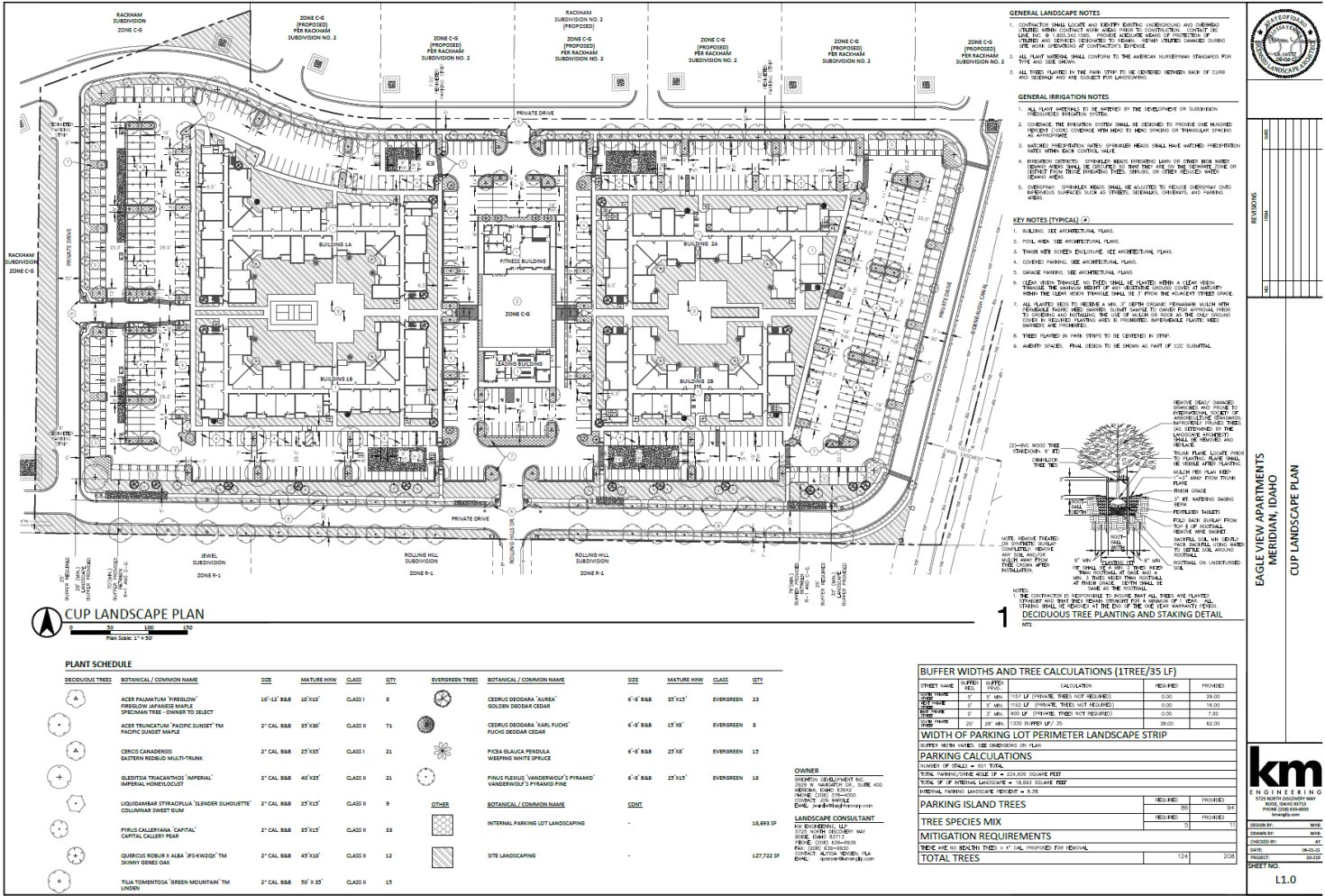




Updated Site Plan with on-drive aisle parking (1/3/22): (20 extra parallel parking spaces)



F. Landscape Plan – Conditional Use Permit (dated: 6/3/21)



PLANT SCHEDULE

DECIDUOUS TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HGW	CLASS	QTY	EVERGREEN TREES	BOTANICAL / COMMON NAME	SIZE	MATURE HGW	CLASS	QTY
A	ACER PALMATUM 'FIREBLOW' FIREBLOW SPANISH MAPLE SPECIMAN TREE - OWNER TO SELECT	10'-12" B&B	10'X10'	CLASS 1	8	CERUS DECORARA 'AUREA' GOLDEN DECORAR CEDAR	6'-8" B&B	25'X15'	EVERGREEN	23	
A	ACER TRUNCATUM 'PAIDIC SUNSET' TM PAIDIC SUNSET MAPLE	2" CAL B&B	35'X30'	CLASS 0	71	CERUS DECORARA 'VARI FUCHI' FUCHI DECORAR CEDAR	6'-8" B&B	15'X8'	EVERGREEN	8	
A	CERCIS CANADENSIS EASTERN REDBUD MAJID-TRUNK	2" CAL B&B	25'X35'	CLASS 1	21	PIXA BILAUCA PENDULA WEeping WHITE SPRUCE	6'-8" B&B	25'X8'	EVERGREEN	13	
A	SEBASTIA FRAGRANTISSIMA 'IMPERIAL' IMPERIAL HONEYLOCUST	2" CAL B&B	40'X35'	CLASS 0	11	PRUS FRAXILIS 'VANDERWOLF'S PYRAMID' VANDERWOLF'S PYRAMID PINE	6'-8" B&B	25'X15'	EVERGREEN	18	
A	LIQUIDAMBAR STRACILIA 'SLENDER SILHOUETTE' COLUMNAR SWEET GUM	2" CAL B&B	25'X15'	CLASS 0	9	OTHER					
A	PIRUS CALLERYANA 'CAPITAL' CAPITAL GALLERY PEAR	2" CAL B&B	35'X15'	CLASS 0	33	INTERNAL PARKING LOT LANDSCAPING					18,699 SF
A	QUERCUS ROBUR F. ALBA '354 WOODS' TM DUNN KENEDY OAK	2" CAL B&B	45'X10'	CLASS 0	12	SITE LANDSCAPING					127,722 SF
A	TILIA TOMENTOSA 'GREEN MOUNTAIN' TM LINDEN	2" CAL B&B	50' X 35'	CLASS 0	13						

BUFFER WIDTHS AND TREE CALCULATIONS (1 TREE/35 LF)

STREET NAME	BUFFER (FEET)	TREES (TYPICAL)	CALCULATION	REQUIRED	PROVIDED
PRIVATE DRIVE	10'	1	10' X 10' LF (PRIVATE TREE NOT REQUIRED)	0.00	30.00
ROLLING HILL	10'	1	10' X 10' LF (PRIVATE TREE NOT REQUIRED)	0.00	10.00
JEWEL	10'	1	10' X 10' LF (PRIVATE TREE NOT REQUIRED)	0.00	3.00
TOTAL	25'	25'	1200 BUFFER LF/25'	36.00	62.00

PARKING CALCULATIONS

NUMBER OF ISLANDS = 101 TOTAL	ISLANDS WITH TREES = 101	ISLANDS WITHOUT TREES = 0
TOTAL SQUARE FEET OF ISLANDS = 224,000	TOTAL SQUARE FEET OF ISLANDS WITH TREES = 11,200	TOTAL SQUARE FEET OF ISLANDS WITHOUT TREES = 212,800
TOTAL SQUARE FEET OF PERIMETER LANDSCAPE = 11,200	TOTAL SQUARE FEET OF PERIMETER LANDSCAPE WITH TREES = 11,200	TOTAL SQUARE FEET OF PERIMETER LANDSCAPE WITHOUT TREES = 0

TREE SPECIES MIX

MITIGATION REQUIREMENTS	TREES AND BUFFER WIDTH	REQUIRED	PROVIDED
TOTAL TREES	1" CAL, MINIMUM FOR PERIMETER	124	208

**EAGLE VIEW APARTMENTS
MERIDIAN, IDAHO
CUP LANDSCAPE PLAN**

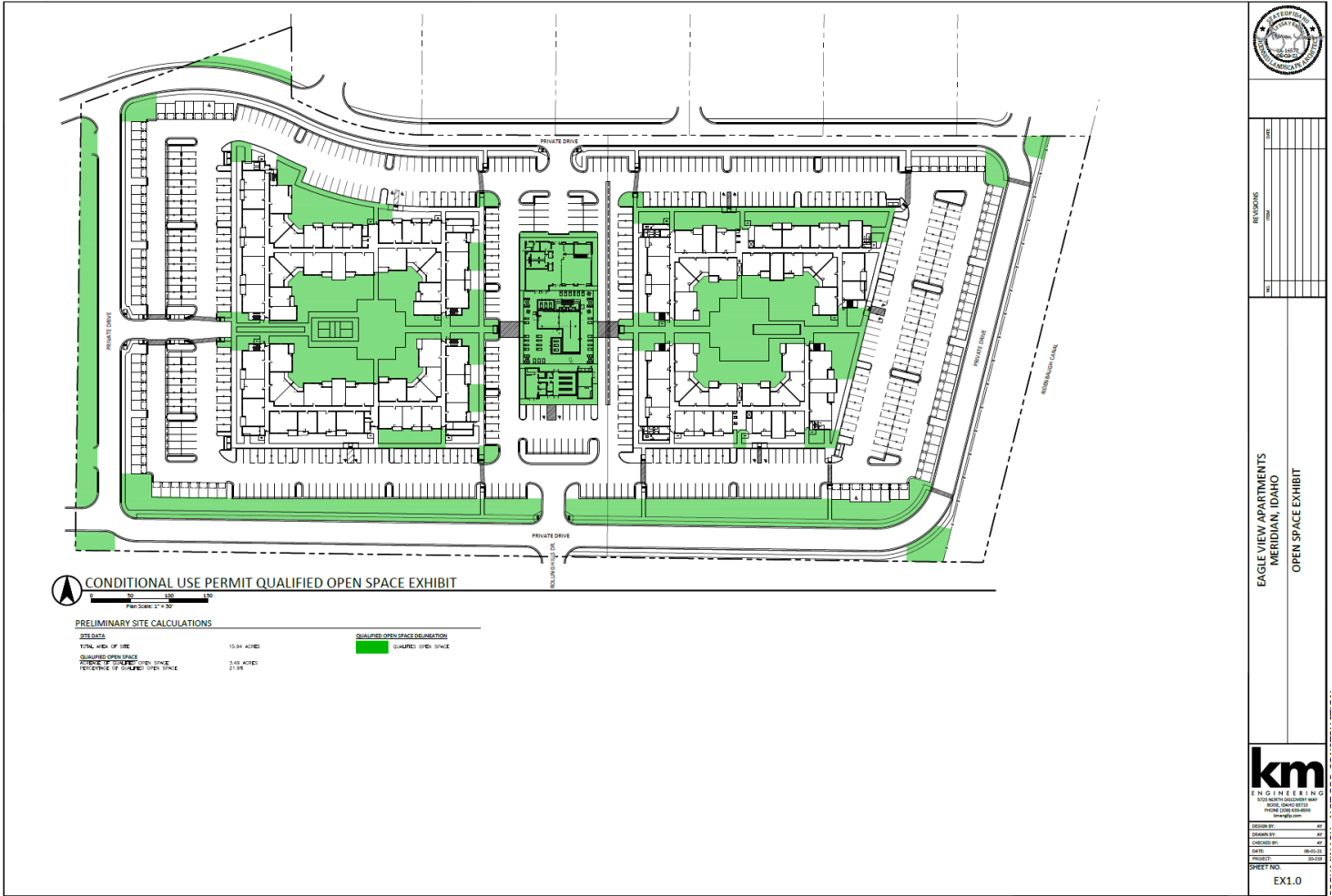
REVISIONS

NO.	DATE	DESCRIPTION

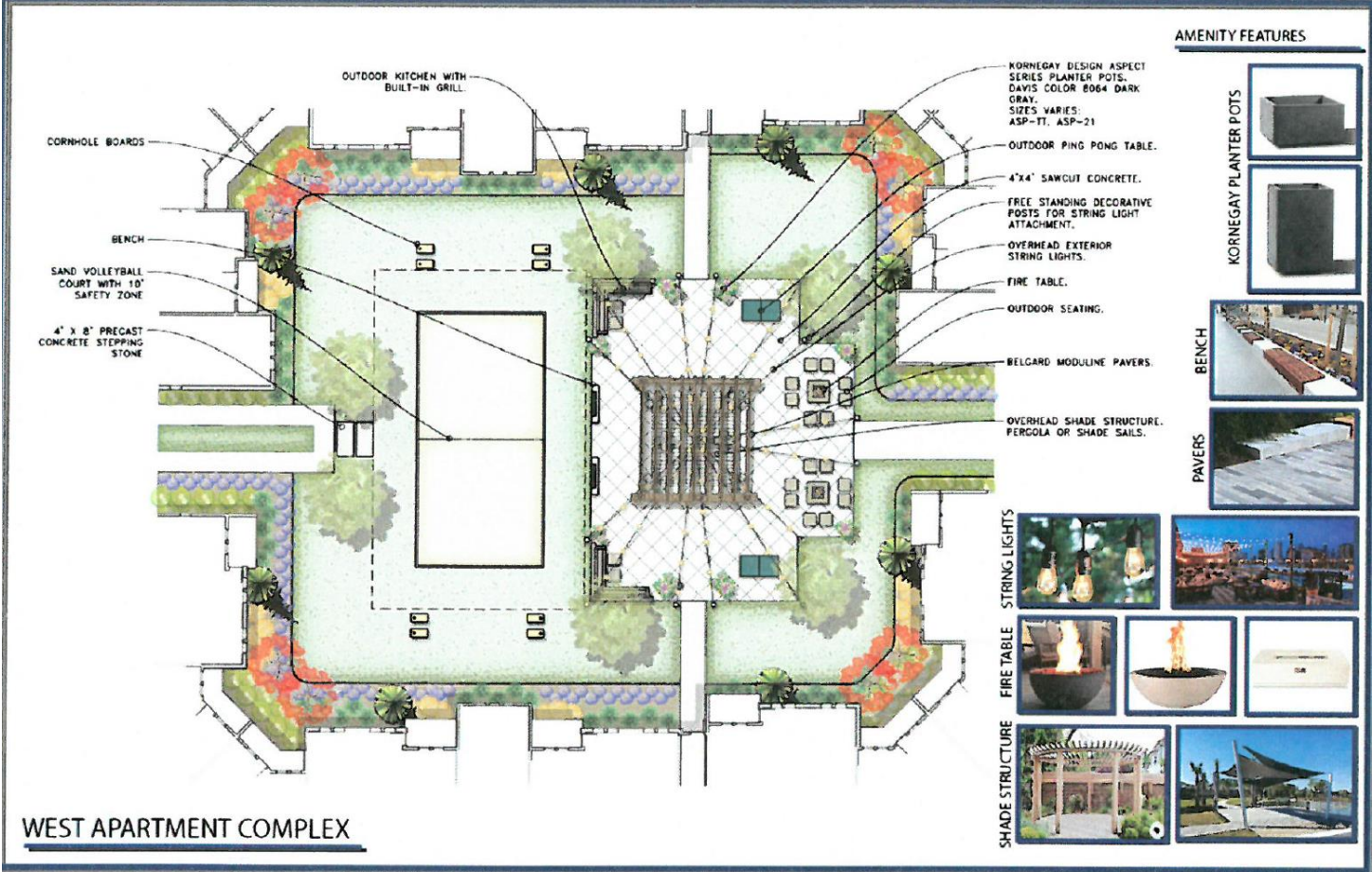
km
KIMBERLY M. KIMBERLY
1110 SOUTH UNIVERSITY AVENUE
BOISE, IDAHO 83725
PHONE: 208-333-8888
WWW.KIMBERLYK.COM

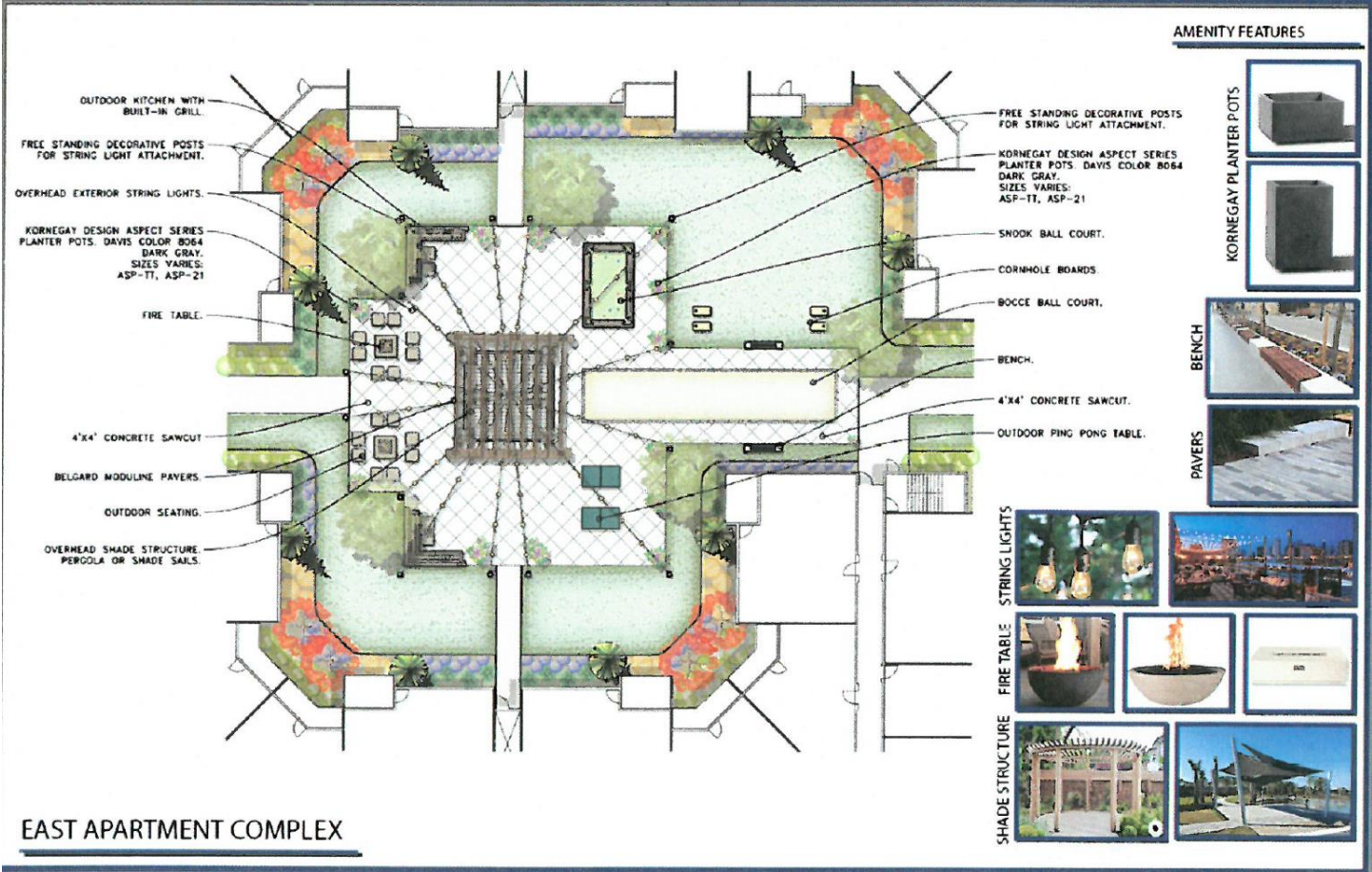
DATE: 06/03/21
SHEET NO. L1.0

G. Open Space Exhibit for Multi-Family Development (dated: 6/3/21) & Amenities

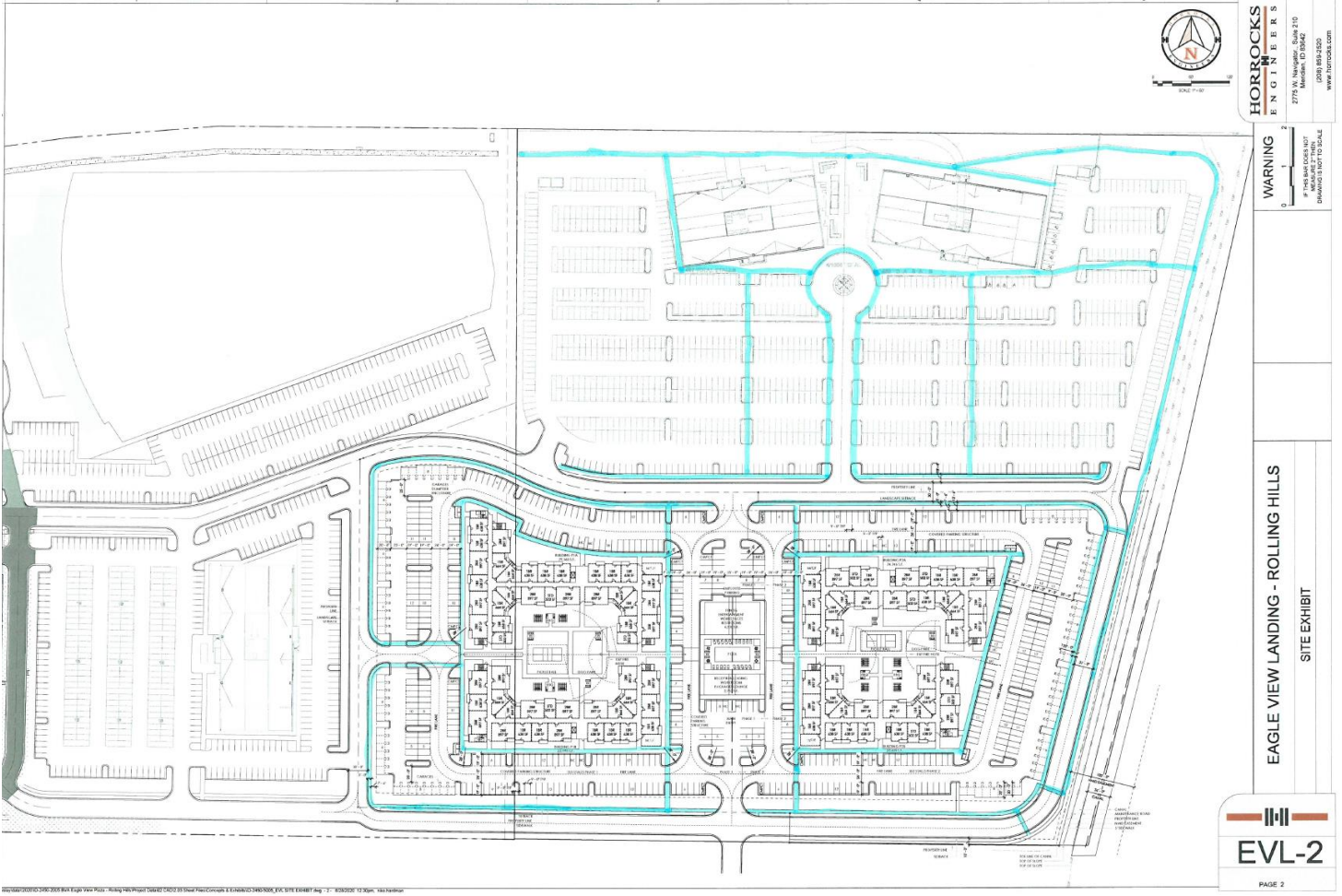


- Amenities
 - Central Core Amenities
 - 24-hour resident lounge
 - Warming kitchen
 - Entertainment area
 - Game area
 - 24-hour fitness center featuring Rogue equipment
 - Locker Rooms with showers
 - Zoom conference room(s)
 - Wi-fi throughout all amenity areas
 - Resort style pool & year-round spa
 - Pool-side patio and grilling area
 - Outdoor pool lounge
 - Amazon parcel system
 - Dwelo Smart Home Technology
 - West Courtyard (*see page 10 for exhibit*)
 - Shade structure
 - Outdoor Kitchen with BBQ Grill
 - Benches
 - Outdoor seating surrounding a Fire Table
 - Festoon lighting
 - Cornhole
 - Outdoor Ping Pong Table
 - Sand Volleyball
 - East Courtyard (*see page 10 for exhibit*)
 - Shade Structure
 - Outdoor Kitchen with BBQ Grill
 - Benches
 - Outdoor seating surrounding a Fire Table
 - String Lights
 - Cornhole
 - Outdoor Ping Pong Table
 - Snook Ball Court
 - Bocce Ball Court





H. Pedestrian Circulation Plan



I. Conceptual Building Elevations (dated: 5/31/2021)



1 | [View 1](#)



2 | [View 2](#)

 **EAGLE VIEW LANDING - BUILDING -P1A**
 3D VIEW 1 AND 2 (REVISED)
 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com | 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111



3 | [View 3](#)



4 | [View 4](#)

 **EAGLE VIEW LANDING - BUILDING -P1A**
 3D VIEW 1 AND 2 (REVISED)
 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111 | 801.223.1144 | Email: 801.94.1001@stark.com | 300 Lake City, 21 Exchange Plaza 300 Lake City, UT 84111

05.31.2021



1 | REAR VIEW



2 | SIDE-REAR VIEW



EAGLE VIEW LANDING - BUILDING - P1B
 3D VIEWS AND RENDERINGS
 Salt Lake City | 52 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Suite 800 W. Main Street Suite 140 | Suite 10 80102 388.424.7475 | bobcock@bdcg.com

05.31.2021



1 | SIDE-FRONT VIEW



2 | FRONT VIEW



EAGLE VIEW LANDING - BUILDING - P1B
 3D VIEWS AND RENDERINGS
 Salt Lake City | 52 Exchange Place Salt Lake City, UT 84111 | 801.531.1144 | Suite 800 W. Main Street Suite 140 | Suite 10 80102 388.424.7475 | bobcock@bdcg.com

05.31.2021



1 | NORTHEAST CORNER



2 | NORTHWEST CORNER



3 | SOUTHEAST CORNER



4 | SOUTHWEST CORNER

EAGLE VIEW LANDING - FITNESS BUILDING
3D VIEWS AND RENDERINGS
Salt Lake City 82 Exchange Place Salt Lake City, UT 84111 801.831.1144 | Boise 800 W. Main Street Suite 740 Boise, ID 83702 208.424.7475 | bobcockdesign.com

06.31.2021



4 | NORTH VIEW



1 | SOUTHEAST CORNER



2 | SOUTHWEST CORNER



3 | VIEW FROM SOUTH

EAGLE VIEW LANDING LEASING BUILDING
3D VIEWS AND RENDERINGS
Salt Lake City 82 Exchange Place Salt Lake City, UT 84111 801.831.1144 | Boise 800 W. Main Street Suite 740 Boise, ID 83702 208.424.7475 | bobcockdesign.com

06.31.2021



VIII. CITY/AGENCY COMMENTS & CONDITIONS

Staff recommends the multi-family portion of the site is zoned R-40 instead of C-G; the remainder of the site should be zoned C-G as requested. With this change, updated legal descriptions and exhibit maps shall be submitted prior to the City Council hearing.

A. PLANNING DIVISION

1. An amendment to the existing Development Agreement (DA) (Inst. #2019-037825 H-2019-0005) for the Rackham development is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, an amended DA shall be entered into between the City of Meridian and the property owner(s) at the time of annexation ordinance adoption.

An application for such shall be submitted to the City, preferably so that it can go to Council concurrently with the subject applications; a development plan for the overall area should be submitted with the application that is consistent with the MU-R FLUM designation. The amended 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 specific provisions for the amended DA pertaining to this site will be determined at the time of submittal of the application; the following provisions may be included:

- a. Development of the subject property shall be generally consistent with the preliminary plat, landscape plan, phasing plan, conceptual development plan, pedestrian circulation plan and conceptual building elevations submitted with the application contained herein.
- b. The two (2) office 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 in accord with the mixed-use guidelines in the [Comprehensive Plan](#) (see pg. 3-13).
- c. Provide a pedestrian pathway within the street buffer along I-84 as depicted on the conceptual development plan with landscaping along the pathway as set forth in UDC [11-3B-12C](#). Also provide internal pedestrian walkways throughout the site for interconnectivity; where pedestrian walkways cross vehicular use areas they shall be distinguished through the use of pavers, colored or scored concrete, or bricks as set forth in UDC [11-3A-19B.4](#).
- d. All future structures constructed on this site shall comply with the design standards in the Architectural Standards Manual.
- e. The final plat shall be recorded ~~prior to issuance of building permits for any structures on this site; or, the existing PUDI easements and right-of-way for S. Rolling Hill Dr. shall be vacated and a property boundary adjustment application approved to consolidate the existing lots into one (1) parcel prior to submittal of any building permit applications for the site.~~
- f. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development, is required.
- g. Provide off-site improvements for S. Rolling Hill Dr. consistent with Ada County Highway District's requirements, including but not limited to, pavement widening to 24-foot where needed, 3-foot wide gravel shoulders and 6-foot wide sidewalk on one side of the street. Streetlights shall also be installed along S. Rolling Hill Dr. in accord with the City's adopted standards, specifications and ordinances in accord with UDC [11-3A-21](#).

Preliminary Plat:

2. The final plat shall include the following revisions:
 - a. Include a note granting cross-access/ingress-egress easements between all lots in the subdivision in accord as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC 11-3A-3A.2.
 - b. Depict the street buffer along I-84 on Lots 3-6 in a common lot or a permanent dedicated buffer, maintained by the property owner or business owners' association per UDC [11-3B-7C.2b](#).
3. The landscape plan submitted with the final plat shall be revised as follows:
 - a. Depict a pathway within the street buffer along I-84 as shown on the CUP landscape plan with landscaping in accord with the standards listed in UDC 11-3B-12C. *A 5-foot wide landscape strip is required on both sides of the pathway planted with a mix of trees, shrubs, lawn and/or other vegetative ground cover.*
 - b. Depict a 6-foot tall wrought iron fence along the east boundary of the site adjacent to the Ridenbaugh Canal outside of the NMID's irrigation easement.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables [11-2B-3](#) for the C-G zoning district and [11-2A-8](#) for the R-40 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. *The Applicant requests approval of a waiver from City Council to leave the Ridenbaugh Canal open.*
6. Cross-access/ingress-egress easements shall be provided between all lots in the subdivision as well as to the properties to the west (Parcel # R7319432000 & R7319431900) via a note on the final plat or a separate recorded easement in accord with UDC 11-3A-3A.2.
7. The right-of-way for the portion of S. Rolling Hill Dr. north of the southern boundary of the site shall be vacated prior to signature on the final plat.
- ~~8. The property shall be subdivided prior to issuance of any building permits for the site. *Not necessary to include as a plat condition as it's included as a DA provision above in Section VIII.A.1e.*~~

Conditional Use Permit:

9. Compliance with the specific use standards listed in UDC [11-4-3-27](#): Multi-Family Development is required.
10. The site/landscape plans included in Section VII shall be revised as follows:
 - a. ~~Depict a minimum 25 foot wide buffer to residential uses along the southern boundary of the site as set forth in UDC Table [11-2B-3](#), landscaped per the standards listed in UDC [11-3B-9C](#). *A mix of evergreen and deciduous trees, shrubs, lawn, or other vegetative ground cover is required within the buffer, which shall be installed at the time of lot development.* Not required with R-40 zoning.~~
 - b. Depict all property lines in order to demonstrate compliance with the minimum setback requirements listed in UDC Table ~~[11-2B-3](#)~~ [11-2A-8](#) and [11-4-3-27B.1](#).
 - c. 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](#).
- d. 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](#).
 - e. Depict a 6-foot tall sight obscuring fence or wall along the southern boundary of the site as an added buffer to the rural residential properties to the south in Rolling Hill Subdivision.
 - f. Depict landscaping along all elevations that face the private drives 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.*
 - h. Depict pathway stubs at the southern boundary of the site near the west and east boundaries of the site for future extension upon redevelopment of the properties to the south for pedestrian connectivity with adjacent developments.
 - i. Depict a minimum of 26 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 shall be provided in central locations for each building.
 - j. Compact parking stalls are discouraged but may be used for parking *above* the number of required parking spaces per UDC [11-3C-5A.6](#). Based on the number of bedrooms per unit and square footage of the clubhouse proposed, a minimum of 660 standard off-street parking spaces are required with 348 of those being in a covered carport or garage. If these numbers/square footage change, parking may be adjusted accordingly to comply with applicable UDC standards.
11. The Director approved the Applicant's request for Alternative Compliance to the private usable open space standards in UDC 11-4-3-27.B.3 with a modification to the request to allow a *maximum* reduction of 20% (i.e. 64 square feet) to the standard.
 12. 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.
 13. 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.
 14. A Certificate of Zoning Compliance and Design Review application is required to be submitted for approval of the site and building design prior to submittal of building permit applications.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Instead of running parallel 6'' and 8'' water main, change the layout to a single 8'' water main, connect the hydrant, then install a jurisdictional valve to the fire service line.
- 1.2 Do not have a sewer stub to the south on S Rolling Hills Dr. These properties will be served from Overland Rd.
- 1.3 Ensure no permanent structures are within any City easements including but not limited to buildings, car ports, trash enclosures, trees, shrubs, fences, light poles, infiltration trenches, etc.

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 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-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 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.
 - 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=241985&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=241580&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242184&dbid=0&repo=MeridianCity>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243206&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244287&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=244309&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240968&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=249772&dbid=0&repo=MeridianCity> **DRAFT REPORT revised on 1/4/22**

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 C-G and subsequent development is 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 a mix of office and multi-family residential uses which will assist in providing for the service needs of area residents consistent with the purpose statement of the commercial 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 C-G 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 C-G 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.

D. Alternative Compliance (UDC 11-5B-5):

In order to grant approval of an alternative compliance application, the Director shall determine the following:

1. Strict adherence or application of the requirements is not feasible; OR

The Director finds UDC Table 11-3C-6 does not include parking requirements for studio units; therefore, this finding does not apply.

The Director finds strict adherence or application of the requirements in UDC 11-4-3-27B.3 is feasible but to comply, the number of units may need to be reduced or other changes made to the development plan.

2. The alternative compliance provides an equal or superior means for meeting the requirements; and

The Director finds the proposed alternative compliance of providing parking for studio units consist with the standards for vertically integrated residential units, which is also consistent with current updated standards for studio units, provides an equal means for meeting the requirement.

The Director finds the proposed alternative compliance to the private usable open space standards in UDC 11-4-3-27B.3 for each unit unacceptable but does find a reduction of 20% acceptable due to the extraordinary site amenities proposed along with the innovative, new urban design with an emphasis on integrated, internal open space and facilities proposed.

3. The alternative means will not be materially detrimental to the public welfare or impair the intended uses and character of the surrounding properties.

The Director finds that the proposed alternative means of compliance to UDC Table 11-3C-6 and the Director's alternative approval to the Applicant's proposal for alternative compliance to 11-4-3-27B.3 will not be detrimental to the public welfare or impair the intended use/character of the surrounding properties.



AGENDA ITEM

ITEM TOPIC: Public Hearing for 1160 W. Ustick Annexation (H-2021-0092) by The Housing Company, Located at 1160 W. Ustick Rd., on the north side of Ustick Rd. Between N. Linder Rd. and N. Venable Ave.

A. Request: Annexation and Zoning of 4.54 acres of land with a request for the R-15 zoning district for the future purpose of constructing an affordable housing, multi-family residential project.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: January 6, 2022

Topic: **Public Hearing** for 1160 W. Ustick Annexation (H-2021-0092) by The Housing Company, Located at 1160 W. Ustick Rd., on the north side of Ustick Rd. Between N. Linder Rd. and N. Venable Ave.

- A. Request: Annexation and Zoning of 4.54 acres of land with a request for the R-15 zoning district for the future purpose of constructing an affordable housing, multi-family residential project.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



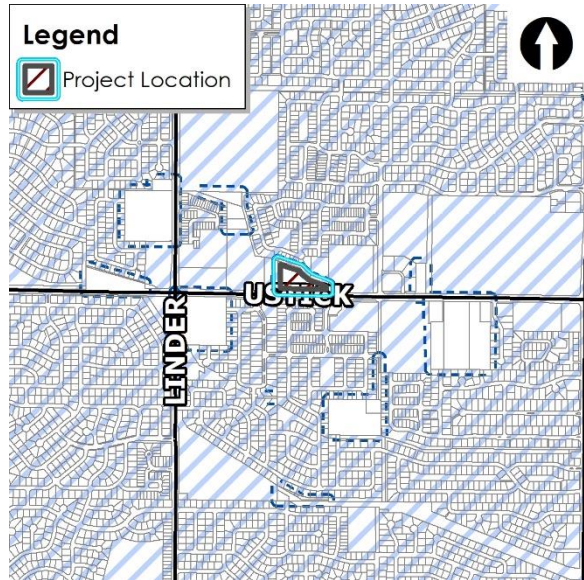
HEARING DATE: 1/6/2022

TO: Planning & Zoning Commission

FROM: Joe Dodson, Associate Planner
208-884-5533

SUBJECT: H-2021-0092
1160 W. Ustick Annexation

LOCATION: The site is located at 1160 W. Ustick Road, on the north side of Ustick between N. Linder Road and N. Venable Avenue, in the SE 1/4 of the SW 1/4 of Section 36, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

Annexation and Zoning of 4.54 acres of land with a request for the R-15 zoning district for the future purpose of constructing an affordable housing, multi-family residential project, by The Housing Company.

II. SUMMARY OF REPORT

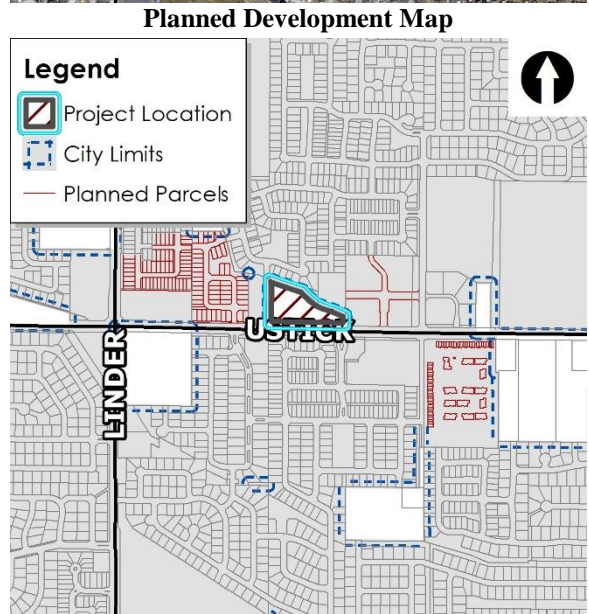
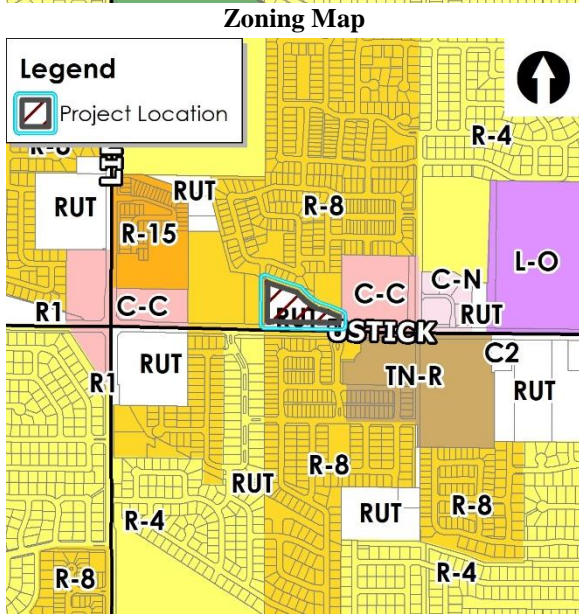
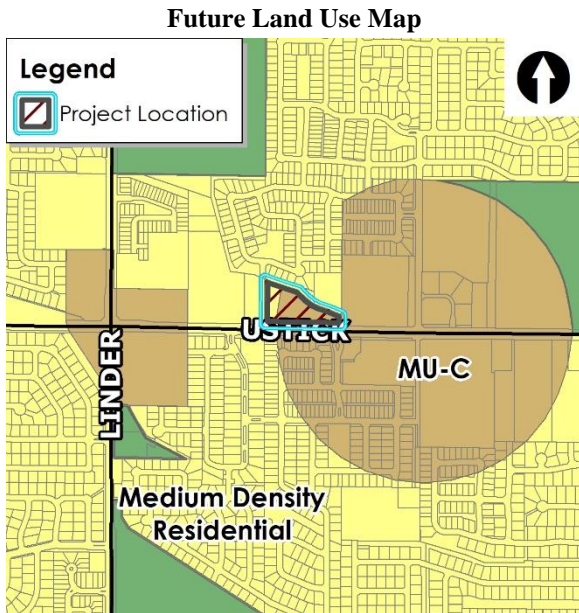
A. Project Summary

Description	Details	Page
Acreage	AZ – 4.54 acres; Project Site – 3.81 acres	
Future Land Use Designation	Mixed-Use Community (MU-C) and Medium Density Residential (MDR)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Multi-family Residential, rent restricted	
Lots (# and type; bldg./common)	One (1) building lot known at this time.	
Phasing Plan (# of phases)	Proposed as one phase.	
Physical Features (waterways, hazards, flood plain, hillside)	Lemp Canal runs along north boundary and is piped.	
Neighborhood meeting date; # of attendees:	October 26, 2021 – number of attendees unknown by Staff.	
History (previous approvals)	N/A	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed to W. Ustick Road (arterial) via construction of a new local street connection at the very southeast corner of the site in alignment with N. Blairmore Way on the south side of W. Ustick Road.	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to extend a new local street from Ustick to the north property boundary (length is approximately 100 feet). No other stub streets or are proposed.	
Existing Road Network	Ustick Road is an existing 5-lane arterial street – 4 lanes of travel plus a center turn lane.	
Existing Arterial Sidewalks / Buffers	Ustick Road is constructed with curb, gutter, and 5-foot detached sidewalk.	
Proposed Road Improvements	ACHD staff report notes that no road improvements are required as Ustick Road is currently built to its ultimate configuration adjacent to the site.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	1.8 miles to Fire Station #2; 1.9 miles to Fire Station #3.	
<ul style="list-style-type: none"> Fire Response Time 	Project lies within 5-minute response time goal.	
Police Service		
<ul style="list-style-type: none"> Concerns 	None/no comments	
Wastewater		
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Provide to-and-through to 3335 N Cooper Ln in a way that meets city requirements. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement. Ensure no sewer services cross infiltration trenches 	
Water		
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> There are no changes to the water infrastructure shown in this record. A utility plan will need to be reviewed and approved by PW. There is an existing water stub off of W Ustick Rd that will either need to be used or abandoned. 	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Erin Anderson, The Housing Company – 565 W Myrtle Street, Suite 250, Boise, ID 83707

B. Owner:

The Housing Company – 565 W Myrtle Street, Suite 250, Boise, ID 83707

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	12/21/2021	
Radius notification mailed to properties within 500 feet	12/15/2021	
Site Posting	12/21/2021	
Nextdoor posting	12/16/2021	

V. STAFF ANALYSIS

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

The subject project site includes two future land use designations: Mixed-use Community is shown on a majority of the site with Medium Density Residential being shown on the west quarter of the site.

Mixed Use Community (MU-C) – The purpose of this designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas have a tendency to be larger than in Mixed Use Neighborhood (MU-N) areas, but not as large as in Mixed Use Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to three or four miles). Employment opportunities for those living in and around the neighborhood are encouraged.

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 site is approximately 3.8 acres in size and abuts W. Ustick Road along its entire southern boundary. The property is widest at the west boundary and smallest at the east boundary, approximately 390 feet versus 90 feet, respectively. There are no public streets abutting the site except for approximately 11 feet of right-of-way at the very northwest corner of the site for NW 11th Avenue. The placement of this stub street is not in an ideal location as its extension now relies on two different parcels to extend it or dedicate additional right-of-way. Unfortunately, the placement of this stub street will likely dictate a majority or all of the public road to be on the property to the west, 1250 W. Ustick Road, to connect to a stub street on its west boundary from Tetherow Crossing Subdivision. In addition, at the northeast corner of the site a relatively large residential lot exists (3335 N. Cooper Lane) that was annexed and zoned as part of the adjacent Woodburn West Subdivision to the north but does not take access through that subdivision. Instead, this property takes access via a private road easement through this subject site to Ustick. Between this parcel and the Woodburn subdivision and running along the entire northern boundary is a common lot owned by the Woodburn HOA which contains the piped Lemp Canal. This common lot does not appear to be fenced off from the subject parcel but the submitted concept plans do not contemplate this area either. Staff assumes this area will be fenced off since there are two different property owners; Staff notes that if fencing is proposed in the future, open vision fencing will be required for crime prevention purposes per the Unified Development Code (UDC). Therefore, the property is a relatively odd-shaped parcel with its own

set of challenges derived from previous planning decisions, its dimensions, and its general location.

As briefly discussed, the majority of adjacent parcels are single-family residential with the exception of the C-C property to the east that shares approximately 90 feet of property boundary. This property, Settlers Square, recently received Development Agreement modification to include multi-family townhomes on the north half of their site. More importantly, that Applicant is required to provide cross-access between their property and this one. In anticipation of this, the submitted concept plan for this site should also depict an area of cross-access in reciprocation.

The proposed use for the subject site is multi-family residential which is a conditional use in the requested R-15 zoning district and is subject to specific use standards (UDC 11-4-3-27). However, the Applicant is proposing this project with a couple notable differences to traditional multi-family residential seen elsewhere in the City of Meridian. First, the submitted concept plan and conceptual elevations show 6-plexes and 8-plexes, no more than two-story in height, that are accessed from one side of the building and look similar to a townhome instead of a garden style apartment. Secondly, the Applicant proposes this multi-family project to be affordable housing in the form of deed restricted rents for the entire site. Staff finds the specific use of affordable housing, no matter the type, is greatly needed within the City and is essentially its own residential use. Staff has worked with the City Attorney's office to propose adequate Development Agreement (DA) provisions to ensure the proposed use of deed restricted housing units is maintained.

As noted above, the subject site contains two future land use designations, Mixed Use Community (MU-C) and Medium Density Residential (MDR). Staff finds the proposed use to be in alignment with the anticipated uses in both designations. Furthermore, future land use designations are not always parcel specific when more than one exists on the same project area. In short, the City has allowed Applicants to utilize one or both of the designations for their project site. However, in order for the proposed 52 affordable multi-family units to meet the gross density requirements, the project must be analyzed against the MU-C designation which allows dwellings at a gross density of 6-15 du/ac. Staff notes that a future Conditional Use Permit (CUP) will be required and the number of units will be more thoroughly analyzed with that application. The subject MU-C area is located around a mid-mile corridor and has minimal commercial uses currently developed. Previous applications in the area have allowed a reduction in commercial areas due to the viability of commercial being lower in these mid-mile locations than on the arterial intersections. However, Staff anticipates most of the remaining unannexed land to the east that is part of this MU-C bubble will be commercial because they directly abut Ustick Road which drastically increases the visibility of future businesses. In addition, as seen on the future land use map, the area to the north of subject parcel was specifically carved out of the MU-C area to allow for more traditional residential uses. This choice, coupled with the existing stub street locations and large annexed outparcels adjacent to the site, has created a site that cannot viably meet the fundamental goals and policies outlined in the comprehensive plan for the previously envisioned mixed use future land use. Minimal opportunities exist for shared spaces with other MU-C parcels to the east and even cross-access to the C-C parcel to the east is only attainable through 90 feet of shared property line. Because of these constraints to the site and nearby area, Staff does not find it feasible for the Applicant to meet all of the mixed-use policies, provide additional commercial area, and should instead be an affordable multi-family housing development.

Outside of the proposed use, the concept plan should also be analyzed against the Comprehensive Plan. The submitted concept plan depicts six (6) 6-plex building and two (2) 8-plex buildings, all two-story in height and the 8-plex buildings only proposed along Ustick. The proposed 6-plex buildings are only two-story in the center of the building with the outer units being shown with an elevated roofline and apparent bonus room or vaulted ceilings; no more than four (4) units are

on the first floor of each building. The site is shown with a looping drive aisle due to the odd shape of the parcel that has parking on both sides and the clubhouse and playground area in the center of the project. Because of the existing common lot between this parcel and the Woodburn Subdivision to the north, the two-story buildings are proposed with a relatively large physical separation. In addition, at least three of the homes closest to the subject site are two-story in height. The Applicant is also showing open space adjacent to the single-family home to the northeast taking access via a private drive. Along the west boundary, the Applicant is showing a 15-foot buffer that would be adjacent to a future road extension (NW 11th Avenue) for a majority of this shared property line—the existing single-family home on this adjacent property is located on the west side of its lot, approximately 100 feet from the shared property line. Therefore, Staff finds the Applicant has provided appropriate building massing, open space locations and buffer widths, and appropriate transition of residential use and density to adjacent residential uses.

Because of this analysis, Staff finds the proposed project and use of affordable multi-family residential to be generally consistent with the Comprehensive Plan. Specific Comprehensive Plan policies are discussed and analyzed below.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application and phasing plan, Staff recommends a DA as a provision of annexation 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 annexation for approval.*

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

The applicable Comprehensive Plan policies are cited below with Staff analysis in italics.

“Consider providing incentives to developers that produce affordable housing units as defined by federal and state agencies.” (2.01.01I). Although the City does not provide economic or dimensional relief to Applicants for affordable housing, Staff finds it appropriate to analyze this project outside of the mixed-use future land use vacuum. In addition, because the use of affordable housing units is in great need within the City of Meridian, Staff has proposed DA provisions to ensure the proposed use is maintained for many years to come.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All City services are available for the subject site. West Ada School District (WASD) has submitted a letter noting that approximately 24 school aged children could be housed in the future development and all schools in the applicable attendance areas currently have capacity to accommodate additional children. ACHD has provided a staff report that analyzed the proposed project and has approved the submitted conceptual plan, use, and transportation element.

“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). As noted above, the proposed use of affordable multi-family housing can be considered a separate residential use and Staff has chosen to view it in this way. Traditional multi-family residential exists to the southeast of the site on the south side of Ustick and townhome style multi-family is proposed on a portion of the C-C property directly to the east; detached single-family residential exists to the south, west, and north of the subject site and are all zoned R-8. The multi-family component of the use would be a new use on the north side of Ustick in this area; the affordable housing component of the use would be a use the City of Meridian has not seen in many years in any place in the City. Staff supports the proposed use.

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *Despite the project being on an odd shaped parcel with many constraints, the submitted concept plan depicts robust pedestrian facilities throughout the site and to adjacent parcels. The Applicant is showing multiple connections to the existing arterial sidewalk as well as a pedestrian connection to the east property line and at the very northwest corner of the site for future connectivity. Due to the requirements of the project to the east, it is anticipated the pedestrian facilities will be continued within the commercial component of that project. In addition, the connection at the northwest corner would connect to the attached sidewalk along the future extension of NW 11th Avenue. Additional pedestrian connectivity may be required with the future CUP application.*

“Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian's present and future residents.” (2.01.02D). *Proposed use of affordable multi-family housing units is encouraged to assist in meeting the needs of present and future residents based on their financial capabilities.*

In addition to general comprehensive plan policies, Staff finds the following mixed-use policies are also met with the proposed development:

- 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.
- All mixed use projects should be accessible to adjacent neighborhoods by both vehicles and pedestrians. Pedestrian circulation should be convenient and interconnect different land use types. Vehicle connectivity should not rely on arterial streets for neighborhood access.
- All mixed use projects should be accessible to adjacent neighborhoods by both vehicles and pedestrians. Pedestrian circulation should be convenient and interconnect different land use types. Vehicle connectivity should not rely on arterial streets for neighborhood access.
- All mixed use projects should be accessible to adjacent neighborhoods by both vehicles and pedestrians. Pedestrian circulation should be convenient and interconnect different land use types. Vehicle connectivity should not rely on arterial streets for neighborhood access.

Staff finds this development to be generally consistent with the Comprehensive Plan.

C. Existing Structures/Site Improvements:

There is one existing structure on the property that appears to be a large concrete structure. This structure will be removed upon project development. In addition, there is existing 5-foot wide detached sidewalk along Ustick Road that will be protected and maintained during construction.

D. Proposed Use Analysis:

The proposed use of Multi-Family Residential is a conditional use in the requested R-15 zoning district. Staff has included analysis on the proposed use in relation to adjacent properties and the underlying future land use in the Comprehensive Plan section above. All required specific use standards for the proposed use will be analyzed with the future CUP applications.

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

The Applicant is proposing to annex the subject property into the City with the R-15 zoning district. As noted above, the proposed use is multi-family so the use is proposed on one lot and will therefore meet the minimum lot size requirement of 2,500 square feet. In addition, multi-family residential specific use standards require at least 10 feet of separation between buildings and to any property line. According to the submitted concept plan, the Applicant is in compliance with this dimensional standard.

The R-15 zoning district has a minimum landscape buffer requirement of 25 feet to any adjacent arterial street. The submitted concept plan shows this 25-foot landscape buffer to W. Ustick compliant with the required dimensional standards.

The R-15 zoning district has a maximum height limit of 40 feet. The submitted conceptual elevations do not depict measurements but all buildings are proposed as two-story in height so Staff is not concerned with the Applicant meeting this standard. With a future CUP application, Staff will confirm conformance with the required dimensional standards of the R-15 zone and the multi-family residential project specific use standards (11-4-3-27).

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

The Applicant has submitted conceptual elevations of the future multi-family 6-plex buildings but not of the noted 8-plex buildings. Multi-family residential projects require Administrative Design Review (DES) approval with future applications so Staff will perform a thorough analysis at that time. The Applicant has the option to submit concurrently for design review with their future CUP application.

Initial review of the conceptual elevations depicts a 6-plex building with varying roof profiles and materials including stone, fiber-cement lap siding, and board & batten in different layouts. The elevations also depict the tallest portion of the buildings to face in towards the site which appears to minimize the building massing facing adjacent properties.

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

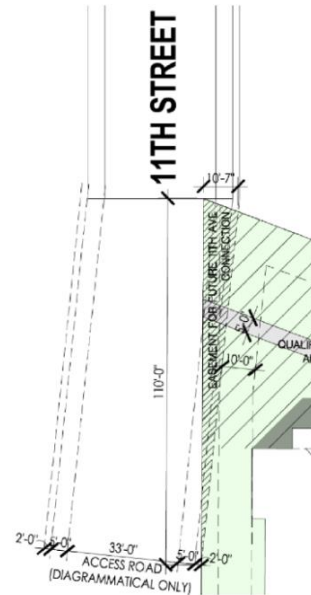
Access is proposed to W. Ustick Road (arterial) via construction of a new local street connection at the very southeast corner of the site in alignment with N. Blairmore Way on the south side of W. Ustick Road. The submitted plans show this new road to extend from Ustick and then terminate at the north property boundary to be a total of approximately 100 feet in length. Access to the multi-family residential buildings is proposed off of this new local street segment in the form of a driveway connection on its west side. All parking and access to the proposed units are off of this drive aisle that loops through the site.

There is an existing home at the northeast corner of the subject property that currently takes access to Ustick Road via a private lane easement, N. Cooper Lane. According to the Applicant, the existing location of this private lane and curb cut are not in the correct position per the recorded easement. In fact, the Applicant has stated the easement is located further east and in alignment with the proposed local street extension. Therefore, the Applicant does not have to relocate the easement so long as access is still being provided as proposed. In addition, the Applicant is proposing to construct a new segment of private driveway for this homeowner to have access to the new local street. ACHD has offered their support of the proposed access and driveway connections for the project.

Local street access is not currently available to serve this site. Further, the applicant should provide cross access to the eastern parcel to allow access to the planned commercial uses and reciprocate access as was required with the adjacent eastern property. The executed cross access agreement should be submitted with the future CZC application.

As noted above, there is a small area of existing right-of-way for NW 11th Avenue abutting the subject site at the very northwest corner. It is anticipated this public road would be extended wholly on the property to the west except for the sliver of right-of-way aforementioned (see

exhibit to the right). The property to the west has an additional public street stub to their west boundary from Tetherow Crossing Subdivision currently under development. Therefore, the property to the west would be responsible for two public street extensions within the MDR designation. Code calls for cross-access between parcels but because of the proposed development and site constraints, Staff does not find it necessary to require a stub to the west boundary for future connectivity. Further, Staff finds if a connection were to be required, it would promote cross-access through parking drive aisles meant to serve the future residents of this site; this would create more of a thoroughfare for residential traffic through this drive aisle that is intended for parking and access to the multi-family units. Commission and Council should determine if cross-access to the west is needed for this property in spite of these factors.



In general, Staff supports the proposed transportation element of the subject project and site.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6B](#) for residential uses based on the number of bedrooms per unit and should include guest spaces based on the ratio of one (1) space for every 10 dwelling units. Because this application does not directly analyze unit count, Staff will confirm compliance with these standards with the future CUP submittal for the proposed use. In anticipation of this review, the Applicant did provide conceptual bedroom and parking counts on the conceptual site plan. According to these numbers, a minimum of 105 parking spaces (at least 52 covered spaces) would be required for the conceptual 52 units and includes the required five (5) guest spaces. The conceptual site plan shows a total of 115 parking spaces, of which 52 are proposed to be covered.

Initial review of the concept plan does not give Staff concern over the amount of parking due to the anticipated number of spaces being above the requirement and Staff sees a few areas on the site plan to include a few additional spaces.

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

A 5-foot wide detached sidewalk is existing along W. Ustick Road. The Applicant is also proposing attached sidewalks and other micro-paths throughout the entire site. The proposed sidewalks and micro-paths will be analyzed against UDC dimensional requirements with the future CUP application.

In addition to the proposed sidewalks and micro-paths shown on the concept plan, Staff is recommending an additional pathway along the north boundary to help activate the approved open space from the Woodburn Subdivision that is the area of the piped Lemp Canal directly behind six (6) existing homes. Staff believes a gravel pathway suitable for at least walking should meander through this area of the site, behind a few of the proposed buildings, so this open space area is not walled off any more than it has been by the Woodburn Subdivision. Despite this area not being a part of this project or property, this Applicant could work with the Woodburn Subdivision to better utilize and access this space for a public benefit. Staff is not recommending the Lemp Canal area be further improved but is recommending better access is provided from within this project to this area so it could be utilized by both project areas. Staff is recommending a DA provision in line with this discussion.

J. Waterways (UDC 11-3A-6):

The Lemp Canal abuts the subject site along the north property boundary and is already piped. As noted, this area is owned and maintained by the adjacent Woodburn Subdivision HOA but does not appear to be fenced off from this subject site. Should this Applicant decide to fence this area off, Staff will analyze any proposed fencing to ensure compliance with UDC standards for fencing adjacent to irrigation common lots.

K. Pressurized Irrigation ([UDC 11-3A-15](#)):

The Applicant is required to provide a pressurized irrigation system for the development in accord with 11-3A-15. No irrigation plans have been submitted for this use at this time but Staff anticipates this will be handled with future development applications, most likely with the future Certificate of Zoning Compliance that is required prior to building permit submittal. Land Development will review these plans in more detail at a later date when specific irrigation plans are submitted.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement 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 Description and Exhibit Map

ANNEXATION

EXHIBIT A

LEGAL DESCRIPTION

Being a portion of the SW1/4 of the SE1/4 of the SW1/4 of Section 36, T 4N, R 1W, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

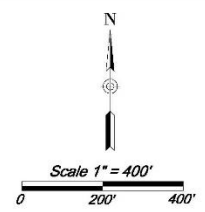
Commencing at the southwest corner of said Section 36 which bears N88°42'44"W a distance of 2,662.13 feet from the south quarter corner of said Section 36; thence on the south line of said Section 36 S88°42'44"E a distance of 1,331.05 feet to the west sixteenth corner of said Section 36 also being the Point of Beginning; thence continuing on said South line of Section 36 S88°42'44"E a distance of 665.55 feet; thence N00°23'45"E a distance of 141.63 feet; thence N67°09'18"W a distance of 129.84 feet; thence N71°02'01"W a distance of 75.67 feet; thence N66°36'48"W a distance of 55.79 feet; thence N51°23'44"W a distance of 66.02 feet; thence N47°26'23"W a distance of 78.17 feet; thence N38°28'47"W a distance of 31.20 feet; thence N72°42'37"W a distance of 123.96 feet; thence N71°13'56"W a distance of 117.61 feet; thence N69°15'27"W a distance of 67.37 feet to a point on said sixteenth line of Section 36; thence on said sixteenth line of Section 36 S00°20'32"W a distance of 440.85 feet to the Point of Beginning.

Containing 4.54 Acres more or less

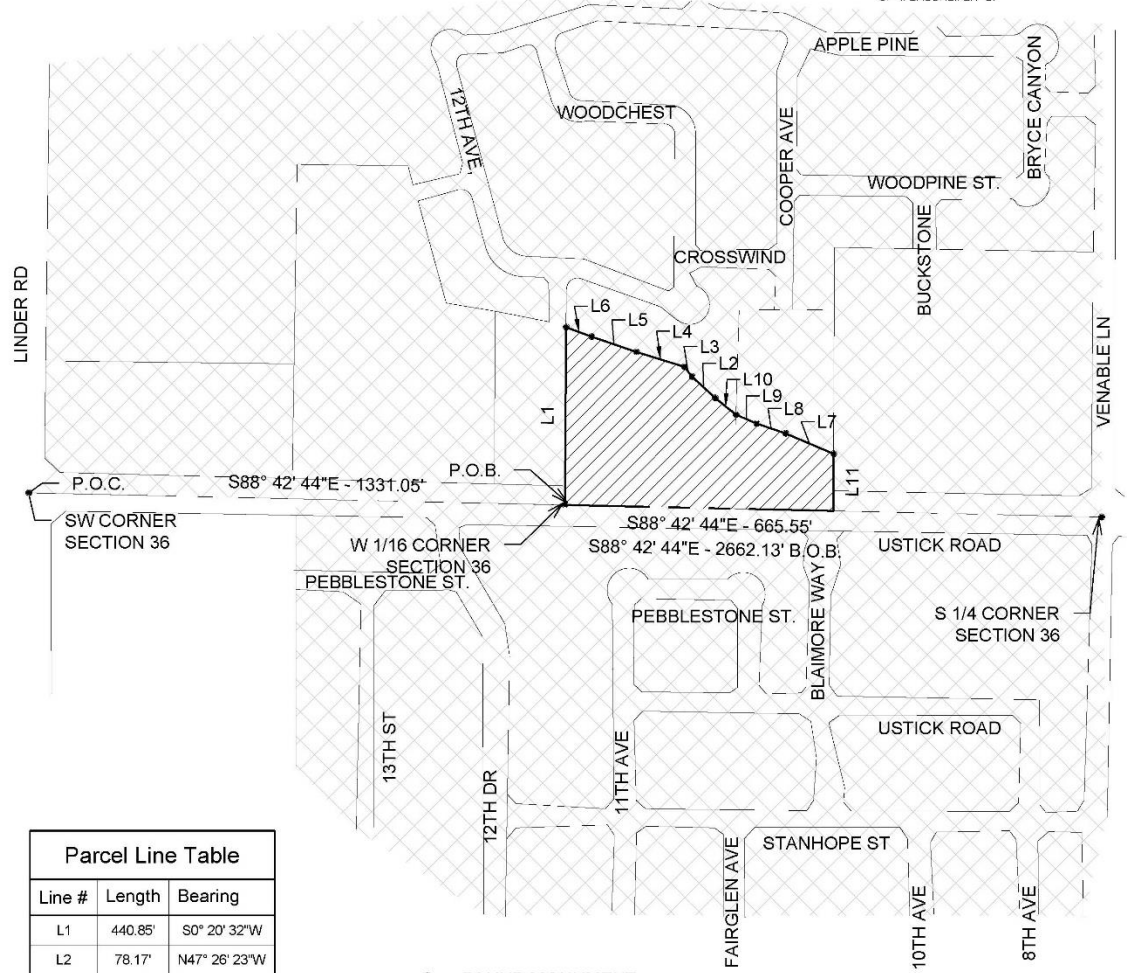


ANNEXATION EXHIBIT B

PORTION OF SW 1/4 OF THE SE 1/4 OF THE SW 1/4 OF SECTION 36, T.1N., R.1W., BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO.



BEARINGS AND DISTANCES MAY VARY FROM PREVIOUS PLATS DUE TO DIFFERENT METHODS OF MEASUREMENTS.



Parcel Line Table		
Line #	Length	Bearing
L1	440.85'	S0° 20' 32"W
L2	78.17'	N47° 26' 23"W
L3	31.20'	N38° 28' 47"W
L4	123.96'	N72° 42' 37"W
L5	117.61'	N71° 13' 56"W
L6	67.37'	N69° 15' 27"W
L7	129.84'	N67° 09' 18"W
L8	75.67'	N71° 02' 01"W
L9	55.79'	N66° 36' 48"W
L10	66.02'	N51° 23' 44"W
L11	141.63'	N0° 23' 45"E

- FOUND MONUMENT
- B.O.B. BASIS OF BEARING
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- ▣ CITY OF MERIDIAN
- ▨ AREA TO BE ANNEXED

JOB No: R21189

ACKERMAN ESTVOLD
 7661 West Riverside Drive, Ste. 102 · Garden City, ID 83714
 208.853.6470 · www.ackerman-estvold.com
 Minot, ND | Fargo, ND | Williston, ND | Boise, ID

D. Preliminary Open Space Exhibit



HS HUTCHISON SMITH ARCHITECTS
 270 N.W. 37th St., Suite 200, Ft. Lauderdale, FL 33309 (954) 333-1111 FAX: (954) 333-1113 www.hsaarchitects.com

W USTICK RD

N COPPER LN

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) at the time of annexation ordinance adoption.

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 generally consistent with the approved concept plans and conceptual elevations included in Section VII and the provisions contained herein.
- b. Before the multi-family units are placed in service, Owner and/or Developer shall record a low-income housing tax credit regulatory agreement with the Ada County Recorder's Office to restrict the rental rates on the units for a minimum of thirty (30) years to ensure the units are affordable to individuals and families earning no more than sixty percent (60%) of the area median income. City shall be deemed to be a third-party beneficiary of said regulatory agreement.
- c. With the first phase of development, any existing structures on the property shall be removed and all existing driveway curb-cuts to Ustick Road shall be closed.
- d. Future structures proposed along the Ustick Road frontage shall provide modulation in building placement as well as architectural elements.
- e. With the future Conditional Use Permit application, the submitted site plan shall depict the location of cross-access along the east property boundary to ensure cross-access with Parcel S0436347150.
- f. The Applicant shall record a cross-access agreement to the property to the east (Parcel S0436347150) for easier access to and from the future commercial uses along W. Ustick Road; the recorded agreement shall be submitted with the future Certificate of Zoning Compliance application.
- g. The Applicant shall deed the required right-of-way for N. Cooper Avenue to ACHD prior to submitting for Certificate of Zoning Compliance approval.
- h. Prior to submitting for Certificate of Zoning Compliance approval, the Applicant shall deed the required future right-of-way to ACHD for the extension of NW 11th Avenue in the northwest corner of the property.
- i. With the future Conditional Use Permit application, an additional 5-foot wide pathway shall be depicted along the north boundary of the site with connections to the internal sidewalks. Said pathway shall be made of materials that can easily accommodate safe pedestrian activities (i.e. asphalt, gravel, etc.).
- j. Prior to commencement of the multi-family use on the property, the applicant shall obtain approval of a conditional use permit and meet the specific use standards set forth in UDC 11-4-3-27.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 There are no changes to Public Works infrastructure shown with this application. A utility plan must be submitted and reviewed by Public Works Engineering.
- 1.2 There is an existing water stub off West Ustick Road that must be utilized or abandoned, per City Design Standards.
- 1.3 No permanent structures can be built within a City utility easement including but not limited to trees, shrubs, buildings, carports, trash enclosures, fences, infiltration trenches, light poles, etc.
- 1.4 No sewer services shall cross infiltration trenches.
- 1.5 A geotechnical report will be required to be submitted with the first building permit application; any recommendations therein should be followed.

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-foot wide for a single utility, or 30-foot wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
- 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 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 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
- 2.10 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.
- 2.11 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.
- 2.12 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.13 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.14 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.
- 2.15 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.
- 2.16 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.
- 2.17 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.
- 2.18 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.
- 2.19 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. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248514&dbid=0&repo=MeridianCity>

D. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248414&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=248753&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 annex the property into the City of Meridian with the R-15 zoning district with the proposed affordable multi-family residential use 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 requested 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, especially if all conditions of approval are 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, if the applicant enters into a development agreement with the City and agrees to develop the property as an affordable housing project as proposed.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.

A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.

B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: January 6, 2022

Topic: **Public Hearing** for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.

A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.

B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.

Information Resources:

[Click Here for Application Materials](#)

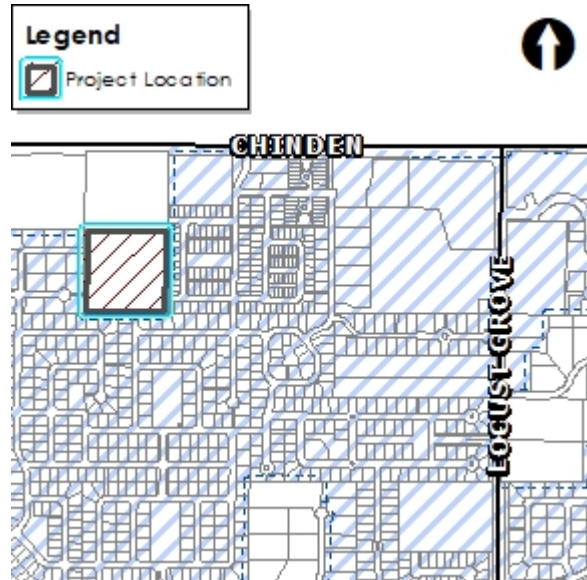
[Click Here to Sign Up to Testify at the Planning and Zoning Commission Public Hearing](#)

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 1/6/2022
TO: Planning & Zoning Commission
FROM: Alan Tiefenbach
208-884-5533
SUBJECT: AZ, PP - H-2021-0083
Friendship Subdivision
LOCATION: 6168 N. Elk Ranch Ln, located near the southeast corner of N. Meridian Rd and E. Chinden Blvd.



I. PROJECT DESCRIPTION

Annexation of 10.06 acres of land with the R-8 zoning district and preliminary plat to allow 41 building lots and 7 common lots.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	10.06
Future Land Use Designation	Medium Density Residential 8-12 du/acre
Existing Land Use(s)	1 single family residence
Proposed Land Use(s)	Single Family Residential
Lots (# and type; bldg./common)	41 building lots, 7 open space lots
Phasing Plan (# of phases)	1 phase
Number of Residential Units (type of units)	41
Density (gross & net)	4.1 du / ac gross
Open Space (acres, total [%]/buffer/qualified)	1.09 ac qualified open space (10.8%)
Amenities	One amenity is required, applicant is proposing tot lot, picnic table and benches.
Physical Features (waterways, hazards, flood plain, hillside)	A Settlers Irrigation canal bisects the property at a 45-degree angle; this is being relocated and piped.
Neighborhood meeting date; # of attendees:	August 6, 2021 – 5 attendees

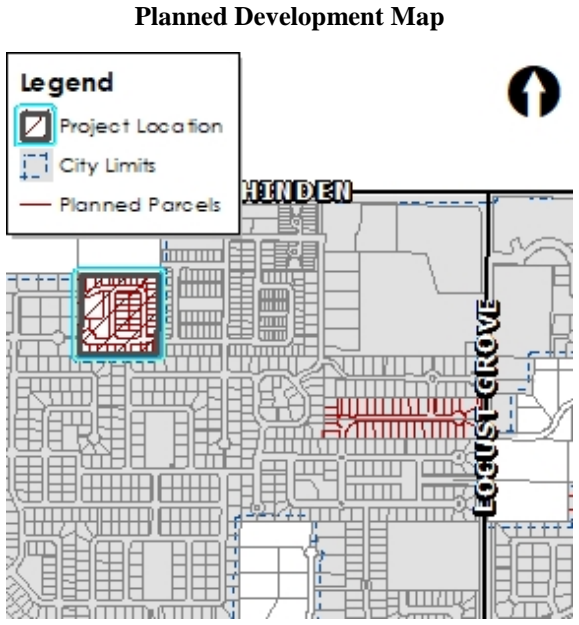
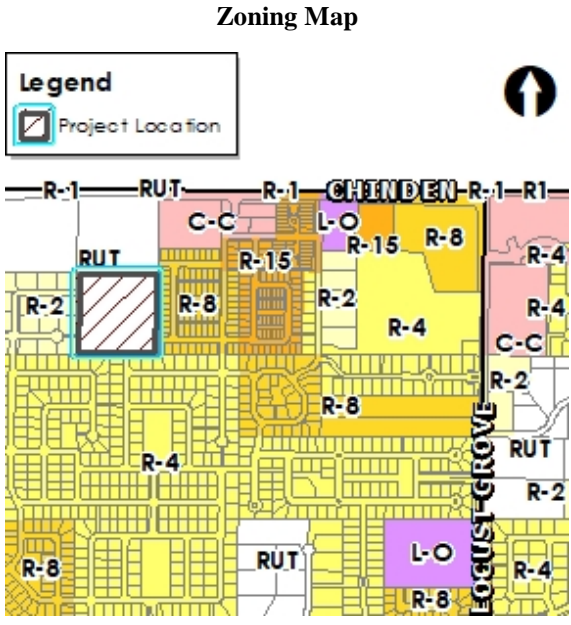
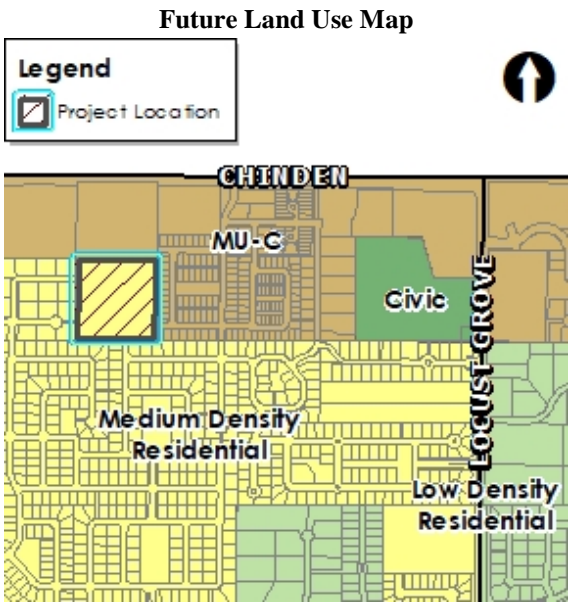
Description	Details
History (previous approvals)	This property was proposed for annexation, zoning to R-8 and plat for 48 lots as the Bull Ranch Subdivision in 2015 (AZ 15-013, PP 15-017). This was subsequently denied by the Council with density being cited as a primary concern.

B. Community Metrics

Description	Details
Ada County Highway District	Report Pending, preliminary comments submitted
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) Stub Street/Interconnectivity/Cross Access	N. Elk Ranch Rd is a private road which provides access from W. Chinden Rd to the subject property. Subdivision will stub to three local streets – E. Lockhart St. to the west, E. Tallinn St to the east, and N. Senita Hills to the south. A fourth stub is provided to the church property at the north.
Existing Road Network	E. Lockhard St., N. Senita Hills Ave. and E. Tallinn St. N. Elk Ln to E. Chinden is a private road.
Existing Arterial Sidewalks / Buffers	This is an internal subdivision surrounded by local roads so no buffers are required. There are 5 ft. wide sidewalks shown along all internal streets.
Proposed Road Improvements	Applicant will be required to construct all local streets to ACHD templates with 33 ft. travel lanes and 47 ft. right of way.
Fire Service	
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Resource Reliability Risk Identification Accessibility Special/resource needs Water Supply Other Resources 	<ul style="list-style-type: none"> 1.8 miles to Fire Station 5 < 5 minutes > 80% 2, resources are adequate Yes Aerial device will be required 1,000 gpm required None
Police Service	
<ul style="list-style-type: none"> No comments 	
Wastewater	
<ul style="list-style-type: none"> Comments 	<ul style="list-style-type: none"> Flow is committed No sewer services may cross infiltration trenches Must provide to-and-through to the property to the north. Sewer to the north must end in a manhole and preferably be in the Right of Way. If it is not in the Right of Way it must have a 14 foot wide access road that is built per City standards. Sewer mains must at a minimum have 3 foot of cover above the pipe. This is not met with Manhole number 11 and Manhole number 12.
Water	
<ul style="list-style-type: none"> Distance to Water Services 	Directly Adjacent

Description	Details
<ul style="list-style-type: none"> • Pressure Zone 	2
<ul style="list-style-type: none"> • Water Quality 	No concerns
<ul style="list-style-type: none"> • Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> • Comments 	<ul style="list-style-type: none"> • No comments

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant Representative:

Kaili Worth, Centurion / B&A Engineers –5505 W. Franklin Rd, Boise, ID, 83705

B. Owner:

Thomas Buck Trust – 6168 N. Elk Ranch Ln, Meridian, ID 83646

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	12/21/2021	
Radius notification mailed to properties within 300 feet	12/15/2021	
Nextdoor posting	12/16/2021	
Sign Posting	12/20/2021	

V. STAFF ANALYSIS

A. Annexation:

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. To ensure the site develops as proposed by the applicant, staff is recommending a development agreement as part of the annexation approval.

B. Zoning

The applicant proposes to annex this property with the R-8 zoning district. As mentioned in the dimensional standards below, the plat meets all requirements of the R-8 zoning district and the lot sizes as proposed are consistent with the density designations of the future land use map, but staff does have concerns with the transition to the south and the alignment of lots to the east and is further explained in the Comprehensive Plan Policy section below.

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

This property is designated Medium Density Residential on the City’s Future Land Use Map (FLUM) contained in the Comprehensive Plan. 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 annexation area is near existing public services and is surrounded on three sides by the City limits. The proposed land use of single-family residential is consistent with the recommended uses in the FLUM designation. The proposed project has a gross density of 4.1 du/ac, being on the low end of the allowed density range listed above. Therefore, Staff finds the proposed preliminary plat and requested R-8 zoning district to be generally consistent with the Future Land Use Map designation of Medium Density Residential.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section IX.A. 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 annexation for approval by City Council and subsequent recordation.

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

- 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 traditional single-family detached homes will contribute to the variety of residential categories in the City; however, there is no variety in housing types proposed within the development. The Birkdale Estates Subdivision is to the west (R-2), the Hightower Subdivision is to the east (R-8) and the Saguaro Canyon Subdivision (R-4) is to south, with an existing church on RUT zoned property in the County directly north. Given the property is completely surrounded by single-family detached, single family detached with comparable lot sizes is appropriate for the subject property. Staff does have concerns regarding whether there is an appropriate transition in lots sizes to the properties in the Saguaro Canyon Subdivision to the south as is discussed below.

- 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)

The proposed plat depicts 5 ft. wide attached sidewalks on both sides of roads internal to the subdivision. The pathways master plan does not indicate any pathways crossing the site. There are several micro-pathways providing access to the qualified open space as well as connecting to an existing micro pathway at the Birkdale Estates Subdivision to the west.

Qualified open space and amenities are discussed below.

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

As mentioned above, 5-ft. wide attached sidewalks are provided along all internal roadways and a pathway connection is provided to the existing pathway at the Birkdale Estates Subdivision at the west.

“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)

The development can be adequately served by critical public facilities and urban services. Water and sewer will be provided from N. Senita Hills Ave., and the applicant will be required to extend services to the north.

- Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction. (2.02.02F)

*As mentioned, the Birkdale Estates Subdivision is to the west (R-2), the Hightower Subdivision is to the east (R-8) and the Saguaro Canyon Subdivision (R-4) is to south, with an existing church zoned RUT to the north. The lots at the southern perimeter of the property are proposed at sizes between 5,000 – 7,000 sq. ft. and widths of between 50-70 ft. This is denser than the adjacent lots of approximately 10,000 sq. ft. and 90’ feet in width in the Saguaro Canyon Subdivision to the south, and this would result in several of the existing properties abutting more than one lot (and one residence) along the rear property lines. **Staff recommends one of the lots shown as Lots 1-***

4 of Block 2 be eliminated and the remaining 3 lots be sized and oriented to be consistent with Lots 1-3, Block 35 of the Saguario Canyon Subdivision No 3 to the south.

The 5,200 sq. ft. +/- lots along the eastern perimeter are very comparable in size to the lots in the Hightower Subdivision to the east, although staff believes the side lot lines could align better with the adjacent properties for more cohesive fence lines and easier differentiation of property ownership. As a condition of approval, staff recommends Lots 1-10, Block 1 along the eastern perimeter be configured so their property lines align with Lots 4-11, Block 10 in the Hightower Subdivision to the east.

This development proposes architecture consisting of one and two-story homes with pitched roofs, stone bases fishscale accents and / or lap siding with gabled roofs and dormers, which is consistent with the architecture in surrounding subdivisions.

E. Existing Structures/Site Improvements:

There is one existing single-family residence which will be retained on Lot 9 of Block 3. As a condition of annexation, this house should be required to connect to City water and sewer service and obtain a new address since the access to N. Elk Ranch Ln. will be terminated.

F. Proposed Use Analysis:

Single-family detached dwellings are listed as a principally permitted use in the R-8 zoning districts in UDC Table 11-2A-2.

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

The preliminary plat and future development is required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 district. All proposed lots and public streets appear to meet UDC dimensional standards per the submitted preliminary plat. This includes minimum lot size of 4,000 sq. ft., and required street frontages of at least 40 ft. Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3. However, it should be noted that this property was proposed for annexation, zoning to R-8 and plat for 48 lots as the Bull Ranch Subdivision in 2015 (AZ 15-013, PP 15-017). It was subsequently denied by the Council with density being cited as a primary concern and that R-4 or R-2 was preferable to more R-8 zoned property.

UDC 11-6C-3- regulates block lengths for residential subdivisions. Staff has reviewed the submitted plat for conformance with these regulations. The intent of this section of code is to ensure block lengths do not exceed 750 ft, although there is the allowance of an increase in block length to 1,000 feet if a pedestrian connection is provided. No block length exceeds 750 ft.

There are no common driveways proposed with this subdivision.

H. Access (*UDC 11-3A-3*):

This subdivision proposes to connect to three existing local streets which already stub at the property – E. Lockhard St. to the west, E. Tallin St. to the east, and N. Sanita St. to the south. The plat also provides a stub street to the church property at the north in case some or all of this property redevelops in the future. The street sections provided with the plat reflect templates of 33 ft. of travel lane (curb to curb), curb, gutter, 5 ft. wide sidewalks, and a 47 ft. right-of-way.

N. Elk Ranch Ln., a private road, provides access from the subject property to E. Chinden Blvd. UDC 11-H-4 states when a property has an existing access from a State Highway and an applicant proposes a change or increase in intensity of use, the owner shall develop or otherwise

acquire access to a street other than the state highway. The use of the existing approach shall cease and the approach shall be abandoned and removed. **As a condition of approval, staff recommends the applicant vacate all interest in the N. Elk Ranch Ln. private street, as the property already has three existing access points from local roads.**

ACHD has noted a traffic study is not required with this subdivision and has not offered any other comments.

I. 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 detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards.

J. Pathways (*UDC 11-3A-8*):

The pathways master plan does not indicate any pathway connections across or along the property. The landscape plan reflects micro-pathways comprised of concrete within Common Lots 1 and 17, Block 1, Lot 8, Block 3 and Lot 1 Block 4. There is also a pathway connection to an existing micro-pathway in the Birkdale Estates Subdivision to the west.

All internal streets contain 5 ft. wide attached sidewalks which is consistent with the three local streets stubbing to the property.

K. Sidewalks (*UDC 11-3A-17*):

Five-foot attached sidewalks are proposed along internal streets in accord with the standards listed in UDC 11-3A-17.

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

UDC 11-2A-6 does not require landscape buffers along local streets, which are all the streets bordering and within the subject property. An open space exhibit was submitted as will be discussed below.

The landscape plan indicates there are existing trees that are to be removed or relocated, but does not indicate whether they meet the preservation requirements of UDC 11-3B-10 or whether mitigation is required. Staff recommends that prior to City Council, the applicant contact the City Arborist and update the landscape plan accordingly.

M. Qualified Open Space (*UDC 11-3G*):

This application was submitted prior to the increased qualified open space requirements of UDC 11-3G-3 and therefore this development is required to provide 10% of qualified open space. An open space exhibit was submitted which reflects 14% of qualified open space is provided. This includes a 40,761 sq. ft. landscaped park with playground and pathway at the western side of the property (Lot 8, Block 3), 18,000 square foot (55' x 350' +/-) greenspace with pathway through the middle of the site (Lots 1, Block 1 and 4), and 6,400 sq. ft. pathway common lots south of E Lockhart St and at the northwest corner of the property (Lot 8, Block 4 and Lot 10, Block 5).

N. Qualified Site Amenities (*UDC 11-3G*):

Based on the area of the proposed plat (10 acres), under the previous regulations one amenity is required. The proposed landscape plan depicts a playground, benches, tables and additional walking paths. Prior to City Council, the applicant shall revise the landscape plan to indicate specific details of the amenities.

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

The plat shows the North Slough is bisecting the property at a 45-degree angle north to south being relocated and piped in accordance with UDC 11-3A-6. According to an exhibit provided by the applicant (please refer to Section VI.) this ditch is being reconfigured toward the northwest corner of the property. **This reconfiguration effort should be coordinated with the irrigation district.** Also, per UDC 11-3A-6 requires irrigation easements wider than ten (10) feet to be included in a common lot that is a minimum of twenty (20) feet wide and outside of a fenced area.

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

The applicant has not provided any details in regard to fencing. Any fencing shall meet the requirements of 11-3A-6 and 11-3A-7.

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

Public services are available to accommodate the proposed development. Water and sewer will be obtained from N. Senita Hills Ave. at the south and developer will be required to extend services to the north.

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

The Applicant has submitted elevations of the single-family homes for this project (see Section VI.F below).

The single-family homes are depicted as one and two-story structures with attached garages, and a variety of architectural elements and finish materials including gabled roofs, fishscale accents, covered porches, dormers, stone wainscoting, and lap siding. The submitted sample elevations appear to meet design requirements for single-family homes and are consistent with the architecture of existing surrounding residences.

VI. DECISION

A. Staff:

As the plat meets all requirements of the UDC and is consistent with the density designation of the Comprehensive Plan, Staff recommends approval of the requested annexation, zoning and preliminary plat with the conditions noted in Section IV. per the Findings in Section VIII.

VII. EXHIBITS

A. Annexation and Rezoning Exhibit (date: 9/30/2021)



B & A Engineers, Inc.
Consulting Engineers & Land Surveyors
5505 West Franklin Rd. Boise, ID 83705
Telephone 208.343.3381 Facsimile 208.342.5792
Established in 1921

**Friendship Subdivision
Boundary Description**

30 September 2021

Lot 2 of Block 1 of Blythe Estates Subdivision, as shown on the official plat thereof on file in the office of the Ada County, Idaho, Recorder, being the southeast quarter of the northeast quarter of the northwest quarter of Section 30, Township 4 North, Range 1 East, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at the northwest corner of said Section 30; thence N89°45'12"E, 2,420.71 feet along the northerly boundary of said Section 30 to the north quarter corner of said Section 30; thence S00°06'46"W, 664.69 feet along the easterly boundary of northwest quarter of said Section 30 to the northeast corner of said Lot 2, which is the **Point of Beginning**;

Thence continuing S00°06'46"W, 664.69 feet along the easterly boundary of said Lot 2 to the southeast corner of said Lot 2;

Thence S89°43'32"W, 658.96 feet along the southerly boundary of said Lot 2 to the southwest corner of said Lot 2;

Thence N00°05'51"E, 664.85 feet along the westerly boundary of said Lot 2 to the northwest corner of said Lot 2;

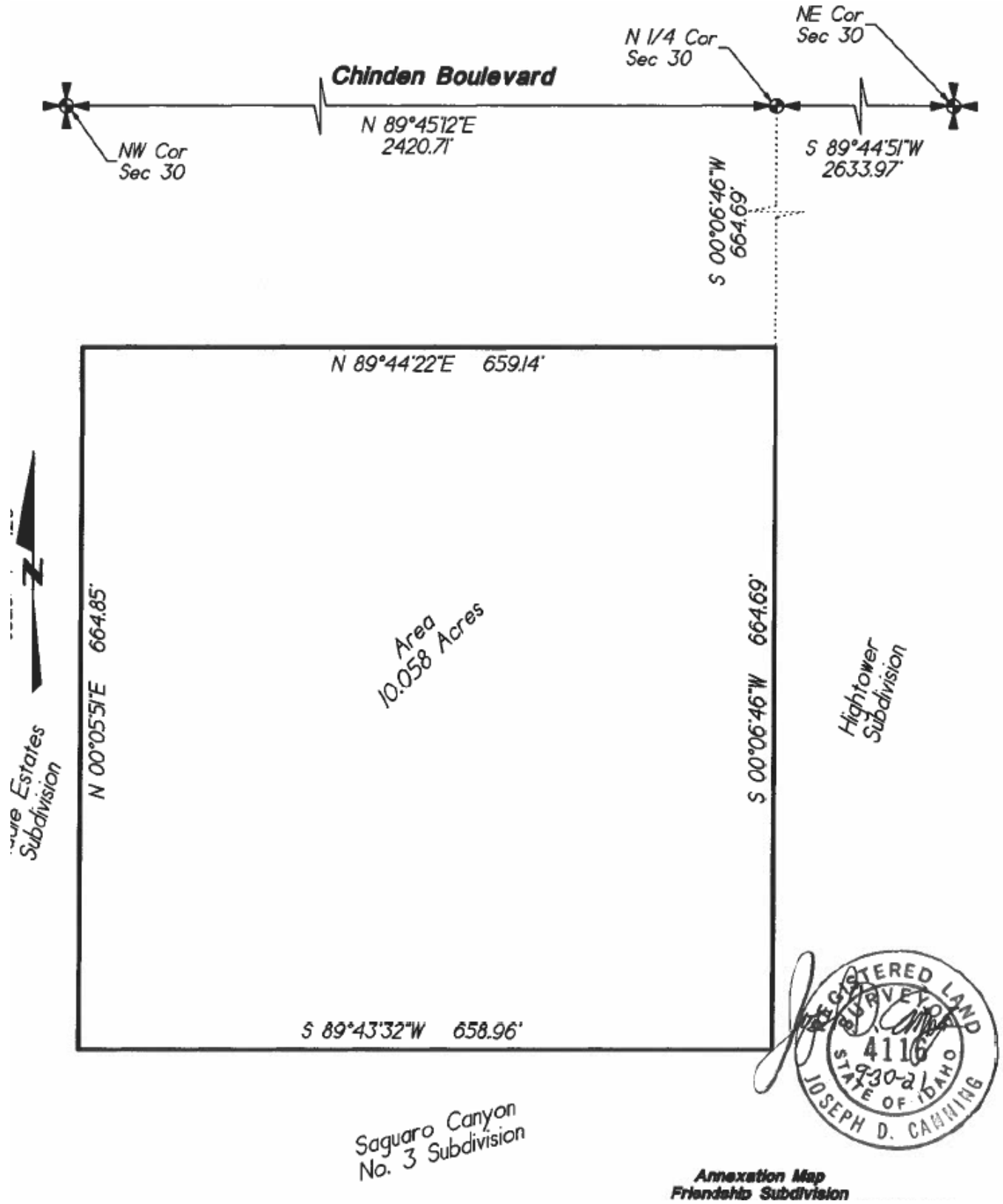
Thence N89°44'22"E, 659.14 feet along the northerly boundary of said Lot 2 to the **Point of Beginning**.

Comprising 10.058 Acres, more or less.

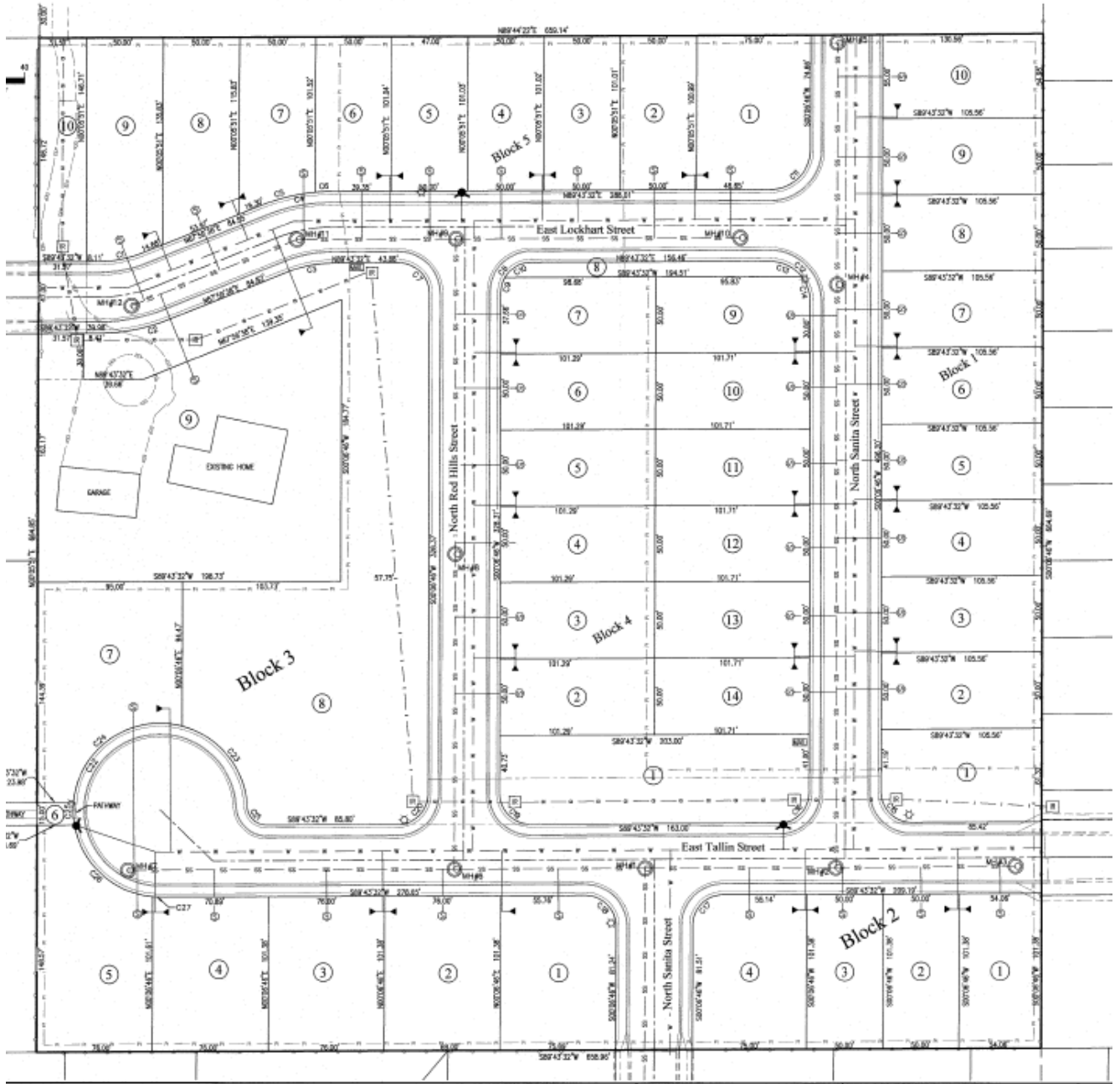
Subject to all existing easements and rights-of-way of record or apparent.



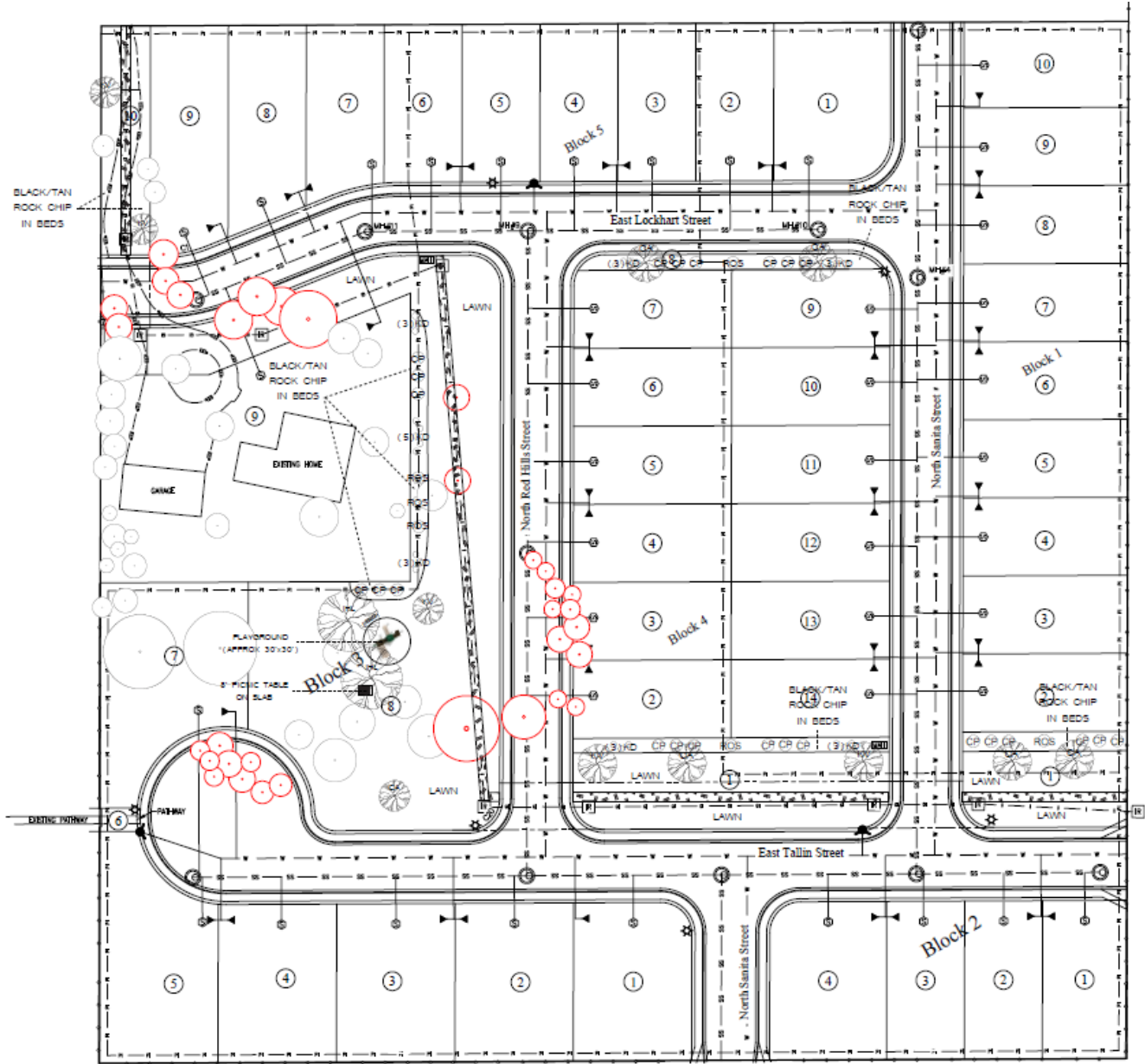
Proud to be Serving



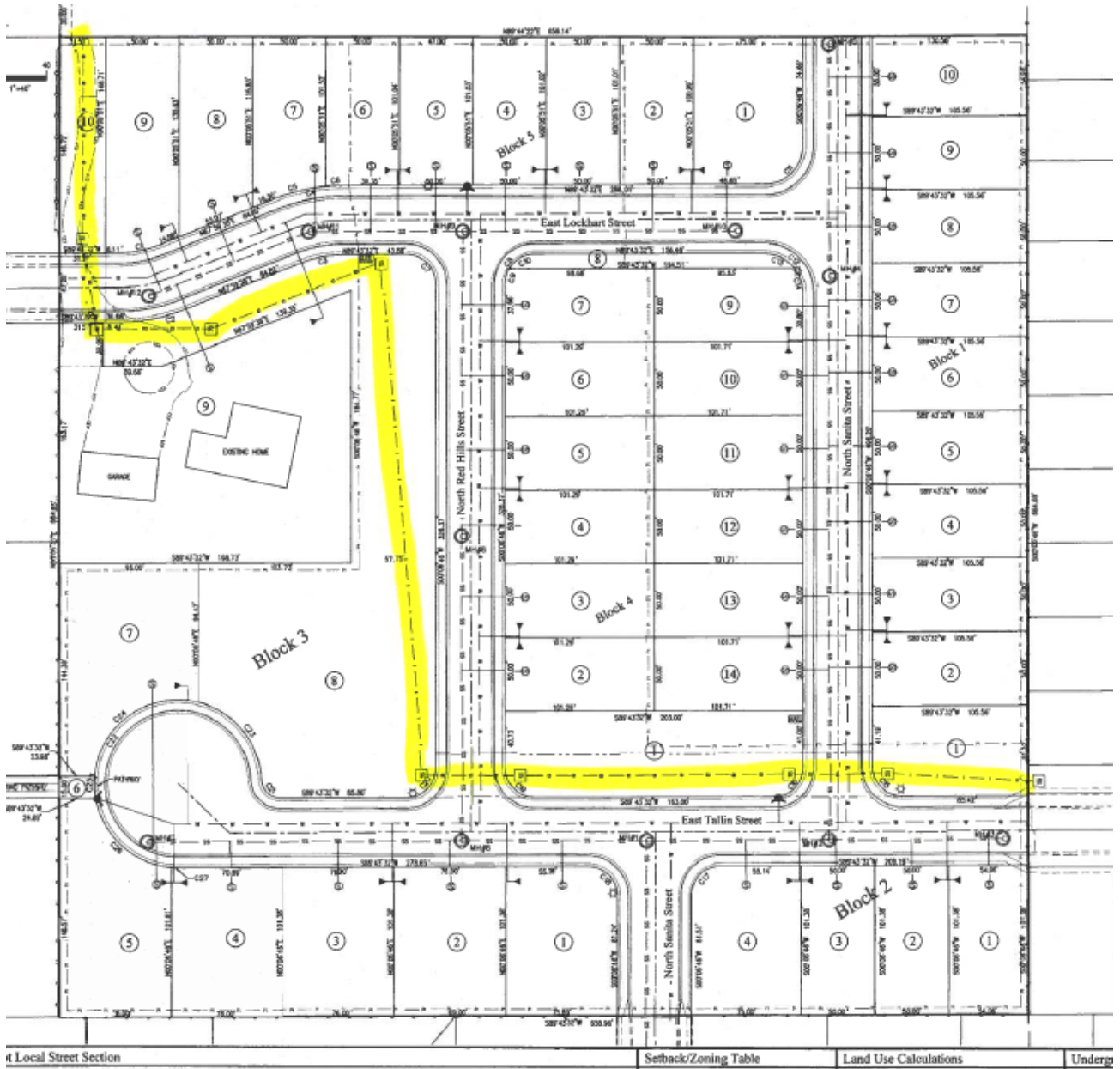
B. Preliminary Plat (date: 12/17/2021)



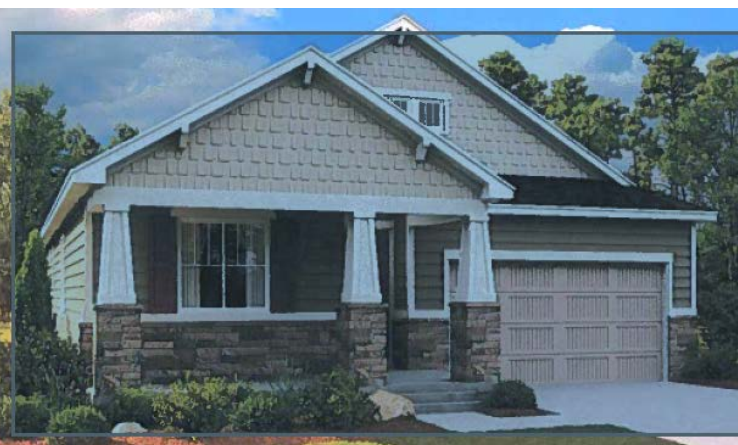
C. Landscape Plan (date: 12/27/2021)



D. Canal Relocation Plan (date: December 17, 2021)



H. Conceptual 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, 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. Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VII and the provisions contained herein.
 - b. Prior to City Engineer signature on a final plat, the existing home shall be connected to city utilities.
 - c. Prior to signature on the final plat, the existing home will be required to vacate the existing access to N. Chinden Blvd via N. Elk Ranch Ln. and take access through the proposed Friendship Subdivision via the proposed E. Lockhart St. in accord with UDC 11-3H-4.
2. The Preliminary Plat included in Section VII, dated 9/9/21, is approved with the following revisions:
 - a. The existing irrigation easement bisecting the property is to be relinquished and replaced with a new easement as depicted on the submitted plans, prior to signature on the final plat.
 - b. One of the lots shown as Lots 1-4 of Block 2 shall be eliminated and the remaining 3 lots be sized and oriented to be consistent with Lots 1-3, Block 35 of the Saguaro Canyon Subdivision No 3 to the south.
 - c. Lots 1-10, Block 1 along the eastern perimeter shall be configured so the property lines align with Lots 4-11, Block 10 in the Hightower Subdivision to the east.
 - d. The plat notes shall include that Common Lots 1 of Block 1, Lot 1 of Block 4, Lot 8 of Block 3 and Lot 10 of Block 5 are common lots that shall be owned and maintained by the subdivision homeowner's association in accord with UDC 11-3G-5-C
 3. Prior to City Council, the Landscape Plan dated September 24, 2021 included in Section VII, dated 9/9/21, shall be revised as follows:
 - a. All pathways shall be landscaped in accord with UDC 11-3B-12 OR applicant shall submit a concurrent alternative compliance application if the irrigation district will not allow the required trees to be planted within their easement.
 - b. To be consistent with the preliminary plat in that irrigation easements wider than ten (10) feet be included in a common lot that is a minimum of twenty (20) feet wide and outside of a fenced area.

- c. Details of the proposed amenities shall be included on the landscape plan.
 - d. The plan shall note all existing trees eligible for preservation and/or the City Arborist's recommendations for mitigation as required by UDC 11-3B-10
4. Direct lot access to Chinden Boulevard is prohibited.
 5. Prior to final plat, the existing Settlers Irrigation easement shall be vacated.
 6. 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, as applicable.
 7. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
 8. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.
 9. All ditches shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6.
 10. Pathway and adjoining fencings and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A7, 11-3A-8 and 11-3B-12C.
 11. Comply with all bulk, use, and development standards of the R-8 zoning district listed in UDC Table 11-2-A-6.
 12. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.
 13. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit.
 14. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.
 15. The Applicant shall comply with all conditions of ACHD.
 16. The address of the existing home on Lot 9, Block 3 will change with the development of the proposed subdivision. The new address will be determined at the time the final records and the City addresses the lots.

B. PUBLIC WORKS DEPARTMENT

SITE SPECIFIC CONDITIONS:

1. No sewer services may cross infiltration trenches
2. Must provide to-and-through to the property to the north.
3. Sewer to the north must end in a manhole and preferably be in the Right of Way. If it is not in the Right of Way it must have a 14-foot-wide access road that is built per City standards.
4. Sewer mains must at a minimum have 3 foot of cover above the pipe. This is not met with Manhole number 11 and Manhole number 12.

5. The geotechnical investigative report prepared by B&A Engineers, Inc. indicates some very specific construction considerations. The applicant shall be responsible for the adherence of these recommendations.

GENERAL CONDITIONS:

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. 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.
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.
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.
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.
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.
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.

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.
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.
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.
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.
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.
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.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
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.
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.
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.
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.
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.

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.
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. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=242560&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243210&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243227&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 annexation of the subject site with an R-8 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

Staff finds the lot sizes and layout proposed will be consistent with the purpose statement of the residential districts in that housing opportunities will be provided consistent with the Comprehensive Plan.

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

Commission finds that the proposed zoning map amendment should not be detrimental to the public health, safety, or welfare. Staff recommends the Commission consider any oral or written testimony that may be provided when determining this finding.

- 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 that the proposed zoning amendment will not result in any adverse impact upon the delivery of services by any political subdivision providing services to this site.

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

The proposed annexation meets the medium density designation of the Future Land Use Map and the applicable provisions of the Unified Development Code. Therefore, the application is in the best interest of the City if the property is developed in accord with the provisions in Section VII.

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 generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.

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 the proposed plat is in substantial conformance with scheduled public improvements 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)

There are no significant natural, scenic or historic features on the property.