



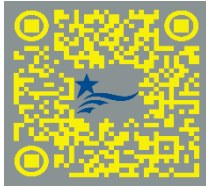
# PLANNING AND ZONING COMMISSION SPECIAL MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho  
Thursday, October 22, 2020 at 6:00 PM

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## Agenda

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



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

### VIRTUAL MEETING INSTRUCTIONS

Limited seating is available at City Hall Consider joining the meeting virtually:

<https://us02web.zoom.us/j/82458384268>

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

Webinar ID: 824 5838 4268

### ROLL-CALL ATTENDANCE

- Lisa Holland                       Steven Yearsley                       Andrew Seal
- Nick Grove                               Rhonda McCarvel                       Bill Cassinelli
- Ryan Fitzgerald, Chairperson

### ADOPTION OF AGENDA

#### CONSENT AGENDA [Action Item]

1. [Approve the Minutes of the October 15, 2020 Planning and Zoning Commission Meeting](#)

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

### ACTION ITEMS

2. **Public Hearing Continued from September 17, 2020 for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd.**
  - A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential).
  - B. Request: Preliminary Plat consisting of 26 single-family residential lots and 5 common lots on 4.71 acres of land in the proposed R-8 zoning district.
3. **Public Hearing Continued from September 17, 2020 for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.**
  - A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts.
  - B. Request: A Preliminary Plat consisting of 395 buildable lots [316 single-family residential (94 attached & 222 detached), 63 townhomes, 14 multi-family residential, 1 commercial and 1 school], 32 common lots and 6 other (shared driveway) lots on 123.26 acres of land in the R-8, R-15 and C-G zoning districts.
4. **Public Hearing Continued from September 17, 2020 for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.**
  - A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.
  - B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.
  - C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.

### ADJOURNMENT



## AGENDA ITEM

**ITEM TOPIC:** Approve the Minutes of the October 15, 2020 Planning and Zoning Commission Meeting

**Meridian Planning and Zoning Meeting**

**October 15, 2020.**

Meeting of the Meridian Planning and Zoning Commission of October 15, 2020, was called to order at 6:00 p.m. by Chairman Ryan Fitzgerald.

Members Present: Chairman Ryan Fitzgerald, Commissioner Andrew Seal, Commissioner Rhonda McCarvel, Commissioner Nick Grove and Commissioner Steven Yearsley.

Members Absent: Commissioner Lisa Holland and Commissioner Bill Cassinelli.

Others Present: Adrienne Weatherly, Andrea Pogue, Bill Parsons, Sonya Allen, Joe Dodson and Dean Willis.

**ROLL-CALL ATTENDANCE**

<input type="checkbox"/> Lisa Holland	<input checked="" type="checkbox"/> Rhonda McCarvel
<input checked="" type="checkbox"/> Andrew Seal	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Patricia Pitzer	<input type="checkbox"/> Bill Cassinelli
<input checked="" type="checkbox"/> Ryan Fitzgerald - Chairman	

Fitzgerald: So, at this time I would like to call to order the regularly scheduled meeting of the Meridian Planning and Zoning meeting for the date of October 15th and let's start with roll call. Thanks, Madam Clerk. First let me welcome our esteemed former colleague, the guy who actually taught me how to do this. Commissioner Yearsley, it's so nice to see you again. Sorry I'm not there in person to see your face in person, but we are still happy to have you back. Someone to call on if I can't call on Commissioner McCarvel to take my place and Commissioner Holland is on maternity leave again. Nice to have you here, sir.

Yearsley: Thank you very much.

**ADOPTION OF AGENDA**

Fitzgerald: First item on our agenda is the adoption of the agenda. We are going to do a little bit of an adjusting tonight. Item No. 8 on our agenda tonight is requesting continuance to November 19th and I would like to move that item up to number three, so we can hear about the community development discussion about our schools, but, then, handle that issue. So, if anyone's in the audience or on Zoom that wants to talk about the Skybreak Subdivision we can deal with that up front for a continuance. Is that -- anybody have any issue with that?

Seal: None here.



McCarvel: No.

Fitzgerald: So, with that can I get a motion to adopt the agenda as amended?

Seal: So moved.

Yearsley: Second.

Grove: Second.

Fitzgerald: I have a motion and a second to adopt the agenda as amended. All those in favor say aye. Any opposed?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

#### **1. Approve Minutes of the September 17, 2020 Planning and Zoning Commission Meeting**

Fitzgerald: Next item on the agenda is the Consent Agenda, which is the approval of minutes for the September 17th Planning and zoning Commission Meeting. Can I get a motion to accept the Consent Agenda?

Seal: So moved.

Grove: Second.

McCarvel: Second.

Fitzgerald: I have a motion and a second to accept the Consent Agenda. All those in favor say aye. Any opposed? Okay. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

### **DEPARTMENT REPORTS**

#### **2. Community Development: Discussion Regarding Building Permits Per School Attendance Area**

Fitzgerald: So, moving to the first item on our agenda is -- going to turn it over to Miranda and the staff as the community development discussion regarding building permits per school attendance area to -- it's going to help us be better informed about -- you know, I think Commissioner Grove and I know, Commissioner Seal, you guys have both talked

about this a lot and I think the staff's done a great job of bringing us more information about all the building permits that are going on in an area and how that's going to impact schools and so I'm going to turn it over to Miranda to talk through kind of this new tool we have and I think she's been warned that we may have her back for additional meetings as we get a pretty significant dump of information and, then, how that qualitative information will play into our discussions and contemplation. So, Miranda, do you want to take it from there, ma'am.

Carson: Okay. You should be able to see my window with the table on it.

Fitzgerald: Yes, ma'am. I can see it.

Carson: Okay. So, this is a school impact table. This is a new tool.

Fitzgerald: Sorry, Miranda. Can I get you to introduce yourself. Your name and --

Carson: Oh, yes. Sorry.

Fitzgerald: -- and who you represent. Thank you.

Carson: I'm Miranda Carson. I am a comprehensive plan associate planner in the Community Development Department. So, looking at long range planning for transportation and schools mostly. I'm fairly new to the city. I think I have been here three months. So, I was hired on for school and transportation planning.

Fitzgerald: Perfect. Thank you.

Carson: All right. So, one of the first charges I got after being hired on was to come up with a way to show how developments might be impacting schools. This tool is, again, a might be. This is what -- there are several assumptions that I will re-do as I show you the table about the assumptions that I had to make to come up with this data and to come out with the outputs of the different data that was collected. This tool is not meant to be a decisive tool, it is meant to be a reference tool for the Planning and Zoning Commission, as well as City Council to use just for a reference of how a development might impact the schools that are around it. So, I will just go ahead and jump right into it. So, this was an example table for Prescott Ridge development. Some of the data might look a little different than the original table, because this is just an example table, it's not intended to be the table for Prescott Ridge. So, Prescott Ridge is in the Pleasant View Elementary, Star Middle and Meridian High School boundary. So, this is looking at the schools that it is currently zoned to. The schools can be -- the school attendance areas are analyzed based on the current attendance areas when the report is created and those can change anytime between the school year and occasionally change during the school year. The distance will be based on the data that's provided in the West Ada School District agency letter. If that's not available, then, it will be provided from the neighborhood opening to the school and when I say the neighborhood opening I mean the geographical opening. So, where the neighborhood is shown to go out onto a main street. The school capacity

is provided by West Ada School District and these are the most recent capacities that were updated. The enrollment information is based on spring 2020 enrollment counts and, then, there is an adjustment made based on students that moved to Pleasant View Elementary. So, Pleasant View Elementary is a new school, they did not have students in spring of 2020, but with the help of the planning and development administrator I was able to move the students that now attend Pleasant View out of their old schools to come up with a number for Pleasant View and to reduce the numbers at those schools. We are using spring '20 counts because of COVID. So, when and if COVID ever subsides we will be looking at current counts. Until that happens with students out of school and students doing online school and virtual schoolhouse, we will be using the spring '20 counts. The estimated West Ada students generated by the development. This is looking at the number of residential units that a development will create, be it multiple family or single family. This student generation rate is the number of students that are generated per unit. So, the student generation rate for a single family house for the West Ada School District is .7 students per single family residential unit. That is based on census data and based on the school enrollment data. That number was created in conjunction with the West Ada School District and that is the number that they also use in their planning. The multi-family student generation rate, students per multi-family residential unit, so one apartment generates .1 students. There are significantly less students generated by apartment complexes, which is why that number is significantly lower. That is, then, calculated out by grade level. So, this -- the .7 students per single family residential unit is the number of students -- all West Ada students. So, then, that has to be generated out into elementary, middle, and high school students. So, we have to divide that number up based on the grades. So, we come up with an elementary student generation rate, a middle school student generation rate, and a high school student generation rate. Are there any questions on the student generation rate? I know that can be -- okay. So, the number of students generated by the development will be based on how many single family and multi-family units it has and, then, will be multiplied by the appropriate multiplier and it will be 105 students in Pleasant View, 52 -- 52 students in the Star Middle School boundary, and 70 students in the Meridian High School boundary. The next columns that you are going to see are based on building permits. So, this is the 2016 dwelling units that were approved in building permits. So, a building permit may have more than one dwelling unit if it's a multi-family unit. So, a single family unit is typically one building permit, but an apartment building may have 50 units and still only be issued one permit. So, this is the dwelling units that are in the permits. Does that make sense? Okay. So, these are the 2016 actual dwelling units. These are the 2017 actual dwelling units and you can see the change from the previous year. 2018 and the change from the previous year. So, we can see that the area is growing. The 2019 and the change from the previous year. And, then, the 2019 percent of citywide total. So, this shows you that in the Pleasant View Elementary School boundary, to simplify it, 15 percent of the city's residential growth is happening in the Pleasant View Elementary boundary. Thirty-nine percent of the city's residential growth is happening in the Meridian High School boundary, as a very simplified way of saying it. So, then, the 2020 dwelling units as of 8/18 -- as of when the report is created. And, then, I estimated out the '20 -- end of year 2020 dwelling units based on the monthly average. So, if we continue issuing building permits in the same monthly average that we have up to August 18th, then, by the end of the year we

will have issued 536 -- we will have issued permits for 536 dwelling units in the Pleasant View Elementary boundary and, then, using the same student generation rate for the building permits, the number of building -- the number of dwelling units based on building permits issued would be 173 students generated for the West Ada School District in the Pleasant View Elementary boundary, 90 students in the Star Middle, and 235 students in the Meridian High. So, this shows you that even if you stopped approving developments these students are still likely coming. These are the students that are coming based on the building permits that we are issuing. So, then, there is a column that shows you the estimated West Ada enrollment after the permits and the development. So, this is simply the addition of these students generated by development and the students generated by 2020 permits and the current enrollment. So, the estimated enrollment after permits and development compared to the capacity of the school shows the percent that the school would sit at. So, if these permits -- if this is the correct number of permits that are issued at the end of 2020 it will generate this many students and if this development is approved it will generate about this many students and with both of those counts it would put the school around 104 percent capacity. So, let me just check and make sure I hit all of our assumptions here. So, the growth data is analyzed only for the City of Meridian based solely on building permits. Preliminary plat data is not currently included and the West Ada School District does have areas outside of the city. So, anything outside of the city that's growing that also falls into this, for example, Star Middle School, is mostly comprised of other cities, not Meridian. So, other cities growth is not shown in this data. This is strictly growth of the City of Meridian and it's strictly growth based on building permits and not preliminary plat data. At some point in the future we hope to add preliminary plat data to this report and when that happens I can come back and explain that data as well. The dwelling permits -- or the dwelling units are based on -- on the units for the building permits, including any units with age restrictions. So, for the purpose of this report, with all the variables that it has in it, units with age restrictions were counted the same way that every other unit was counted and that is based on -- the student generation rate is based on census data, so it will already include age restrictions, because census data is based on the number of households, not the number of households that don't have age restrictions and I think that covers all the assumptions that were used to create this data. So, if you have any questions I'm happy to take those.

Fitzgerald: Miranda, one of the comments you made during our pre-meeting today was this doesn't include private schools; correct?

Carson: Correct. This is strictly West Ada students. So, the student generation rate was created looking at students per household per census data and, then, looking at what percentage of students about in the census records -- what percentage of students go to the West Ada School District. So, these are strictly West Ada School District numbers.

Fitzgerald: Perfect. Thank you, ma'am. Are there any questions for Miranda?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Miranda, thank you for this. This is going to be a useful tool. I look forward to reading more about it as -- as it continues to roll out. The only question I had -- and it's probably just a typing error, but is the middle school generate -- student generation on assumption two for multi-family, is that .023? Those are the only ones that look different than the rest.

Carson: Mr. Chair?

Fitzgerald: Go right ahead, ma'am.

Carson: Yes, that is a typographical error. I will correct that. Thank you.

Fitzgerald: Any additional questions for Miranda? I think if you -- oh, Commissioner Seal, go ahead.

Seal: Yeah. Mr. Chair. Just a quick question on -- and because -- and I just want to ask this question, because you have probably been dealing with the West Ada School District a lot. When -- when the numbers are published like that we have a -- you know, a percentage in there. Is there a particular pain point where they are -- you know, I mean a hundred percent -- anything over a hundred percent, obviously, is something they don't want to, you know, attain or have to deal with, but at the same time is there -- where is their pain point on that? I mean where do they want to see us try and tap the brakes I guess? Is that information something that's available through here or -- I mean is there -- is there thresholds we should definitely be looking at more seriously where -- you know, I know schools basically have to push the thresholds in order to justify having more schools available to them, so I just want to make sure that that data point is captured in here somewhere as well. If possible.

Fitzgerald: Go right ahead, Miranda.

Carson: Commissioner Seal, that is -- the capacity that you see there is the design capacity. So, schools have two capacities. The design capacity is the capacity that the school was actually designed at. How many classrooms does it have. The program capacity is how many students can it actually hold. So, every school has individual programs, whether it's gifted and talented, English language, preschool classrooms, special needs classrooms, all of those programs take up classrooms that general education students can't use during the day. So, that significantly in some cases reduces the capacity. So, at this time there is not a full list of program capacities for the West Ada School District schools, because it's a moving target. I don't say that in any criticism of West Ada School District that they don't have that list. The programs change yearly based on what the student's needs are. So, that list would be extremely difficult to create, but they are working to create that list. When that list is created it may or may not be added to this report, it will really depend on how often it's changing and what kind of things they are putting in their agency letter, whether I add the program capacity to this report. So, to answer your question the percent capacity -- there is not one number. In some schools, like Rocky Mountain High School, has been severely over capacity for a few years, but

the principal has miraculously found a way to make it work by having teachers that float rooms and things like that, where other schools that might look like they are not at capacity really are over, because they have programs that need to be in the school that are using classroom space as well. So, the percent gives you kind of a general idea of how many students are living in the area that the school is in and how full the school will be, but there is not a cap that you can put, there is no one standard number that could be applied to every school. I can reach out to the school district and see if they have an opinion on some percent, but I can tell you they are probably going to give that same answer.

Seal: Okay. Thank you. And that -- yeah. I was going to say that would be good information to have from -- from West Ada. This helps us all out to have -- have more information. Thank you.

Fitzgerald: Miranda, is there a desire from the Mayor or City Council to have this include charter schools and private schools or is this going to be pretty much just West Ada?

Carson: At this time it's only intended to be West Ada, Mr. Chair.

Fitzgerald: Okay. Thank you. And, team, the -- this document can be in the agency comments folder, so it won't be in the staff report. That will -- the numbers in the staff report will stay as West Ada's numbers, but Miranda's analysis will be in the agency comments for future applications. So, if you are looking at the staff report and this isn't seen in there, you will see that in her agency comments section.

Carson: Mr. Chair, if I may.

Fitzgerald: Yes, ma'am, go right ahead.

Carson: I would also like to point out that in the West Ada agency letter they are going to list the schools that the students will be attending based on current caps, current boundaries. So, for example, if you see -- they will put a caveat in if there is a cap for enrollment, which is when a school has reached enrollment, but they don't change the boundary, they cap the enrollment and say any students that live here are going to now go to this school, any students that live there are now going to go to that school, but they don't actually change the full school boundary. So, if they cap a school they are going to list in their agency letter the school that they will be sending the students to based on that cap. My report will always show the school that the students are actually zoned to go to and that is because I want to give you a geographical idea of where students are living. So, their report is more qualitative data and this report is strictly quantitative.

Fitzgerald: And I think, Commissioner Seal, you have talked about that several times about kids getting bused to different areas, but I guess it's kind of that balance between -- you will see the difference between the two sets of information.

Seal: And Mr. Chair?

Fitzgerald: Yeah. Go ahead.

Seal: On that is there a way to see kind of the other side of this where when schools are -- when schools are being built and how that's going to impact the numbers that you see here, meaning that if people that -- if the students that live in the -- where -- Prescott Ridge, using this as an example, if a new school was built in that school boundary, when that would be opening and what those numbers -- how those numbers would be affected as far as weighing things out, because sometimes what we are faced with is we have, you know, something come through that we are looking at and to have the data in front of us that within two years -- you know, and I don't know if West Ada has planned out that far, but if they have something in the works for an elementary school or something along those lines, that would help ease these numbers -- because a lot of subdivisions are going to take, you know, a year or maybe two to even get residents in them.

Fitzgerald: Miranda, is that something you guys are working on?

Carson: Yes. So, the school district does have a plan, I believe it's a ten year plan, it's their facilities plan is what you can look for it on their website it's called. Their agency letters do include information about schools that they are working on building or know they will be building. The key there is schools they know they will be building. So, they can plan out ten years. But unless the bonds are approved those schools will not actually get built on any time that they know. So, they can only plan -- they can only really plan after a bond has passed. They can hope that a bond passed and they can start planning and in a few rare cases they might start some design work, but until a bond is passed there is not a lot that they can do. So, their letters will include a school maybe being built. My data will not include that.

Fitzgerald: Thanks, ma'am. Commissioner Seal, do you have a follow up?

Seal: No. Just thank you very much for this information. I think it's going to be very helpful. We really appreciate it.

Carson: Thank you.

Fitzgerald: Any additional questions for Miranda? Nice seeing you, Miranda. Thank you again. We appreciate it. I second Commissioner Seal's comments. This is going to be a helpful tool and as we balance issues going forward it's going to be great information to have. So, thank you very much for the effort.

Carson: Thank you for the opportunity to share it with you. Have a good night.

Fitzgerald: You, too, ma'am. Okay. As we move on down our agenda let me pause for a minute and explain the hearing process for our public hearing portion of the -- of the evening. As we start on our agenda we will open each item individually and start with the staff report. The staff report will provide the findings and -- regarding how each application adheres to our Comprehensive Plan and Uniform Development Code with the staff

recommendations. After the staff has made their presentation the applicant will come forward to present their case for the approval of their application and will respond to staff comments at that time. The applicant will have 15 minutes to provide those comments. After the applicant has finished we will open the floor to public testimony and since our challenges with the pandemic we appreciate everybody's patience as some of us are there in person -- Commissioner Yearsley, thanks for taking one for the team, being there in person and the rest of us are on Zoom and we also have folks from the public, both in attendance in person and participants on -- on Zoom as well. So, be patient as we work through that process. We will make sure everybody gets a chance to be heard. One thing I do want to point out is you have one chance to speak tonight. We will not take additional comments. So, if you are speaking individually you will have three minutes to do so. If you are speaking on behalf of an HOA -- we may have one of those tonight -- we will give you an additional -- we will give you ten minutes if you are speaking on behalf of a group of people as the representative for that HOA. But we have had situations in the past where we have had attendees requesting additional time after the applicant closing. So, please, utilize your time wisely. Focus on issues that may not have been brought up to the -- to the Commission, so that we can make sure we get the breadth of issues to take into consideration on each application. So, after all testimony has been heard by the public we will give the applicant another ten minutes to have a chance to respond to the testimony that they have heard, as well as answer any questions and, then, we will also probably have questions from the -- from each of the Commissioners. At that time we will close the public hearing and the Commission will have a chance to deliberate and be able to make a recommendation to City Council on -- or a decision on the application.

## **ACTION ITEMS**

- 8. Public Hearing for Skybreak (H-2020-0079) by Laren Bailey, Conger Group, Located at 3487 E. Adler Hoff Ln.**
  - A. Request: Annexation of 80.46 acres of land with an R-8 zoning district.**
  - B. Request: A Preliminary Plat consisting of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, 1 private street lot and 1 lot for the existing home) on 79.69 acres of land in the R-8 zoning district.**

Fitzgerald: So, that's kind of the process for the evening and so we will shoot into our first application, which is adjusted, it is the public hearing for Skybreak Subdivision, H-2020-0079, and they are requesting a continuance of this application to November 19th of 2020. Sonya, is there any issues we need to be aware of or is this just a straight continuance, ma'am?

Dodson: She's coming up to the mic.



Parsons: Mr. Chair, this is Bill. I will speak on behalf of Sonya this evening. So, yes, as you know we have issued out the staff report and the applicant received that and, then, it's based on staff's recommendation of that they have requested continuance of that application to continue to work with staff to address some of the concerns that we raised in that report. So, certainly it's -- it's up to you tonight if that's something you want to do this evening and request that, we will just ask that you act on that accordingly.

Fitzgerald: Thanks, Bill. Any questions from Commissioners on the continuance for this application? If not, I would always entertain a motion.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I move that we continue public hearing for Skybreak, H-2020-0079, to the date of November 19th, 2020.

McCarvel: Second.

Fitzgerald: I have a motion and a second to continue the public hearing for H-2020-0079, Skybreak Subdivision to November 19th, 2020. All those in favor say aye. Any opposed? Motion passes. We will see you all on the 19th.

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

- 3. Public Hearing Continued from September 17, 2020 for Tara's Landing (H-2020-0048) by Mike Homan, Located at 5025 W. Larry Ln.**
  - A. Request: Annexation of 6.34 acres of land with an R-8 zoning district.**
  - B. Request: A Preliminary Plat consisting of 29 buildable lots and 2 common lots on 6.14 acres of land in the R-8 zoning district**

Fitzgerald: Moving on to the next item on our agenda, we have the public hearing continued from September 17th for Tara's Landing, file number H-2020-0048. This applicant is requesting withdraw of this application and so all we need from the Commissioners is a vote to allow this application to be withdrawn by the applicant. I don't -- I think we have seen this one enough and there has been some things along the way, so I think we just need to move forward with the motion. Unless someone has comments.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: I move we accept the application be withdrawn on H-2020-0048.

Seal: Second.

Fitzgerald: I have a motion and a second to allow the withdrawal of the application for Tara's Landing, H-2020-0048. All those in favor say aye. Any opposed? Motion passes. Thank you for that.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**4. Public Hearing for Teakwood Place Subdivision (H-2020-0006) by Hesscomm Corp., Located at 1835 E. Victory Rd.**

- A. Request: Annexation and Zoning of 7.35 acres of land with an R-8 zoning district.**
- B. Request: A Preliminary Plat consisting of 22 single-family residential lots and 4 common lots.**

Fitzgerald: So, moving on down the agenda, we will reopen the continued public hearing -- oh, the returned -- remanded, sorry, public hearing for Teakwood Place Subdivision, H-2020-0006, and I will hand it over to Joe for the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. As noted, this project was remanded back to P&Z by the City Council on the August 25th hearing after your recommendation of denial. Since then they have made some revisions to the plat and I will make sure I highlight those, but just for our new commissioner and just so we are all on the same page, I will go over the whole thing quickly. This request before you is for annexation of seven -- actually, I apologize. Let me share my screen first. Here we go.

Fitzgerald: Thanks, Joe.

Dodson: Absolutely. It's for annexation of 7.35 acres of land, with a request for an R-8 zoning designation and a preliminary plat consisting of 22 building lots and four common lots. Of the 22 building lots one is reserved for the existing home that is to remain. The future land use for the site is medium density residential, which allows detached single family homes and requires a gross density reside between three to eight dwelling units per acre. The applicant's revised plat has a gross density of 2.99, which is rounded up to three, and complies with the comp plan. As noted there, is an existing home on the subject site and it's on the left part of the screen. It is intended to remain and reside on its own lot within the subdivision. This is a change from the very first time you guys heard this. In addition, some of the existing accessory structures on the property are proposed to remain as well. Current access to the property is via a driveway connection to East Victory Road and now the applicant is agreeing to close this access and comply with the UDC. Instead, the current residents will take access internally via the new driveway access, which is right here, to the extended local street East Fathom Street. The applicant is also proposing to construct an emergency access that connects from this new local street extension to Victory Road. Staff is recommending a conditional approval that this

Item 1.

emergency access be constructed prior to any certificate of occupancy and this also helps solve an issue for the Tradewinds Subdivision that technically does not meet fire code by only having one entrance and exit and having more than 30 dwellings. Parking for the development is required to be provided according to the standards listed in the UDC for detached single family homes based on the number of bedrooms per home. The proposed street sections are 33 feet wide with five foot attached sidewalks and will accommodate on-street parking where there are no fire hydrants or driveways. In addition, the applicant has proposed a cul-de-sac with a 57 foot radius, which is nine feet wider than the standard and, therefore, allows on-street parking along the perimeter of the cul-de-sac also where there are no driveways. In most cases a five foot wide detached sidewalk is required along the street frontage along Victory Road. However, because there is no sidewalk adjacent to the site on either side and this section of sidewalk would be less than 300 feet in length, the UDC allows for the sidewalk to be attached. The applicant has proposed to construct a seven foot attached sidewalk in line with ACHD requirements. This is one of the changes from previously. The sidewalk should be constructed within the required 25 foot landscape buffer along Victory Road. A 25 foot wide easement is depicted on the plat and per the UDC staff has given the applicant the option of placing the buffer within the easement as shown or revising the plat to add a common lot. The submitted landscape plans do not show the correct amount of vegetative ground cover and the existing trees that are to remain within the buffer are too close together to meet UDC requirements. Therefore, staff has recommended conditions of approval to correct these items and the applicant has agreed to that -- the main points with those regarding the spacing with the trees along Victory and also just the additional vegetative ground cover beyond just trees. So, shrubs and grass. Based on the proposed plat of 7.35 acres, a minimum of .74 acres of common open space should be provided. According to the open space exhibit, the applicant's proposing approximately 37,800 square feet of qualified open space, which is about 11.8 percent, which is an increase from the previous time you guys heard this. The open space consists of common lots and half of the landscape buffer to Victory Road. The largest area of open space is located at the southern end, as seen on the right hand of the screen, and is more than 20,000 square feet in size. To the north and across the cul-de-sac from this open space lot is the next largest open space and also contains the proposed amenity, which is here. A water feature with seating around it. This open space also has a micro path that continues north to the temporary cul-de-sac on the new east-west street in the center of the project, adding another pedestrian connection to the project. The applicant has submitted sample elevations of the single family homes for this project. The single family homes are depicted as mostly single story with structures -- with a variety of finished materials of stone, stucco, and lap siding. Some homes depict extra -- also depict extra large spaces for RV at home storage. All single family homes appear to meet the design architectural standards, but there are no conditions or requests to limit them to single story. I will go over quickly some of the main points from the written testimony that have -- there has only been one since the previous hearing, but it's still -- I know they are the same concerns. So, the additional traffic going through the subdivision -- the Tradewind Subdivision as that is their only access for Teakwood. The concerns of how drainage will be affected here and concern over the building height for those homes adjacent to the Tradewind Subdivision. Those have been reiterated by numerous

members of the public and I just wanted to go over those quickly. Staff does recommend approval of the requested annexation and preliminary plat and I will stand for questions.

Fitzgerald: Thanks, Joe. We appreciate it. Are there any questions for staff? Hearing none, is the applicant with us and would like to join us for -- either in person or on Zoom?

Weatherly: Mr. Chair, he is on Zoom. I'm transferring him over now.

Fitzgerald: Perfect. Commissioner Yearsley, I'm going to use you as my eyes when I need to survey the audience. I usually call on Commissioner Seal to do that job --

Yearsley: Okay.

Fitzgerald: -- but I got to start coming in person here soon. I'm being a slacker.

Weatherly: Mr. Lardie, you should have the ability to unmute yourself.

Lardie: Good evening, Mr. Chair, Commissioners. Dan Lardie. Leavitt and Associates. 1324 1st Street South, Nampa. Here -- here we are again. I just want to first make sure that I say thank you to staff and I also want to say thank you to City Council. They allowed us to come back and address your concerns and, hopefully, we can gain a recommendation for approval back to City Council and move ahead. So, with that I'm going to -- I'm going to share my screen. I think. See if I can get it pulled up. Okay. This -- this is a little cleaner copy of what was there. See if I can zoom in. There we go. So, some of the key points that I -- I don't want to reiterate the -- all of Joseph's staff report, because he did a -- he did a wonderful job. So, again, the access -- the homeowners have decided to go ahead and -- and -- and give up that access. We have got them to agree on that finally and we are providing access via the extension of Fathom Street at this location and we also have provided a connection through which -- was which -- which came up in our last Commission hearing about this particular open space and this turn around. Since we have the turn around, we provided it as open space to surround -- since it sounds like it's going to stay for a while and provide a -- a pathway connection and an amenity of some park benches and a pondless water feature to allow for some trickling water and some -- and some park benches there to relax and enjoy that -- that area. We still do have the enlarged -- or not the enlarged -- the enlarged cul-de-sac per the Fire Department's request and trying to meet the zoning commission's need for parking. We originally -- I think at one point in time we had some parking in the middle. The Fire Department said, no, they wouldn't allow the parking in the middle. They did allow us to go with a larger -- with a larger cul-de-sac. The -- the large area in the back -- the open space area -- it is in the back. It's at the end of the cul-de-sac where -- where we should allow for people to play or utilize the area fairly safely. It also provides a buffer for our change in zoning to our Tuscany neighbors and, lastly, the -- I just missed the sidewalk and we have proposed a sidewalk -- attached sidewalk along Victory. With that I hope we have addressed all your -- all your concerns from previous hearings and look forward to a recommendation of approval. With that I can stand for any questions.

Fitzgerald: Thank you, Mr. Lardie. I appreciate it. Are there questions for the applicant?

Yearsley: Mr. Chairman?

Fitzgerald: Commissioner Yearsley, go right ahead.

Yearsley: So, Dan, this is Steven Yearsley. I -- looking at your photos for your homes I have concerns that you can actually -- can you actually fit those homes on your lots? You have got several lots that are very small and these homes that you are showing are very wide. I'm a little concerned about a bait and switch of homestyles.

Lardie: I believe -- make sure my -- I'm still unmuted. Okay. Mr. Chairman, Commissioner Yearsley, the homestyles that are there -- I believe they will fit. I don't have a footprint -- I didn't see the footprint exactly. I believe it can be done with these -- with these particular lot sizes. Again, our -- our goal is not to build something small or that it's not commensurate with the neighbors to our -- to our west and to ourselves.

Fitzgerald: Commissioner Yearsley, do you have follow up, sir?

Yearsley: You know, I don't. And, you know, without -- without actually looking at how wide those are compared to the lots -- I just -- looking at the lot sizes they are fairly small and narrow and I just -- like I said, I have concerns, especially with -- they are showing a three car garage with some home frontage, those are typically fairly wide. So, I just have concerns, since I live out in that area and understand what the other adjacent neighbors are concerned about.

Fitzgerald: Mr. Lardie, do you have widths on these or width and depth, so we can -- I see one, it's 73 feet wide. Yeah. Go right ahead.

Lardie: Can I ask -- could I ask Joe to pull up his preliminary plat. I don't have it in my slide presentation here.

Fitzgerald: Absolutely.

Dodson: Thank you, Dan. I will go ahead and reshare my screen. I don't -- I don't think I can zoom in, unfortunately.

Lardie: Oh. Okay. I believe -- I believe that's a line of 64s on the -- on the west boundary right here and I think that is some of the -- some of the larger lots are back here, but I believe 64 is the running -- the running theme.

Yearsley: Thank you.

Fitzgerald: I will say, I -- I do appreciate your guys' efforts to kind of understand where we are coming from. There is two questions I have and I think you have addressed them, but just -- I think that Chief Bongiorno -- I think he expressed that he was okay with this,

but the -- the half cul-de-sac turnaround, the Snoopy if you will, that's a permanent lot; right? An unbuildable lot. So, when -- if and when that goes through that will become -- it will get torn out and become a common area; correct?

Lardie: Mr. Chairman, that is correct. Or it can remain. They can plant a basketball hoop. It's going to be curb, gutter, and sidewalk all the way to the boundary and so if they wanted to they could plant a basketball hoop there.

Fitzgerald: Okay. And my understanding also is that the emergency access that you have onto Victory, that's the only access this property will get to Victory; correct?

Lardie: Mr. Chairman, that is correct.

Fitzgerald: Any additional questions for Mr. Lardie?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go right ahead.

Seal: Just quickly, because I couldn't find anything on the concerns on drainage. I'm sure that's probably something that's been touched on in the past, but I know it's still a concern. Is that something that can be -- that you can speak to a little bit -- the applicant can speak to just as far as concerns that are out there and how you plan on mitigating that?

Lardie: Mr. Chairman, Commissioner Seal, so the site is -- I'm not exactly sure what the concerns were for the drainage. The site will drain and be collected in an underground storm drainage system. Actually, it will probably be a pond with a -- with a below surface infiltration window and it's been graded preliminarily to grade back to the end of the cul-de-sac into the open space. The lots in between -- all the lots will be graded prior to -- prior to construction of those sites -- or at least fine graded after the construction of those sites, but they will -- they should be graded to allow for drainage to be collected and not run off onto their neighbors.

Seal: Okay. Thank you.

Fitzgerald: Commissioner Seal, if you have any water questions you can ask Commissioner Yearsley, because that's what he does for a living.

Seal: Excellent.

Fitzgerald: But I will say that one thing they do have to do is -- you have to keep your own drainage on your own property. That's one of the -- the storm drainage is one thing, but everyone else has to keep their -- they have to maintain their water on their own property. So, hopefully, that's -- that's maintained. Commissioner Yearsley, do you have any thoughts on that?

Yearsley: Yes, Mr. Chairman. I guess my biggest question -- Dan, have they done a study to figure out what the seasonal high groundwater is out there and are you going to be above that seasonal high groundwater?

Lardie: Mr. Chair, Commissioner Yearsley, so groundwater is fairly shallow there. We are -- we are attempting to grade the site, so that it will be above the high groundwater and make sure that we meet DEQ requirements for separation between groundwater and our drainage.

Yearsley: Okay. Have you done that study just so you figure out what that seasonal high groundwater is?

Lardie: Mr. Chair, Commissioner Yearsley, I don't have it in front of me. I was thinking that it was about four and a half feet to three and a half feet deep is what our -- is what the geotech I believe reported.

Yearsley: Okay.

Dodson: Mr. Chair?

Fitzgerald: Commissioner -- oh, Joe. Go ahead.

Dodson: Thank you. And for the benefit of the Commission, the public testimony that we got regarding the storm drainage showed a lot of pictures of the -- the drainage ponds that are in Tradewinds. My understanding is that that same type of storm drainage will not be used here, which is good. I think that is definitely an improvement and will have the underground infiltration bed as discussed. So, I'm hoping that that is a better option for both these residents and to quell some of the concerns of the neighbors.

Fitzgerald: Thanks, Joe. Any additional comments or questions? Okay. Mr. Lardie, thank you. We will take public testimony and come back to you and let you close, sir.

Lardie: Thank you. Thank you, Mr. Chair.

Fitzgerald: Madam Clerk, do we have anyone who would like to testify on this application?

Weatherly: Mr. Chair, we had one person sign in and that's Sandy Blaser.

Yearsley: Please come up and state your name and address for the record, please.

Blaser: This is an improvement over last time.

Fitzgerald: Spoken like a true former chair. I love it.

Blaser: My name is Sandy Blaser. I'm a resident at 3370 South Como Avenue. I'm one of the residents on the properties just west of Teakwood and I appreciate the -- the

Commissioners and Planning in regards to the concerns we have had with matching heights of property to our -- our areas and the other issues with drainage. Our biggest concern -- my biggest concern and some of the others has been the -- the situation with the traffic through Fathom out to Locust Grove and at one of the hearings one of the Commissioners asked have we -- have we talked to ACHD about the traffic load on Locust Grove compared to -- to Victory and the reason I'm bringing that up and the other people in the development are bringing it up is because ACHD stated that Victory is a major arterial and they don't want to have a typical entrance and exit out to Victory and I'm submitting that Locust Grove at this point in time, not way back when they planned this -- this road, Fathom Road, to go into the property to the east, it's becoming a major arterial, because it's drawing traffic, people are looking at Eagle and they are looking at Meridian Road and they have now decided that Locust Grove is a good way to go between the two and with all the hundreds and hundreds of homes that are going to be developed south of us off of Eagle and Kuna, I think we are going to have a problem. We also know -- just found out that there is a development just west of us of duplexes and triplexes that's being developed on the -- I believe it's the southwest corner, which is just opposite our entrance and also that the property on the northwest corner is going to be developed with housing. So, I think we are going to have a problem and I think the solution -- we all feel the solution is to have a typical exit off Victory for egress and in and out of Teakwood for their people there. I just think it's going to be a major problem when we try to unload everyone off of -- I forgot the name of our entrance, but for our entrance in and out is all centralized along Locust Grove. Coastline and Locust Grove. And I think it's just going to be a mess and I would really like to have the Commission talk to ACHD about their logic of not permitting an entrance for Teakwood on Victory and having it all stream through Fathom out to Locust Grove to the west. And that's basically my concerns and I think a number of the homeowners concerns. The quality of life being affected by the traffic.

Yearsley: Thank you. We will have the applicant answer that after.

Fitzgerald: Thank you, Mr. Blaser. Any additional -- any additional attendees in the audience that would like to speak on this application at this time? Please raise your hand. Or if you are online, one of the attendees, please, raise your hand via Zoom.

Yearsley: I don't see anybody in the audience wanting -- raising their hand, so --

Fitzgerald: Okay. Thanks, Commissioner Yearsley. Madam Clerk, I don't see anyone online either. Is that correct?

Weatherly: That is correct.

Fitzgerald: Okay. Mr. Lardie, do you want to take a few minutes and close, sir?

Dodson: Mr. Chair?

Fitzgerald: Joe, go right ahead.



Dodson: Sorry. Try again. If I may I can address Mr. Blaser's questions.

Fitzgerald: Go right ahead, Joe. Give us more information. That would be great.

Dodson: Absolutely. Sorry. I -- following the previous Commission hearing I -- and while writing the staff report I did reach out to ACHD regarding why Locust Grove was not included and why Victory Road was. Short answer is that this property abuts Victory Road and is the arterial that it has frontage on, so, therefore, that's the road that was discussed. Secondly, Victory Road is already failing as an arterial road -- arterial road with its current access points. So, ACHD, period, was not going to allow any further access, other than what's there now. That leads into Locust Grove, which they understand is busy and continuing to get busier, which is why from Victory Road north Locust Grove is slated in the next five years in their integrated five year work plan to be widened to five lanes and a roundabout is slated to be built at that intersection. With those two new conditions coming to fruition in the next -- within the next five years ACHD finds that they will have enough capacity to support more development using this entrance, especially for the backup that occurs south of Victory on Locust Grove currently. With a roundabout it's designed to keep traffic flowing and especially if they are continuing north will have more lanes available to be used and keep the traffic moving north. So, that was the discussion that I had with ACHD. Trying to get that for the Commission and the public.

Fitzgerald: Thanks, Joe. Appreciate the information. Mr. Lardie, do you want to close up with any additional comments, sir?

Lardie: Mr. Chairman, Commissioners, thanks, Joe. First of all, I -- I was going to see if you could defer, because I know you have had some discussions with ACHD and I notice they were in their staff report. You know, I -- I hope that we have addressed your concerns or at least addressed -- or attempted to address your concerns and that I look forward to a recommendation of approval if you can give it. With that I will -- I will stand for any more questions or sit down -- sit back down quietly. Thank you, Mr. Chair.

Fitzgerald: Thanks, Dan. Any additional questions for the applicant or staff? Seeing none -- or hearing none, can I get a motion to close the public hearing?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: Move that we close the public hearing for H-2020-0006.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing for H-2020-0006, Teakwood Place Subdivision. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Anyone want to lead off or start the fun and excitement? We have talked about this one a lot. Commissioner Grove comes off of mute. Yes, go right ahead, Commissioner.

Grove: I will jump in real quick. I don't have a whole lot, other than to say that the access for the residents that is remaining coming off of the new development, rather than Victory, makes a big difference in how they connect to the open space, made this a -- a lot better project in my opinion and so I like the changes and the work that they have gone into -- to address the concerns that were raised the first time through.

Dodson: Mr. Chair?

Fitzgerald: Joe, go ahead.

Dodson: Sorry. I have more information for you guys.

Fitzgerald: Okay.

Dodson: Regarding the groundwater. I looked up the geotech report and it looks like they found groundwater at seven feet.

Fitzgerald: That's much better than four.

Dodson: Correct.

Fitzgerald: Okay. Thank you for that. That helps, too. Well, first, I want to tell Mr. Lardie and Joe, both, thank you for your work. I think the conversation I had -- or my comments on this were very much -- if you start development you kind of got to either develop or not develop and that was -- there was a desire to keep access and do some things with their horse trailers and the house that's existing and I think this is a much better transition and it's -- it's better than it was -- much better than -- I think this is the third or fourth time we have seen this thing. I think the chief is happy with the fire access and emergency access he has. Obviously, we all have a connection to the north, but that doesn't seem like it's going to be for a long time and it seems like it's reasonable to -- this is not that many houses and I understand the impact it does have on the neighbors to the west, but I understand that ACHD is not going to allow anything else to access Victory and so we are in a -- in a weird spot there. But I do appreciate the work that's gone into the common areas, the -- you know, the amenities that were put in and utilizing that unbuildable lot as a turnaround for the fire department. I think those are all good improvements. I do share Mr. Yearsley's comments on -- that was one of our comments early on, but I -- we have gone a long ways from where we were where there was going to be no improvements on Victory, no sidewalk, no -- they weren't going to take access off of the internal road. We have come a long ways from there. So, I do appreciate that and so I do see the improvements and the effort being put forward. It's just a matter of does this fit within the

communities around it and I think that's what the Commission gets to determine. So, additional comments?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I share some of the same thoughts that -- that he just went through on this and I do -- I really like the addition of the pathway in there. I know that's something that Commissioner Holland also -- I think that was originally her -- her original thought was to kind of put a pathway through there, open that up a little bit more, provide for some more connectivity within the subdivision. So, you know, basically adhering to the, you know, what -- the staff recommendations on -- as far as Victory Road are concerned with putting in the sidewalk, closing off access and everything. I know the sidewalk and the improvements that are going to go in out there are no easy feat. I remember the picture that they showed us of that, you know, with the irrigation boxes and -- and the different grades that are out there, it's -- it's not going to be easy for them to accomplish that. So, I very much appreciate the fact that that is something that's now in the plan and, again, I know that that's -- that's not going to be easy to accomplish, so -- and, again, this is -- this is a long ways from where it started and I think it's a very good compromise, especially for an in-fill piece, which are always incredibly difficult to get those in and -- and just with a regular subdivision, much less something that wants to retain the original property in there as well. So, overall I think it's a good job with a -- with an in-fill piece. I'm very pleased with where it's landed.

Yearsley: Mr. Chairman?

Fitzgerald: Commissioner Yearsley.

Yearsley: I have -- you know, for the most part I'm -- you know, the subdivision looks okay. I do have some concerns about the homes fitting on the lots. You know, they are looking at three -- three car garages with fairly large frontages with only 68 foot facings of most of the lots. That's really leaving no -- you know, that's -- that's really tight and I don't think that it can hit -- that those -- unless they shrink them up quite a bit. I do have concerns with the groundwater. I don't know when the -- the geotech report was done. We have huge groundwater influences from the canal that's close by. We have it in our subdivision, because I live in Tuscany, but not near this subdivision at all, but we have areas that we have -- our -- our drainage basins fill up with water during the summer because of high groundwater. So, my recommendation would have them do a -- a seasonal high groundwater check to make sure that they can do the drainage appropriately on that. So, not knowing when their current groundwater deal was done I question that it -- that they have seven feet. So, those are my concerns.

Fitzgerald: Would you have that done before Council if we go for a recommendation?

Yearsley: Unfortunately, the canals have gone out of the water and so your groundwater is starting to go down. They need to get it done immediately to test to see where it's at, because we are starting to see our drainages start to go down as well. So, I would recommend that they have that checked almost immediately to see where that groundwater is and -- and -- and report back that to Council.

Fitzgerald: Perfect.

Dodson: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I think I'm at a place where I could support this. You know, we have spent a lot of time on this little piece and I appreciate the changes that they have finally come back with, but I would agree I'm not sure that the homes that they have shown us -- I appreciate Commissioner Yearsley's pointing that out. I'm not sure that those homes that they have shown us are going to fit on those lots. But, you know, they might be predominantly the two car garage version with only a couple of threes out there I guess. But I do think it's night and day from what we had to deal with before.

Fitzgerald: Agreed. And I think, you know, the request if -- if I was -- and I can't make motions, but if -- you know, I think an immediate groundwater or a pit test or whatever -- high water -- high groundwater test prior to Council, as well as doing -- making sure that the elevations they are providing Council will fit on the -- on the lot, so that they understand what they are getting into, I think that's totally appropriate. I do think we have come far enough to -- to recommend an approval to the Council, because I do think it's -- I think it makes sense -- and much like Commissioner Seal said, for an in-fill property from where we started to where we are now I think it works. But I think there is some questions we could help answer before they get to Council with some additional information.

Dodson: Mr. Chair?

Fitzgerald: Joe.

Dodson: Yes, sir. Thank you. Members of the Commission. Commissioner Yearsley. The report has a letter date of December of last year with a request made in October, about this time last year. So, when they did this site testing was definitely the fall, winter.

Yearsley: Yeah. So, that's your -- my concern is your groundwater is not accurate.

Dodson: Understood.

Fitzgerald: Additional thoughts or comments or motions are always in order, so --

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I will take a stab. I don't have the -- I don't have my cheat sheet in front of me, so -- after hearing all application testimony and information on file number H-2020-0006 for Teakwood Place Subdivision, I recommend -- I recommend that we recommend approval to City Council with the following caveats: That an immediate high groundwater check is done and, then, reported to City Council, as well as some updated elevations that are guaranteed to fit the plot sizes.

McCarvel: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0006, Teakwood Place Subdivision, to City Council. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Mr. Lardie, Thank you guys. Good luck with Council and I hope the neighbors understand that we are trying to get as much information as -- to give to Council as they can and, hopefully, that will be good -- good logic for them to decipher on, so they can make good decisions -- a good final decision.

**5. Public Hearing Continued from September 17, 2020 for Ada County Coroner (H-2020-0085) by Lombard Conrad Architects, Located at 173 N. Touchmark Way**

**A. Request: Rezone of 1.77 acres of land from the I-L to the C-G zoning district.**

Fitzgerald: Turning to our agenda we have the next -- next item, which is file number H-2020-0085 for the Ada County Coroner's office and we will start with the staff report.

Allen: Thank you, Mr. Chair.

Fitzgerald: Sonya, are you ready? Go right ahead, ma'am.

Allen: Members of the Commission. The next application before you is a request for a rezone. This site consists of 1.34 acres of land. It's zoned I-L, light industrial, and it's located at 173 North Touchmark Way. Adjacent land uses to the west consist of retail stores zoned C-G, industrial to the north, zoned I-L, vacant land to the east, zoned I-L, and Franklin Road and vacant land to the south, zoned L-O. This property was rezoned in 2009 with the requirement of a development agreement. The Comprehensive Plan future land use map designation is industrial. The abutting property to the south is designated commercial. The applicant is requesting a rezone of 1.77 acres of land, including land to the centerline of adjacent streets from the I-L, light industrial, to the C-G, general retail and service commercial district. Because the adjacent future land use

map designation and zoning of the property to the south is commercial and a public, quasi-public use, Ada County Coroner's office, is proposed to develop on the combined properties, staff deems it appropriate to apply the future land use map designation of the adjacent property to this property, because such designations are not parcel specific. Rezone this subject property to C-G consistent with that of the adjacent property to the south will create uniform zoning for the overall property. Although the UDC does not prohibit multiple zones on a single parcel, split zoning does make it problematic to decipher which of the two standards, industrial versus commercial, to enforce. The rezone to C-G will ensure that the development meets the dimensional standards of one district versus two. A conceptual development plan was submitted as shown that depicts a 35,000 square foot, two story building, oriented north and south on the site with the entry fronting on South Touchmark Way. Mr. Bill there, you are -- you are touching the screen.

Fitzgerald: He's going to go faster. Sorry, Sonya.

Allen: I'm getting zoomy zoomy. One entry and exit and one exit only is proposed via North Touchmark Way and one entry only is proposed via East Lanark Street, both classified as industrial collector streets. No access is proposed or approved via East Franklin Road, an entryway corridor. Per the recorded development agreement direct lot access to Franklin Road is prohibited. Staff is supportive of the access points depicted on the proposed concept plan. Off-street parking is proposed in excess of UDC standards. A minimum of 70 parking spaces are required, 117 public parking spaces and 51 secured employee parking spaces, for a total of 168 spaces are proposed. A 35 foot wide landscape street buffer is required along Franklin Road, an entryway corridor. The staff report states a 20 foot wide buffer is required along Touchmark Way and Lanark Street. However, when the final plat was recorded these streets were designated as local, instead of collector streets. For this reason staff will amend the analysis in the staff report to reflect a ten foot wide street buffer requirement with future development along Touchmark and Lanark. Conceptual building elevations and perspectives of the proposed buildings were submitted as shown. Written testimony has been received from Deborah Phillips, Ada county. She is the applicant. In agreement with the staff report. Staff is recommending approval without the requirement of a new development agreement, as the existing development agreement will suffice. Staff will stand for any questions.

Fitzgerald: Sonya, thank you very much. Are there any questions for the staff? Hearing none, is the applicant in -- in quarters or online, ready to join us?

Yearsley: They are here.

Fitzgerald: Perfect. Thank you, Commissioner Yearsley.

Yearsley: Would the applicant like to come forward. Please state your name and address for the record.

Brosa: I'm Brenda Brosa. Business address is 1231 Shoreline Lane, Boise, Idaho. I'm one of the architects that's been working with Ada county to develop their new coroner's facility. As Sonya mentioned, Ada county has purchased two adjacent parcels of land near the corner of Franklin Road and Touchmark. They were planning on combining these two parcels in order to build the new coroner's facility on it and after multiple conversations with the Planning and Zoning staff it was recommended to us that we go ahead and change the zoning of one of those parcels, so that we could combine them as a single zoned parcel, so we weren't dealing with a split. So, this application is to fulfill that request that they have made. As you can see the current design of the facility -- it still respects the uses of the adjacent properties on both ends. The administrative end of the facility is towards the commercial side that faces Franklin Road, whereas the medical and back of house functions are located towards the industrial parcels to the north. Given this arrangement the proposed layout is compatible with the surrounding properties at both ends of the site and from the concept views included in your agenda packets and shown up there on the screen, you can see the design of this facility is shaping up to be a pretty attractive piece of architecture that should enhance Meridian's image along one of its entry corridors. Are there any questions that I can answer?

Fitzgerald: Are there any questions for the applicant?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal, go ahead, please.

Seal: Just -- in some of the elevation samples that are given in here I just see that there is a lot of solar that seems to be depicted on there. Is that something that's going to be concentrated on the building and something that's going to be true or is that something that's just in there to make it look nice?

Brosa: That's been proposed as an alternate right now. It is a goal for it to -- to be able to maximize that, but as we know with our low electricity rates here it doesn't always pan out. So, that is as an alternate right now.

Seal: Okay. Thank you.

Fitzgerald: Great question. Additional questions? Thank you, ma'am. We appreciate it. If there is public testimony we will give you an opportunity to close.

Brosa: All right. Thank you.

Fitzgerald: Thank you. Madam Clerk, is there anyone would like to testify on this application?

Weatherly: Mr. Chair, we had two people sign in, none wishing to testify.

Fitzgerald: Okay. Is there anyone in the audience that would like to testify or anyone online, please, raise your hand so Commissioner Yearsley can see you or I can see you online.

Yearsley: Is there anybody here that wants to testify? There is nobody here.

Fitzgerald: Thank you, Commissioner. Would the applicant like to come up and close? Or is there any additional comments?

Yearsley: She's good.

Fitzgerald: Okay. Can I get a motion to close the public hearing?

Seal: So moved.

Grove: Second.

Fitzgerald: I have a motion and a second to close the public hearing on file number H-2020-0085, Ada County Coroner's Office. All those in favor say aye. Any opposed? Okay. Motion passes.

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

Fitzgerald: Kudos to Lombard Conrad, because I do think the building is very unique and it's cool. Setup -- I think the way it is aligned with the office and administrative glass and metal -- I'm a glass and metal guy, so great work. Very cool building and it kind of steps down with the landscape that is over there with the elevation change. I think it's a very nice laid out building. I think it will be a good addition to that area. So, I have no concerns. I would like to see the -- the solar come to fruition, too, but that's -- I guess that can only be a hope. Additional comments?

Yearsley: Mr. Chairman, I agree with your comments. I like the look of the design. I think it's an appropriate location and so I think -- I think it's good.

Fitzgerald: Commissioner Grove, you are off mute, so I'm going to call on you.

Grove: I forgot. Yeah. Nothing much. I think it makes that area -- it's a good addition to that area from an aesthetic standpoint and the function. I hadn't really thought of how she described it, you know, going from commercial towards the Franklin area to the more industrial aspects towards Lanark makes sense and I like it even more.

Fitzgerald: Commissioner Seal.

Seal: Mr. Chair. Yeah. Same comments, basically. Again, hopefully the solar does -- is something that comes to fruition on that. Glad to see an Ada county building landing in the area of impact of Meridian. So, that's nice to see as well, that Meridian is starting to,



you know, get on the list of where we need to have facilities out there. So, it's -- it's always a good thing to see. Pretty impressive building for sure.

Fitzgerald: Absolutely. Commissioner McCarvel, go ahead.

McCarvel: No. Mr. Chair, I was just going to go ahead and make a motion. I think it's pretty straightforward and it is a very striking building. Kudos to the architects. So, after considering all staff, applicant, and public testimony I -- I move to recommend approval to the City Council of file number H-2020-0085 as presented in the staff report on the hearing date of October 15th, 2020, with no modifications.

Seal: Second.

Fitzgerald: I have a motion and a second to recommend approval of file number H-2020-0085. All those in favor say aye. Any opposed? That was delayed reaction time. Motion passes. Thank you. And we wish you guys good luck in your next steps in the process.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**6. Public Hearing for Landing South (H-2020-0005) by Jim Jewett,  
Located at 660 S. Linder Rd.**

**A. Request: A Preliminary Plat consisting of 8 building lots and 2  
common lots on 2.27 acres of land in the R-4 zoning district.**

Fitzgerald: Okay. Moving to the next item on our agenda, I guess it's -- tonight's theme is things we have seen before. So, moving to the next item on the agenda is file number H-2020-0005, Landing South, and we will turn it back over to Sonya for next steps, ma'am.

Allen: Thank you, Mr. Chair, Members of the Commission. The next application before you is a request for a preliminary plat. This application was previously heard by the Commission, along with a request for a rezone, and a recommendation of denial was forwarded to the Council based on the belief that the development plan was not consistent with the Comprehensive Plan. Issues with the turnarounds and access drives and the revised plat and didn't address previous concerns of the Commission. The City Council heard the application and remanded it back to the Commission for review of a revised plat meeting the R-4 dimensional standards. So, I will just review real quick with you -- remind you of the original plat on the left that was submitted. There was a combination of single family attached -- excuse me -- not attached, they were actually duplex buildings on the lots fronting on Linder Road and, then, single family residential detached on the eastern portion of the development. The Commission requested some changes to the plat. The applicant came back with the plat on the right there and, then, the Commission, then, made a recommendation to Council and forwarded the application on to them for their review and the plat on the left there is the current revised plat that is before you tonight for review and I will just go through the -- the application again, since it's been a while since you guys have seen it. This site consists of 2.27 acres of land. It's zoned R-

4 and is located at 660 South Linder Road. Adjacent land uses and zoning are single family residential properties surrounding this site, zoned R-4 and R-8. This property was annexed back in 1994 without the requirement of a development agreement. The Comprehensive Plan designates the property as medium density residential on the future land use map, which calls for three to eight dwelling units per acre. The proposed revised preliminary plat consists of eight building lots and two common lots on 2.27 acres of land in the R-4 district for the development of single family residential detached homes. The minimum lot size proposed is 8,018 square feet, with an average lot size of 8,199 square feet. Access is proposed via the extension of an existing stub street, South Spoonbill Avenue from Joshua Street from the north boundary of the site, which ends in a cul-de-sac. No access is proposed or approved via Linder Road. An emergency access only exists off site to the north via Linder Road. Off-street parking is provided in accord with UDC standards. Two on-street parking spaces are available in front of the two northern lots, but parking is not allowed within the cul-de-sac. Staff is concerned there may not be adequate on-street parking for guests. However, the UDC does not have standards for on-street parking. The Kennedy Lateral runs along the northern boundary of the site and has been piped. The pathways master plan depicts a ten foot wide multi-use pathway along the frontage of this site adjacent to Linder Road. However, because there is an existing sidewalk that is in good condition in this area, the Parks Department is not requiring it to be reconstructed and is only requiring an easement for a future pathway. A 25 foot wide landscape street buffer is required along Linder Road. Because this site is below five acres in size, the qualified open space and site amenity standards in the UDC do not apply. An open space exhibit was submitted that depicts .32 of an acre of common open space, consisting of the street buffer along Linder Road and the area along the north boundary where the Kennedy Lateral lies. No amenities are proposed. Wrought iron fencing is proposed to be constructed at the back edge of the street buffer along Linder Road and along the Kennedy Lateral easement. And the exhibit on the left there is the open space exhibit. Although not required, the applicant did submit that just to show what areas are common open space and the concept elevations on the right represent elevations for single family residential detached homes proposed to be constructed in this development. The applicant submitted written testimony. He is agreement, except for conditions A-3-B and A-3-C in regard to tree mitigation requirements. The applicant states that the -- incorrectly states that 67 caliper inches of trees are required for mitigation, but that the city arborist only determined that 17 inches are required based on retention of an existing 50 inch maple tree. So, staff is okay with this change to those conditions. Written testimony previously was submitted on this application. I'm not sure if it necessarily still applies, but it is on the record from Chris and Candice Johnson. They are requesting Joshua Street is allowed to extend to the west and connect to Linder Road as a permanent access, instead of emergency access only, or, at the very least, the construction traffic is allowed to use this access for development of the subdivision and that a no outlet sign be installed at South Tylee Way where it intersects Waltman Drive to notify drivers the dead ends -- the street dead ends to prevent unnecessary traffic. Jeff Bolen submitted testimony. He requested direct access via Linder Road is allowed for this development. Staff did reach out to ACHD to see if an access via Linder would be allowed and it would not, as it does not meet district policies. The site does not have sufficient frontage to meet spacing requirements from Gander Drive to the south and

Pintail Drive to the north. With the proposed development factored in traffic volumes on Gander Drive are anticipated to be well below what is allowed on a local street. Kenneth Scott Grapatin submitted testimony. He's concerned pertaining to the continued provision of irrigation water to his property, which currently runs through the north side of their proposed project and accessibility of the ditch for repairs and cleaning. Staff is recommending approval of the proposed preliminary plat with a modification to conditions A-3-B and A-3-C as requested by the applicant. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. We appreciate it. Are there any questions for the staff?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Sonya, just a question about the parking that you mentioned. Is there -- is the road wide enough between this subdivision and the one to the north for parking on street on that roadway?

Allen: Commissioners, I -- as far as I know it is. I believe it is. The applicant could probably answer that question.

Fitzgerald: Commissioner Grove, do you have any follow up or are you good? Okay. Any additional questions for Sonya? Hearing none, is the applicant available in some form?

Yearsley: He is coming up.

Fitzgerald: Okay. Thanks, Commissioner Yearsley.

Jewett: Yeah. Mr. Chair, Members of the Commission, Jim Jewett, 776 East Riverside Drive, Eagle, Idaho.

Yearsley: If you can speak into the microphone a little closer.

Jewett: Do you want me to repeat the address?

Yearsley: We are good.

Jewett: Thank you. As Sonya stated, this application came prior as a rezone with some more dense smaller lots and some duplexes. We subsequently after City Council discussion decided to withdraw the R-8 rezone, come back with a straight R-4 plat and asking for none of the previous requests before, the duplex, the common lots, common driveways and just a straight plat. We are in agreeance with the staff report and would stand for any questions.

Fitzgerald: Are there any questions for the applicant?

Grove: Mr. Chair?

Fitzgerald: Go right ahead, sir.

Grove: Same question that I asked Sonya in regards to the parking between this subdivision plat and the road that it comes off of to the north. Is there parking along -- access on those -- or on that street?

Jewett: As currently constructed there is no restrictive parking from the cul-de-sac to this cul-de-sac that we are proposing, albeit there is that canal easement that's in there, but there is no requirement for no parking in front of the canal that I'm aware of. So, yes, there would be additional parking between our boundary and the next property boundary to our north for at least one vehicle per side, if not two.

Grove: Thank you.

Fitzgerald: Additional questions for Mr. Jewett? Thank you, sir. We appreciate you being here tonight.

Jewett: Thank you.

Fitzgerald: And we will let you come close if there are additional public testimony.

Jewett: Thank you much.

Fitzgerald: Madam Clerk, do we have anyone who would like to testify on this application?

Weatherly: Mr. Chair, we do not.

Fitzgerald: Okay. Is there a show of hands on -- if there is anyone in the public in the chambers that would like to testify or please raise your hand via Zoom if you would like to testify on this application.

Yearsley: No one's indicating they want to testify.

Fitzgerald: Thanks, Commissioner Yearsley. Mr. Jewett, did you want to say any further closing remarks, sir, or are you good?

Yearsley: He said he's good.

Fitzgerald: Okay. Can I get a motion to close the public hearing?

Grove: So moved.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-0005. All those in favor say aye. Any opposed. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Commissioners, what are your thoughts? Commissioner Seal.

Seal: Mr. Chair. Recurring theme tonight. In-fill property that we have seen a number of times.

Fitzgerald: Yes.

Seal: I -- compared to the layouts that we have seen before I like this -- this concept in here for this piece of in-fill. It's because of the restrictions on roadway access and how it's, you know, basically blocked in here, I think this is about as good as it's going to get. It's -- I really like the idea that they had as far as the -- some of the properties facing the frontage on -- on Linder Road there. I was, you know, a little sad to see that go, but I can -- you know, like I said, seeing this layout and how it works and flows a little bit better, I'm happy to see this is where it landed. The only concerns I have are, you know, the same as -- that Commissioner Grove shared, just the parking is going to be an issue in here. So, you know, you have one -- one Super Bowl party over here and the next thing you know you are going to have people parking up on the -- you know, into the next subdivision there. So, you know, it's -- it's a similar problem everywhere. So, it will just be a little bit more of an issue here I think. So, that and, you know, trash delivery days and things like that are going to be interesting in here. But, you know, I seeing cul-de-sacs like -- like this. They seem to work it out in the end. So, again, for a piece of in-fill property like this I think it turned out pretty well.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: I will just echo everything that Commissioner Seal said. This is a difficult one just based on its size and I don't know how much different you could really go and still do something with this. So, I appreciate them coming back and -- and trying this again and it -- we have seen it a few times. So, this is easily the best one we have seen, so --

Fitzgerald: I agree. I didn't get to -- I wasn't here for the first one, but I was here for the last two or three, and I think, if I recall, this was the request of the neighborhood. The neighbors next door where -- can we just match it up to what we have got next door and I think they did a good job of doing that. I think -- if there was a theme I can say tonight is our staff's pretty talented in regards to working through things before they get to us and, you know, just like giving direction to our -- our development community out there is they kind of know what we are -- where we head a lot of times in our conversations. Listen to them, because it saves everybody some time and effort. But I think -- I agree with the comments that Commissioner Seal and Commissioner Grove made, this is a much better

and much more improved -- with not having access to -- to the Locust Grove, I think it's -- or to Linder, I'm sorry, I think it's going to be a very limited opportunity without doing something like this. So, I'm in agreement. This is probably the best we are going to get. I think where we are dealing with cul-de-sacs everybody -- they seem to manage through it, you know, whether it's neighbors or the trash trucks that are racing to get through it. So, I think this is probably a significant improvement from where we were.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I totally agree. This is by far the best we have seen and probably the best configuration is going to work in this little corner and I do appreciate the thought to have the different product along the frontage road there, but it just -- it just was putting a square peg in a round hole for this piece, so I agree. This is something I could support and probably just recommend as big a driveway as you can get.

Fitzgerald: That's totally true. Commissioner Yearsley, do you have any thoughts, sir?

Yearsley: I -- there is nothing more to say than what's been said. It's -- it is what it is and I much prefer the R-4, to be honest with you.

Fitzgerald: Well, team, I am ready for motions whenever you are.

Seal: Mr. Chair?

Fitzgerald: Go ahead, Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0005 as presented in the staff report for the hearing date of June 4th, 2020, with the following modifications: That A-3-A and A-3-B are remediated to reflect the -- the reduction in tree mitigation to the 17 inches as proposed by the applicant.

Grove: Second.

Fitzgerald: Is that A and B or B and C?

McCarvel: Mr. Chair, I have B and C.

Seal: Do I have that wrong?

Fitzgerald: Sonya, can you clarify that?

McCarvel: Sonya is nodding.

Fitzgerald: Sonya is nodding. Okay. So, Commissioner Seal, that's B and C. Would that be your revised motion?

Seal: My revised motion will be for A-3-B and A-3-C. That is correct.

Fitzgerald: Does the second -- second agree with that?

Grove: Second. Yes.

Fitzgerald: Okay. Second's seconding. I have a motion and a second to recommend approval of file number H-2020-0005, Landing South, with modifications. All those in favor say aye. Any opposed? Motion passes. Thank you. Appreciate it, Mr. Jewett. Good luck.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

**7. Public Hearing for Spurwing Sewer Easement Annexation (H-2020-0087) by Shari Stiles, Engineering Solutions, LLP, Generally Located North of W. Chinden Blvd./Sh 20-26, Northeast of N. Ten Mile Rd.**

**A. Request: Annexation of 0.60 of an acre of land with an R-4 zoning district.**

Fitzgerald: The last item on our agenda for this evening is the public hearing for Spurwing Sewer Easement and Annexation, file number H-2020-0087. Before we get started I need to check in with my fellow Commissioners. I live in Spurwing and I will be honest with you and tell you I have -- people have asked me about this thing and I have given some information about what I thought it was, mostly before when it was in front of Ada county. I haven't given anybody my opinion, but I told them what I -- what they saw on the notifications they got in the mail. I don't think that puts me in a place where I should recuse myself, but I will let the Commission make a combination -- or that call. So, I think I can be impartial on this discussion, but I also want to give that -- I have provided some information when people ask me about the application that was in front of Ada county. So, if that is an issue with anybody I'm happy to step away, but want to give that -- that opportunity for you guys to comment -- or any comments you might have.

McCarvel: I'm good.

Fitzgerald: Okay.

Seal: I was going to say, being that you are chair and you can't make the motion, I think we are safe.

Fitzgerald: That's probably a good call. Commissioner Yearsley, any concerns?

Yearsley: I'm good.

Fitzgerald: Okay. Well, we will start with the staff report and I will turn it back to Sonya. Are you ready to go, ma'am?

Allen: Yeah. Just a second here.

Fitzgerald: Is Bill breaking your computer again?

Allen: Yes. Alrighty. Sorry about that, Mr. Chair, Commissioners. The next application before you is a request for annexation and zoning. This site consists of .6 of an acre of land. It's zoned RUT in Ada county and is located north of West Chinden Boulevard and State Highway 20-26. Adjacent land use and zoning are single family residential properties in Spurwing Subdivision, zoned RUT in Ada county, and single family residential properties in the development process in Olivetree at Spurwing Subdivision, zoned R-4 and R-8 in the city. And the Spurwing Golf Course, zoned RUT in Ada county. The history on this project. A lot line adjustment was previously approved by the county in 2007, which included the subject property. The county denied a conditional use permit modification application recently to build an emergency access road. The Comprehensive Plan future land use map designation is low density residential, which calls for three or fewer units per acre. The applicant is requesting annexation of .6 of an acre of land into the city with an R-4 zoning district consistent with the future land use map designation of low density residential. The annexation area is a portion of Lot 2, Block 2, Spurwing Subdivision, which was developed in the county. Typically the city does not annex a portion of a parcel or lot. However, it has been deemed appropriate in this case due to the county's denial of the site modification and the city's requirement for an access to maintain the public utility. The property proposed to be annexed is developed as part of the Spurwing Golf Course and contains a 20 foot wide Meridian sanitary sewer easement with a 12 inch sewer main line and an eight inch Suez water main line. An emergency vehicle access easement is proposed in this area to satisfy the fire department's requirement for secondary emergency access to Olivetree of Spurwing Subdivision. Emergency vehicle access for this subdivision was previously planned via West Chinden Boulevard at the Chinden-Ten Mile Road intersection. However, since the time the preliminary plat was approved improvements have been made to the intersection, which require an alternate location for emergency access. For this reason emergency access is proposed where the sewer easement lies and public access will be restricted through the use of gates at each entrance with a Knox Box as required by the Fire Department or Fire Department access only. This road will also provide access to any manholes within the sewer easement area in accord with city requirements and access to the Suez water main lines. The Olivetree at Spurwing Subdivision cannot develop without an approved secondary emergency access, which the applicant's proposal provides. If Council denies the applicant's request an alternate emergency vehicle access will be required for any development over 30 building lots in the Olivetree at Spurwing Subdivision or the applicant has the option to provide fire sprinklers to any additional homes beyond the 30. The subject property is nonbuildable as it's -- it isn't a legal parcel or lot eligible for a building permit and doesn't meet the minimum dimensional standards of the R-4 district. There have been several letters of written testimony received on the project and I will go through those. Apologies in advance if I



mispronounce your name. Robert Trerise and Gretchen Tseng. Carrie Franklin. Eric and Mary Klein. Qing-Min and Erin Chen. Tom and Andrea Nist. Greg Stock. Steven Leavitt and Rick Mauritzson. The majority of the concern pertains to construction of the street -- a street and public access between Balata Court and North Crantini Way in Olivetree at Spurwing. And just to reiterate, there -- there is no public access proposed or approved with the subject application. This is only for utility easements, as well as emergency access and maintenance of those easements by the city and Suez. Staff is recommending approval with the requirement of a development agreement that states the annexation area is nonbuildable and, as I stated, shall only be used as an easement for city sewer and Suez water, emergency vehicle access and an access road for maintenance of the city and Suez water facilities in the easement area. Staff will stand for any questions.

Fitzgerald: Thanks, Sonya. Are there any questions for Sonya on this application?

Seal: Mr. Chair?

Fitzgerald: Yes, go right ahead, Commissioner Seal.

Seal: Just following along with what I'm reading through all the public comments in there, has -- has Ada county been contacted and where are they at on this parcel? I mean is there a -- is there some kind of legal action that's pending on it for real or is that just something that people are talking about?

Parsons: Mr. -- Mr. Chair, Members of the Commission, yes, there is an active case pending in the county and they are waiting to see what action the city -- city will take on the annexation of this property is what we have been told, so --

Allen: And, Mr. Chair, Commissioners, the -- the county has been copied with the staff report and has been involved with the city's process on this.

Seal: So, follow up to that, I guess where are they going to lie -- lie on this if -- if this goes forward for approval are we stuck in the middle of a lawsuit here or are they looking for us to approve it, so that there doesn't need to be one?

Pogue: Mr. Chair, Commissioners, I think depending on the outcome of the application it could render the substance of the county's litigation moot and the county would have to act accordingly. This -- this lawsuit that -- it doesn't involve the city and won't involve the city regardless of the outcome of this application.

Fitzgerald: Commissioner Seal, did you have any follow up there? Does that help?

Seal: I just wish I understood that a whole lot better. But, yes, it does. Thank you.

Fitzgerald: Okay. Any additional comments or questions for Sonya or the -- the staff at this point?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Sonya, just to reiterate, kind of going off of all of the public testimony reference to the original emergency access, it -- is that completely off the table for reasons due to the change of that intersection or is there something else that is preventing that from being done?

Allen: Chairman, Commissioners, if you are referring to the -- are you referring to the emergency access via Chinden at the Ten Mile intersection?

Grove: Correct.

Allen: Yeah. ITD is no longer allowing that emergency access. It's been a significant period of time since that was approved, 13, 14 years ago, something like that, and since that time there -- there have been intersection improvements there and a -- and a traffic signal installed and it's just not conducive to an emergency access in that location any longer.

Fitzgerald: And, Sonya, my understanding is they are going to gate both ends of that with a Knox Box or a padlock, it is only allowed for anyone to access it besides -- or, Sonya, even if Meridian city wanted to come access that road, they would need the chief's key or a firetruck to come access that -- that gate; is that correct?

Allen: That is correct, Mr. Chair. Again, there is a sewer easement through there, so our Public Works Department or sewer department would be able to access that easement as well. But it would definitely not be open to the public and there would not be any keys or access codes or any such things issued to the public.

Fitzgerald: And do they -- what -- do we understand what the gate is going to look like? Is there a -- is it specified somewhere on your -- did I miss that in the staff report?

Allen: Not that I know of, Mr. Chair.

Fitzgerald: Okay. Maybe the applicant could help me there.

Allen: Yeah. I'm sure -- I'm sure Becky can provide you with a lot more information on her presentation, so --

Fitzgerald: Perfect. Any additional questions before the applicant comes up? Hearing none, Becky, are you available in person?

Allen: She is in person, Mr. Chair.

Fitzgerald: Thank you. Becky, thanks for being with us tonight. Please state your name and your address for the record. The floor is yours, ma'am.

McKay: Thank you, sir. Becky McKay. Engineering Solutions. Business address 1029 North Rosario in Meridian. I'm here representing the applicant. The applicant in this matter is Spurwing Limited Partnership, along with Pacific Link Limited Company. What's before you this evening is, as Sonya indicated, an annexation of a .62 acre parcel for the purposes of establishing an emergency vehicle access, sanitary sewer and water maintenance roadway. This is the first Spurwing Subdivision that you see here. This was approved back in 2007. I have been working on this project for 15 years, which is a long time. When we obtained our initial approval, obviously, the recession hit and so we kind of slowed down to -- to kind of wait that out. Can I do the -- let's see. Will it let me do my arrow? But they can see -- there we go. So, the -- the subject property at the time that we annexed and zoned it into the City of Meridian, the utilities were coming from the northwest corner, which was Suez water and City of Meridian sewer. Our pathway of annexation -- dang it. I'm having difficulties with my arrow. Our pathway of annexation was there on the southwest corner at Chinden Boulevard. This was a platted lot. As part of the original Spurwing development it was always intended that -- that it would be developed with some patio homes and as I indicated, once we obtained approval we started working on some of the issues. One of the conditions of approval, as you can see in this staff report issued in February 6th of 2007 from the fire department, was that a secondary emergency access, 20 foot wide, capable of handling 75,000 gross vehicle weight would be required with this project. It also indicated in our staff report that this roadway would have to be equipped with emergency rolling or swing gate and it would have to have a Knox Box and would not be allowed for any parking on that access. So, initially when we obtained our approval we put in for a permit with Idaho Department of Transportation. This is the permit that -- that I submitted back in May of 2008. As you can see in the very low right-hand corner this permit was issued and signed and approved on 6/18/2008 by ITD's district three engineer. So, what we did is we designed an emergency vehicle access and as you can see this screenshot is from Shona Tonkin at Idaho Department of Transportation. We constructed the -- why does my arrow want to disappear? There we go. We constructed this emergency vehicle access. It had certain design criteria that ITD mandates and once constructed they inspected it and approved it and so we established our emergency vehicle access in 2008. However, we did not construct the subdivision, we wanted to wait until the economy improved. Then in 2012 Spurwing Challenge development to the east came to my client and Mr. Anderson indicated that he wanted to extend the sewer from down the golf course and through our subject property and you can see the -- the patio homes located right here and so they -- they submitted and were approved design plans and extended sewer all through our project and over to the Spurwing Challenge development. My client granted an easement to the City of Meridian for that sewer extension and as you can see Mr. Anderson constructed a 12 -- a 14 foot wide all weather gravel access roadway for that sewer line and the sewer came out of Spurwing Greens, it came down and across over and down. In 2014 I was contacted by Dave Splett, who worked at district three, and he indicated that due to the Walmart that had been approved by the City of Meridian and ACHD at the intersection of McMillan and Ten Mile, one of their conditions of approval was to expand

the Ten Mile intersection at Chinden and to install a traffic signal. He indicated to me that this would -- this improvement would basically -- they would have to remove our emergency access in order to expand the intersection, install the signal. In this particular letter he said the applicants and the city should be aware that a traffic signal is under construction at US 20-26 intersection with Ten Mile. The new site approach is being constructed, but the signal design does not include facilities for any southbound traffic from this subdivision and so they -- they basically made our permit, which we had completed and had installed the emergency access, null and void and they removed our access. This gives you a picture of -- of what that intersection looked like after the improvements. As you can see, the emergency vehicle access that we had installed was removed and in its place is that signal pole. Here is another picture of that, the existing improved intersection there at Ten Mile and State Highway 20-26. In my conversations with Mr. Anderson he stated that they had installed ribbon -- concrete ribbon curb and, then, they had installed a gravel base and, then, a perma bark cap over the sewer line right here. You can see the manhole here. He indicated to me that, then, they laid gravel down here and through our sight. He said over time that gravel sunk into the -- the soil as the years passed -- as you can see this is 2016 -- and basically disappeared through here. When we got ready to develop the Olivetree at Spurwing patio home project we were required to come up here and to extend Suez water. There is an eight inch sewer water -- Suez water main that we extended into the project and, then, looped that back onto Balata Court. The sewer was already a 12 inch sewer line, was already constructed and ran through our project and out and over to Spurwing Challenge. We were required by the City of Meridian to install a 14 foot all weather gravel surface over that sewer and water easement and so we submitted plans to Public Works, to the Planning Department. We also had to do a modification of our final plat application, because we had to modify the landscape plan to accommodate that access. The Fire Department -- we got -- obtained approval from the Fire Department. This is a letter that Warren Stewart, the city engineer, provided to me stating that for many years the City of Meridian has required water and sewer infrastructure to be installed in easements and to have a gravel access road to accommodate regular operation and maintenance activities. The sewer lines and manholes must be regularly cleaned in order to function properly and minimize odors and he also stated that it -- if the city is to continue to provide sewer service to its customers on this line, we must have the ability to properly operate and maintain the infrastructure and this requires a gravel road that will support the vehicles necessary to perform the work. This is a picture that Mr. Stewart sent to me that shows a vac truck that they regularly use and it weighs -- it is full of water and it weighs a lot and he said we need it to be able to hold 75,000 gvw. This is their TV truck where they go through and TV the lines on a regular basis as far as properly maintaining the facilities. This is what we started to construct out at the site, since we had Fire Department approval, Public Works approval, Planning approval, Council approval and so we came in and we cut in and put in a base and that's when we received a stop work order from Ada county and Ada county indicated this access is in the county and you do not have any permits from Ada county. We submitted them all of our city approvals, our approved construction plans, and they said, well, then, you need to apply to Ada county, we don't care that the City of Meridian has approved anything, where this sewer-water lies and where this emergency access is proposed lies within the county. So, they asked that we submit a traffic and development

plan modification of the original 1994 approval of Spurwing Subdivision. They also asked that we submit a grading and drainage plan for this facility. We did comply with all their requirements. We submitted it. It was a staff level review. The staff reviewed it and, then, the staff denied our request to construct this. So, we asked what -- what is our recourse. So, they said your recourse is to appeal staff's denial to the county commissioners. So, Mr. Terry Cople, the attorney for my clients, submitted an appeal to the county commissioners. So, we did go to the county commissioners hearing. We submitted all of our documentation and the county commissioners said, well, we feel that you have other alternatives. We told them we don't have any other alternatives for emergency vehicle access. This is an issue, a life safety issue. It is also an issue of these utilities and proper maintenance. We submitted this letter to the county from the Spurwing. Mr. Anderson signed it, stating that he will not allow Pacific Link to have any emergency access across the golf course and out to Chinden Boulevard, because it would interfere with development of the golf course and its functioning. Also another issue is ITD is expanding Chinden Boulevard. They have also been acquiring additional right of ways and so that particular green will -- or fairway may become narrower and he said that any other impediments that we were to put on there would severely impact the functionality of the golf course. We did meet with Mr. Wagner. Mr. Wagner has a couple of acres at the corner of Chinden. Mr. Wagner supplied a letter stating that -- that under no circumstances is he in a position to grant any emergency access out through his property and to Chinden. He said I'm fearful that adding any access or encumbering my property could impair its future marketability and use and you must find an alternative access for your property. There we go. So, this is what we -- was approved by the city staff. This is what we showed the county commissioners. This is a 20 foot wide gravel surface. It has ribbon curb on each side, gravel underneath, and, then, it would have a perma bark cap over the top of it, which is like that landscape type rock. So, it blends in, would not look, you know, like a typical gravel road. It would have a gate at the north end here and, then, a gate at the south end. The gate -- whoa. There we go. The gate would be a swinging gate. This is what -- this standard is an emergency access gate. According to Meridian Fire Department this is their -- these are their specifications and what they would require of us. It would have a Knox Box that would only be used by emergency services or for the city Public Works Department or Suez water to maintain it. I will wrap up here. This is the Fire Department approval that we received by Perry Palmer and I also received a letter from Joe Bongiorno supporting the emergency vehicle access to the north. So, basically -- and that's a Suez letter. Basically what we are doing is we are coming to the city to, obviously, protect city services and the county commissioners looked me straight in the eye and said, well, if Meridian has facilities here and they want a gravel access road, then, maybe you should annex into Meridian and so that is why we are here this evening annexing into Meridian and I asked that the Commission support this application to, obviously, protect the emergency access and maintenance road, which is one and the same, and there is no adverse impact on these adjoining properties. This is all at grade and there is significant landscaping between us and the adjoining properties and this is -- lies solely upon the golf course. Thank you. And I will answer any questions.

Fitzgerald: Thanks, Becky. One question I have is -- is your plan going to return it back to the original picture you showed with the ribbon curb and black covering that's -- what's like on the other side of that course there? Is that the plan is to make it look similar?

McKay: Mr. Chairman, that -- that is correct. We will emulate exactly what has already been installed to the manhole on the west side with the ribbon curb, the gravel underneath and, then, a perma bark concrete cap so it blends in.

Fitzgerald: Thank you. Are there additional questions for Ms. McKay? Hearing none, Becky, we will let you close after we hear from public testimony.

McKay: Thank you, sir.

Fitzgerald: Madam Clerk, I would guess we have folks who would like to testify. Do you want to start in chambers and go from there or wherever you go.

Weatherly: Sure, Mr. Chair. I have Greg Stock first.

Stock: My name is Greg Stock. I live at 2915 --

Yearsley: Can you speak into the mic. Sorry.

Stock: My name is Greg Stock. I live at 2915 West Balata Court. I stand here in opposition to this. But I would like to make two points of order before I begin. First, I would like to -- I can't remember the name -- I missed the name of the Commissioner who lives in Spurwing and I would ask that he recused himself. I think it's inappropriate that he's involved in this. The second thing I would ask is another point of order, is that the council -- or the committee is flexible with those of us here as attendants on the time as they are with Ms. McKay, who ran over her time by a minute and a half. So, having said that -- I don't know if it's appropriate we stop and let you decide those two points or I should go on.

Fitzgerald: Mr. Stock, go right ahead. We are pretty flexible in the time frame.

Stock: Okay. It's impossible to tell who I'm talking to, but we will go from here.

Fitzgerald: Yes, sir.

Stock: Okay. Having read the staff report this afternoon I'm concerned and I'm concerned that, number one, even in the staff report it mentions it was made up -- or it was decided on based only on the narrative input from the applicant. We were told on October 8th, City Council, that we would have our input in 72 hours in advance, so that it could be included and reviewed by decision makers. I can only hope that you have read that -- that material now or you will before you take a vote. I go into a lot of detail and a lot of different facts. But there are several facts that are right off the bat inaccurate. First off, the county's denial of the site modification only included the emergency access. It did

nothing to the City of Meridian's easements and, in fact, the lawsuit would return that property to its actual pre-July 4 state and return the access that's now been 15, 17 months since the applicant essentially destroyed it. Secondly, ITD did not completely reject the applicant. I have in this package I can give you a copy of a letter that's December 19th -- December 9th, 2019, where ITD said they would understand and they would stand -- back up. I can give the exact language. They would approve access -- shared joint access with Mr. Wagner into that access that was originally approved. Point being part of that access that Mr. Wagner is now denying is an easement that the applicant granted him sometime in the past. As far as the letter from Spurwing that they won't allow the access across the golf course, that's a matter of aesthetics and the truth is is that Spurwing, the golf course, is a tenant of the applicant. The applicant owns the property and under the law I don't believe a tenant can refuse a landlord access to his property for reasonable improvement and if a fire access road is not a reasonable improvement I don't know what the definition would any longer be. I would like to go on real quickly now and get through a couple of these things. This annexation request is really about two issues, sewer and water maintenance, which can be kept and the fact that at this point the city needs nothing. Rejecting this application or not acting on this application gets the city back the access that they need and the question, then, is where is the fire access. Nobody's questioning the need for it, but it's appropriate where it was originally approved. The impact is less on the neighborhood and it's -- that's the right thing. I -- it appears here that -- that the applicant is attempting to manipulate the city into helping him avoid the jurisdiction of Ada county court and I hope that the city is not that easily -- easily manipulated that they would allow that to happen to themselves. I sincerely hope that's not the case. I would ask that this annexation request be judged on the impact, the negative impact of the neighborhood, and that other alternative routes do exist. The applicant does not want to use them and that's his problem, not ours. I appreciate your time. I will answer any questions. I would only ask, again, that you do review the material that's been passed to you via the Council -- or the City Clerk's office. Thank you.

Fitzgerald: Mr. Stock, we appreciate you being here tonight. We do appreciate the information you provided. We had those in our packet last night -- or earlier this week and have reviewed them. It was a significant amount of information. We appreciate that. Any questions for Mr. Stock? Thank you. Madam Clerk, who is next on the list?

Weatherly: Mr. Chair, that would be Gretchen Tseng.

Tseng: Hello. My name is Gretchen Tseng and I live at 3075 West Balata Court. I have also put some information in that I hope you review, but just wanted to quickly go over this. Throughout -- throughout this long -- very long process with both Ada county and now the City of Meridian, I have been very disheartened by Engineering Solutions mistruths and hope that you have been able to communicate with Ada county about all the history of this road. The fact that once the application was finally submitted to Ada county they denied the road and, then, when once Mr. Hewitt appealed he lost his appeal and was ordered to restore the road to its original condition. He's refused to return it to its previous condition and is now being sued by Ada county as you are aware. It would be very disappointing to have Meridian city allow the annexation and ignore the fact that

Ada county has already determined twice that this emergency road is detrimental to homeowners and it would only serve to reinforce Mr. Hewitt -- to Mr. Hewitt and others that they can go ahead and do what they want regardless of the law. The original plans for Olivetree development showed the emergency road connecting between the southwest corner, as you guys all know, and I do want to reiterate that we do have a letter from ITD saying it's still an option. You guys brought up the possibility of sprinklers. I hadn't heard about that. If sprinklers being installed in each of these homes is a viable option, then, why not go that route, since Ada county has already denied this road -- denied this as detrimental to homeowners. I bought a home directly on a golf course and now have a 25 -- 20 foot wide road next to it. Prior to the -- I just want to make it very clear to you guys that prior to the construction of this unapproved emergency road there was never a gravel road next to the length of my home. I have lived there for seven years and there has never been gravel next to my home. It's been grass from my home to the golf course. As far as the sewer access on the other side of the golf course is what was next to my house before, just stub roads, grass, and, then, stub roads and I mean that's -- that's sufficient over there, it should be sufficient over here. We -- we have letters also from the sewer saying that it's not required to have a road. She's trying to combine an emergency road with this and they are two separate issues. I want to make it clear that just so that you know the detriment -- like I said, I bought a house on a golf course and I am not kidding you, all day long -- that is an access for people to walk -- to walk their dogs, to ride their bikes. Cars have driven down it. This has become a thoroughfare for people that walk by and we actually did the responsible thing and had to rehome a dog, because for his entire life there was no one walking by and having people walk by made him start to get aggressive. So, we were responsible and I have lost a dog in this situation as well. Please do the right thing and do not reward Mr. Hewitt for his actions of building this unapproved road. Ada county has spoken. Please just -- I just ask you to review everything and be conscious of this. It's been pretty horrible.

Fitzgerald: Thank you, ma'am, for being here tonight. Madam Clerk, next on the agenda -- or next on the list of --

Weatherly: Mr. Chair, I'm not sure -- Mark, did you want to speak? Thank you. That brings us to Rick Mauritzson.

Mauritzson: Hello. Can you hear me? All right. Commissioners, my name is Rick Mauritzson and I live at 3028 West Balata Court and I am a resident of Balata, as well as a member of the Spurwing homeowners board of directors. I have a few highlights I want to highlight from my submitted statement. So, I strongly urge the Commissioners to rule in opposition to the staff's recommendation and to reject the developer's request for relocation of the previously approved emergency access road. Furthermore, the city should not entertain annexation of the parcel of land in question until the land has been returned to its original condition, including the sewer access stub roads, which Ada county has already demanded, and not to rule until any active Ada county litigation has been settled or wait until any active litigation has been settled. So, my arguments against the relocated emergency access road or the proposed new road, as Gretchen Tseng said, will have a significant negative impact to her property and the adjacent properties. The



neighbors directly adjacent to Tseng's purchased a home on a fairway, not a home on a 20 foot wide gravel road. If this new road were to be approved they would lose their pristine view of the fairway. Also the proposed road is not required for either sewer or water access. At least not a continuous road is not required. The previously existing stub roads from both the north and the south are sufficient for sewer access and these stub roads are exactly what Ada county is demanding the developer restore. The proposed road was partially constructed by the developer unlawfully without Ada county approval and has been denied twice by Ada county development and the Ada county commissioners. In regards to the original road location, the originally approved location between the Olivetree Sub and the Chinden-Ten Mile intersection is the best, most reasonable placement for the emergency access road. It provides the quickest, least redundant secondary access to Olivetree Sub and does not retrace 60 percent of the primary access route that's being proposed by the developer. The developer has submitted a letter from the Club at Spurwing stating they will not allow the road in it's original proposal occasion. However, the Club at Spurwing has no authority on this matter as they are the tenants and leased the property in 2011 with knowledge of the planned emergency access road as a public record since 2006-2007 time frame and it was in the final plat approval in 2008 by Meridian city. So, the tenants knew this. The developer let his original ITD permit for the original emergency access road approach connecting to Chinden and Ten Mile to expire in June 2009. You did not hear that from Ms. McCabe and the developer has made no effort since then to renew it. In December of 2019 ITD reiterated that an option to connect emergency access road to Chinden and Ten Mile still exists. I implore you to go look at my exhibits three and four of my submitted public testimony and you will see the letter from ITD there. In summary, annexation is not required for the developer to meet his requirements for water and sewer access or emergency access. All requirements were met with the pre-existing stub roads in the original 2008 approved plat map. The request by the developer to annex this strip of land is only a means to circumvent Ada county's twice denial of the proposed road and to null and avoid the act of litigation that's now pending with the county. Thank you. Any questions?

Fitzgerald: Thank you, sir. We appreciate it.

Weatherly: Mr. Chair, next we have Carolyn Mauritzson. Carolyn has chosen to pass on her time. So, that would bring up Tony Tseng. He is also choosing to pass. His neighbors have said everything that the -- that he agrees with. Tom Nist.

Nist: Good evening. My name is Tom Nist. I live on 2932 West Balata and I'm opposed to the annexation. Am I -- is it possible for me to yield time to someone who has already spoke?

Weatherly: No, sir. It's one person per -- unless the chair -- unless the chair has another opinion on that. Thank you.

Nist: Rick and Greg have done a lot more research on this than I have. However, I just want to point out and have a request -- a request that you really take time to review what

was submitted in the public testimony and really do your own research in the facts. It's very dangerous to take the developer's narrative at face value, because they have had a history of not telling things -- inaccurate things and, frankly, lying and we heard tonight Becky here -- let me just give you one example. Becky said that the ITD was not a solution when, in fact, it is. I'm looking at a letter in 2014 where that's entirely not accurate. So, I just would urge -- because there has been a history of things like that where they are literally saying things that are not true, I would just ask that you really take time to review all of the public testimony and take into consideration that it's been denied twice from Ada county. So, thank you for your consideration on that.

Fitzgerald: Thanks, sir. We appreciate it.

Weatherly: Mr. Chair, that is all the signups we had.

Fitzgerald: Okay. Thank you. Is there anyone in the audience or online that would like to testify that hasn't so far? If you would, please, raise your hand online.

Yearsley: There is a gentleman that wants to testify in --

Fitzgerald: Sir, please, state your name and your address for the record and the floor is yours.

Wagner: My name is Rod Wagner. I'm at 3240 West Chinden. That's where I reside. Just -- I just wanted to say the crazy thing about all this -- it looks -- sounds like there is a lot of emotions here it looks like, I can feel it, about moving this thing over towards my property. So, this road -- my thoughts are this road does not have any impact on anybody's actual yard property. It's -- it's away -- you know, it doesn't impact any of theirs. One thing I have never gave anybody permission to -- back in 2008 or whenever it was, I never --

Seal: Mr. Chair, he's incredibly hard to hear. Could we have him step up to the mic?

Fitzgerald: There you go. Thank you, sir.

Wagner: I wanted to -- I heard that I was -- they -- they said that I had given permission to access my property or use it for this easement road, which is untrue. I never have. I would like to see a documentation that says that. But I have never -- I have always supported all this development. I have been there for 35 years. I have got documentation that shows that I have had -- that property's been there for 126 years, the house that I live in. When all this development came around to my -- near my property I never opposed any of it. I supported it. I belong to the irrigation district that they get water out of. I have been president of that lateral. I support everything they have ever done -- always done. So, it's kind of crazy, they want me to give up some of my property for this road when this is not even impacting any of theirs. So, I just -- and, again, I'm just denying any access on my place for this road.

Yearsley: Thank you.

Fitzgerald: Thank you, Mr. Wagner. We appreciate it. Is there anyone else in the audience or online that would like to testify? If you are online and would like to testify, please, raise your hand via Zoom. Commissioner Yearsley, is there anyone else in the audience that would like to testify?

Yearsley: Mr. Chairman, there is one gentleman that wanted to testify. He signed up, but he -- he earlier recluded. Do you want to allow him to come up?

Fitzgerald: Yes, sir.

Yearsley: Okay. Please come on up. Name and address for the record, please.

T.Tseng: Hello. I'm Tony Tseng. I live at 3075 West Balata Court. I just want to point out something that was brought to my attention -- that was just stated by Mr. Wagner and this is part of public record where Ms. McKay has -- and I can submit this to you guys -- where she says -- I'm going to read what was -- it's down on paper and so this is in her words. So, we worked with -- so, we -- dot dot dot -- we worked with -- with some traffic engineers and came up with a solution. I did Olivetree at Spurwing. The patio homes over here at Spurwing golf course. So, I went to Jock Hewitt and Rod -- Rod Wagner. Also talked to Jock and we asked him would he be willing to give us access and an easement, so that we could align with the future expansion of Ten Mile intersection. They will -- they will come along with Costco that will -- that will -- and it's written they will -- but that will come along with the Costco development. He has agreed. Came to office said draw up the paperwork. That's fine. We went to ITD, reported back to them, took the site plan. ITD said the only thing that we ask for -- for you is for the traffic engineer to prepare a turn analysis. So, I'm just using this as a time to bring that point up. Part of this whole situation that's just -- is disturbing is there is a lot of lying going on. We had a community meeting, everyone came out, and she started the meeting with just to let everyone know this has been approved and it was just -- there is so much deception and misleading going on in this whole process and us as homeowners -- yes, it's emotional, because we sit there and we feel powerless. We feel we don't have the ability to -- we are not sitting here lying. You know, it does impact us. There wouldn't be ten grown adults here to oppose this if it meant nothing. If it didn't impact us why would we be here, you know, and there is -- it's very emotional, especially for me and my wife. We are impacted the most and -- and I want to thank my neighbors and everyone to sit there supporting us and the whole street, because there is multiple issues in Spurwing where the developer, Mr. Hewitt -- we had a cul-de-sac -- it's no longer a cul-de-sac. I know that's not part of this meeting, but it's one thing after another. They do what they want. I know Idaho is growing up. It's different now. But it's -- parts of it doesn't feel that it -- it feels like a good old boys network. They get to do it without permit on the 4th of July. We were out of the country and luckily our neighbors would look out saying there is a road being built literally in our backyard and we have pictures of cars and it's -- it's a traffic zone and it's in my backyard. So, yes, it's emotional, because it impacts our livelihood every day. So, thank you.

Fitzgerald: Thank you.

Parsons: Mr. Chair, may I just try to clear up some -- I think some confusion in the room, if you would allow me maybe three minutes to talk about that access to Chinden and how that got established. So, if you can see this exhibit here before you, you see the C-C zoned property right next to the -- the point of where Spurwing -- or Olivetree at Spurwing was contiguous with city limits. Mr. Wagner came through the city in 2019 and annexed that property. At the time of annexation he had a concept plan that showed an access to Chinden for his property, but in order for it to align up with the intersection improvements at -- and make it a safe access for his property, we asked him and Becky to work with Jock Hewitt, the applicant, to make that access in the right location, so it aligned properly at that intersection and that's where some of the mis -- the mis-information that's coming from. So, yes, if Mr. Hewitt is going to develop the property consistent with his annexation plan, we are going to want that access to align and those property owners to work. That's how ITD is saying we support an access there, because they -- those are the discussions we had with them during the annexation of that property. So, can that still work today? Absolutely. But as Mr. Rod Wagner testified, he lives there. It's not a commercial development. He is still a single family residence. So, if he is not willing to further develop his property, the city just can't make him grant access to this owner if he is not willing to work with him until he's ready to develop his property consistent with his agreement with the city. So, I just -- again, I just wanted to go on record, clean that up, that, yes, that access in theory is approved there when Mr. Wagner develops and works with the adjacent property owner to get that access built. So, I just want it to be on the record to -- to at least let you know what those conversations were and -- and it goes to the testimony that the gentleman was just referring to and reading into the record.

Yearsley: Thank you.

Fitzgerald: Thanks, Bill, very much appreciate it. Are there questions for Bill? Hearing none, anyone else -- last call on opportunity to testify that haven't spoken yet, either via Zoom or in the audience. Commissioner Yearsley, seeing none --

Yearsley: I see no hands.

Fitzgerald: Okay. Are there any questions or additional comments or questions for the staff? If not, I would entertain a motion to close the public hearing.

Yearsley: Do we want Becky to respond to --

Fitzgerald: Oh. Sorry. Yes. Thank you, Commissioner. Becky, do you want to come up and close, please, ma'am?

McKay: Thank you, Mr. Chairman, Members of the Commission. We are going to do kind of a two pronged rebuttal here. I just want to make a couple of statements that have been made. I have been doing this 30 years. I have been coming before the city -- the City of Meridian for 28 years. I have never misconstrued, lied, or said anything that was

not true. There are no easements -- no signed easements between Mr. Hewitt or Mr. Wagner. What we had hoped to accomplish we did not. Mr. Wagner is still living in his house. His property did not develop as a C store. As far as removal of the improvements, I called the city engineer and I said they are telling me we have to remove all of the gravel improvements that we put in and Warren Stewart's comment to me was, no, you are not. So, I was caught between a rock and a hard spot. He said we need access over our sewer. I have a letter from Suez saying we want access. So, access over those utilities is critical. It is important. And when we tried to -- when we got our final approval from the city -- I have an e-mail here from Bruce Freckleton to Sonya saying let's make sure the required compacted gravel access road over the sewer main is in place, please. I mean it's not just an issue of an emergency vehicle access, it's an issue of access over utilities. It's a dual use. It's going to be there one way or the other. This is the only way I can satisfy my conditions of approval and I have tried to reason with these people, I -- I have been called names, obscenities, dang near hit with a golf cart. It's been kind of a little -- a little raveling on my end, too. I will turn this over to Mark.

Freeman: Good evening, Mr. Chairman, Commissioners. My name is Mark Freeman.

Yearsley: Speak into the mic. Pull it up. There you go.

Freeman: Mark Freeman is my name. My business address is 953 Industry Way in Meridian. Foley and Freeman Attorneys. I represent the applicant. A couple comments. There is -- obviously there is some emotion here, which is not uncommon and that's the tough job that you all have to do as Commissioners to deal with that type of emotion. This is not a -- this work did not occur in the middle of the night on a July 4th while someone was out of town. This work on the easement, which was stopped by Ada county, occurred after my client obtained the approval of the City of Meridian to -- to -- the construction plans were approved. The Fire Department was contacted, as you have seen. The letter is in the record. There was approval obtained. So, this is -- it is not -- my client is, unfortunately, being tagged as this big good old boy who pushes people around and -- and the actual facts are quite different than that. He applied with what he thought was appropriate and Ada county put a stop to it. It's interesting, because we have learned from the City of Meridian engineer that there are a number of other locations in the -- in the county where there are similar gravel easements for sewer and water which do cross between the city and the county and -- and we haven't ever heard of that situation occurring where -- where that kind of work was stopped by the county. There has been a comment that the -- the applicant lost -- lost two appeals or -- and there has been some question by one of the Commissioners about what's the status of the issue with the county. The county did file suit to have the property restored. The applicant originally appealed the decision of the commissioners to deny the original application, but decided based partially upon the recommendations of Commissioner Visser that they should proceed to this -- this is a City of Meridian issue, it's a City of Meridian sewer, it's a city of Meridian -- Meridian's required easement access, that they should go there. So, the applicant actually chose to dismiss its appeal and proceed this way through the City of Meridian. You know, I think it's clear -- I was going to talk quite a bit about the fact that there really is no other emergency access available. There just is not. And I appreciate

staff's comments. Unless Mr. Rod Wagner changes his mind, which he has indicated he is not inclined to do, frankly, I understand that. If he owns the property and he thinks it's going to be somewhat detrimental to some potential purchaser, why would he agree to do anything. But there is no other access. So, that's the bottom line. There is no other emergency access available at this property. It has to come somewhere else and this location is the best place for it to come and, really, the only place it can come for this subdivision to be developed as it was originally proposed. Other than the access to fully develop this Olivetree Subdivision requires an emergency access and the city approved it previously, but the -- the other issue is this access was not lost, it was not due to inactivity. It didn't disappear. The access that ITD granted was not lost, it was taken away by ACHD -- or, excuse me, by ITD. They -- they removed it. They took it away. So, any comment that -- that the applicant was lax or allowed it to be taken or didn't proceed in the appropriate manner is just absolutely incorrect. This was taken by ITD, which resulted in my client having to look for another location for access to the property. There has been discussion about what was there before. Somewhat relevant, somewhat maybe not relevant. Again, I think Becky made the point -- these improvements are at grade. This is nothing that sticks up. And there is -- and there has been since, oh, 2000 and -- I think the existing sewer easement -- the original gravel road -- or excuse me. I'm calling it a gravel road. I should call it a sewer easement with gravel on top of it. Has been there since 2012 or '13. Yes -- and you can see it on the exhibit that Becky introduced. It existed. It was there. It may have not been there all the time -- I mean it's been there apparent for a number of years. It's gravel. It's sunk in. It has deteriorated over time, but there is and has been gravel -- a gravel roadway in that exact same location and there has been comment about people using it and even cars driving on it. Well, the -- the actions of Ada county actually prevented my client from improving it and putting the barricades and lock boxes up, which would actually have prevented these people from using it. So, it's not designed as public access, it can't be public access, it never will be public access and what's the difference between the use before this application request came through and after if it's granted, the difference is that in addition to vehicles owned by the City of Meridian or Suez water to do maintenance on their sewer and water lines respectively, the only other people that are going to use this easement are going to be emergency vehicles and they are going to have to open that Knox Box either way to get in or out. That's it. There is nobody else going to use it. So, that should take care of the issue of people riding their bikes on it or cars going across it. I think that's basically a moot point when that happens. Finally, the -- I have got some time. The -- there is already a public dedication. There is already an easement on this piece of property. Yes, it's owned by my client, but it's subject to an existing easement -- two easements, actually. One to the city -- or one to the City of Meridian for the sewer line and presumably one to Suez water for the water line. These easements, like most easements of this type, require the property owner to refrain from doing certain things with their property. So, in other words, my position is that there already is, in essence, a public interest in those parcels. Mr. Hewitt can't plant trees in the middle of those easements. You can't put bushes there. There is a lot of things he cannot do because it interferes with the city's rights in the property and by granting and agreeing to allow the emergency access at this location, what it does is it -- it will actually, in some respects, provides the city with not only

emergency access, but better access for its sewer and -- and -- and also to Suez water. I think I'm done. Thank you.

Fitzgerald: Any additional questions for the applicant? Commissioner Grove, go right ahead.

Grove: Mark, question for you. On this -- just pulling out some of the stuff from the staff report and from one of the public testimony, in regards to the option for installing the fire sprinklers in the homes above -- that go beyond the 30 home limit, is there a reason that that is not something that has been discussed in this forum?

Freeman: It's -- it's an expensive option. It increases the cost of each home. It doesn't solve the emergency access issue that will be there anyway, regardless of how many homes are constructed in the development. I don't know exactly what the cost of -- the additional cost is per home, but that's the reason.

Fitzgerald: Commissioner Grove, do you have follow up?

Grove: Not at this time.

Fitzgerald: Okay.

Yearsley: Mr. Chairman, I have a couple of questions if you don't mind.

Fitzgerald: Go right ahead, Commissioner Yearsley.

Yearsley: So -- so, my understanding, the easement's already there. It was gravel at one time per city code. Is that a requirement per code or -- and maybe the city can help with that. I don't know. So, you could -- you could put the gravel -- replace the gravel to get it back to city code without a fire access is kind of what I'm -- I'm kind of playing Devil's advocate on this, because, again, I understand the concern of the neighbors and it was in the staff report that if you have over 30 homes you could sprinkler without having a fire access, if I'm not correct. Is that correct?

Parsons: Yeah. Mr. -- Mr. Chair, Members of the Commission, that -- that is correct. That --

Yearsley: Okay.

Parsons: -- comes right from the fire chief saying that if they go -- so, if you also saw in the staff report you know the city is also monitoring the amount of permits that are being issued in that development until we get this issue resolved. So, as of today there is 22 permits that have been issued out there in that development, so they are approaching their 30 before they are needing either to fully sprinkler the homes or provide that secondary access per the fire code.

Yearsley: Okay.

Parsons: And we did discuss that with the applicant at the pre-application meetings early on is that would be the -- our preference, so that we could avoid some of these discussions in front of a public forum, because there are other ways to do it. So, I hope that the neighbors know we hear you, we understand your concerns and -- and we as staff tried to vet all options with the applicants. But, ultimately, they have the right to go through the process and go the way that --

Yearsley: I'm not -- I just want to just clarify a couple of items.

Parsons: Oh. I wanted to also just kind of chime in on the gravel road, too, so -- I -- I did a lot of these projects out here, so I'm very familiar with the history and I'm very familiar with a lot of these neighbors, because I have talked with them about the other road situation as well. But just to clarify, there wasn't a gravel road that went through the golf course, there was gravel -- or improved surfaces to provide manhole -- access to the manholes. So, if there was no manholes it was still vegetated and did not have any disturbance of the ground cover. It was only a gravel or that perma bark over to the manhole cover. So, if you look at old photos -- Google photos you will see how it was developed, but -- so, that's -- that's kind of the premise of what the commission wanted -- the Ada county commissioners wanted them to restore back to the original approval back in 2012 when it was run through. But the portion that Becky showed you it was gravel through the Olivetree portion, because they were going to put a public road over the top of it at some point, which they have now.

Yearsley: So -- so, I know being on the Commission before -- and I realize that this is my first time -- day today -- a lot of times Public Works with sewer easements or water, they would prefer that be paved, is that not the case?

Parsons: Yeah. Mr. Chairman, Members of the Commission, you are correct. If -- they do require -- even through common lots they will require that gravel road through the city's common open space lots as well --

Yearsley: Yeah.

Parsons: -- to get to those manholes and sometimes -- again, there is always circumstances, but majority of the time, yes, that is a requirement. A 14 foot compacted gravel road.

Yearsley: Okay. Just -- just kind of wanted to make sure I can wrap my head around this to make sure I understand. I guess -- I don't know if I have a question now, since I have -- the city's answered that. So, I don't know if you have a comment with what my comments were.

Freeman: Yeah. Mr. Chairman and Commissioner Yearsley, I do have a comment. First is Becky informed me that the cost of the fire suppression in the -- in the individual homes



increases the value -- or, excuse me, increases the cost of the home by about 12,000 dollars per -- per home -- per unit. So, it's a substantial cost and I -- not to belabor the point, but on this issue of what was there, that entire line -- entire line was graveled over the top and was gravel for a period of time, not -- not just to the manhole, but all the way through -- all the way over to where it connects in the roadway on its way to the Challenge course at Spurwing. So, that -- so -- and that's what you see. I acknowledge when you look at those aerial photographs you don't see just a gravel road, what you are seeing is the remnants of a gravel road that some grass has grown -- is growing through, if that helps at all.

Yearsley: Okay. Thank you.

Fitzgerald: Any additional questions for the applicant at this time?

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Just out of curiosity, are -- are the homes that are going into this subdivision planned to be like entry level priced homes?

Freeman: I'm probably not the best -- excuse me, Mr. Chairman and Commissioner Grove, I'm probably not the best one to answer that, but I would say -- because I have seen them, they are definitely not entry level homes, they are patio homes, and they are not inexpensive and they are not entry level homes.

Grove: Thank you.

Fitzgerald: Any last call for questions? If not, I will entertain a motion to close the public hearing when the Commission is ready.

Seal: Mr. Chair, just -- the width of the path, the -- whatever is being proposed to be put in here, what -- what is the -- the width of that?

Freeman: Mr. Chairman and Commissioner Seal, the -- the width is 20 -- the easement is 20 feet. The old easement that's in existence today is -- is 14 feet, I believe -- 14 feet of gravel. Fifteen feet. So, the width is 20 feet of the emergency access, if this recommendation is made to approve it.

Seal: So, the -- so, the gravel that will be put on top will be 20 feet wide?

Freeman: Yes. There is a -- again, there is a ribbon curb to hold the gravel in and there is a perma bark cap on top of the gravel, which is basically identical to what was previously located in the -- the north portion of this property that's subject to the annexation, between West Balata and the first manhole.

Fitzgerald: Bill, can you roll back to those aerials or do you have those? So, I think that -- so we can look at that -- so the Commissioner can see that. Is there -- was that in -- or was that in Becky's presentation?

Parsons: Yeah. Sonya will try to pull it up, Commissioner.

Fitzgerald: Okay.

Parsons: Can you see that, Commissioners? That's -- that's what it looked like 2012 -- what was it -- 2012 was probably when it went in.

Fitzgerald: Commissioner Seal, does that help?

Seal: It -- it does. Part of what I'm trying to formulate here is what -- if this were to go in what would make everybody happy and -- I mean if it were a pathway instead of a gravel road maybe everybody would be happy about it, so -- and I don't know that for sure, but I mean it's pretty obvious that something was put in there at some point in time. You know, what that was or how significant it was we will never know, but --

Freeman: Mr. Chairman, Commissioner Seal, as you -- if I can -- maybe I can't do this, but I should be able to. I can't. The -- the -- the northern portion, let's call it, from the sewer line to the road is similar to how this will look. We talk about a gravel roadway. It is gravel, but it's going to have the perma bark cap on it, just like this black portion that you see up above on the property and it will have the curbs along the side. I can't represent you that what's there is exactly the same width, because I think that's the -- the sewer easement, which is like 15 feet, and this is going to be 20 feet. But that's how it's going to look when it's done. It will not just be gravel and the perma bark keeps the dust down. The curbing keeps the gravel and everything in place and, again, it's all at grade, if that helps.

Yearsley: So, Mr. Chairman?

Fitzgerald: Commissioner Grove, go ahead. Oh. Commissioner Yearsley. Sorry.

Yearsley: So, this little piece here that's already there, they are going to take it out and widen it to 20 feet for the fire access; is that correct?

Freeman: That will become part of the fire access. I -- I think it may have already been taken out, but I -- in anticipation of being replaced that's where the problems with the county came up.

Yearsley: Okay.

Freeman: After all the approvals were obtained from everybody, except the county.

Yearsley: Right. Okay. Thank you.

Fitzgerald: Commissioner Grove, go right ahead, sir.

Grove: Mr. Chair, thank you. Question comes from what Commissioner Seal kind of mentioned is was this ever -- is this -- was this considered a pathway at any point? Because I know that -- I mean that's what it looks like from the image that we see, like I mean instead of using gates, using bollards. I don't know how -- if that's possible or not. I'm just curious.

Freeman: Mr. -- Commissioner -- Commissioner Grove -- or Mr. Chairman, Commissioner Grove, this has never been a pathway. Before the development of Olivetree to the south of what we are looking at here -- you can't really see it -- it was just a field there. I can't tell you that nobody ever walked on the golf course. It's a golf course. But you can see -- what you see there that you -- that appears -- you class -- you categorize it as a pathway, it's really what's left of the gravel road that was put over the sewer line. That's what you see. And over time, again, that has degraded, there is no question about that, and -- and to grant this approve -- this recommended approval -- this -- this pending application will result in an improvement to some degree in the nature of what -- what's up to the north. The -- when it's complete it will have lock boxes -- Knox Boxes and gates, so it won't be able to be accessed by vehicles, bicycles, people -- the general public is not allowed on the golf course, but sometimes people do walk across the golf course and they are not authorized to do that and that potentially could happen here, like it could happen anywhere, but there -- there won't be any interconnectivity, if I can say it that way, that's public between Olivetree and the road that these neighbors live on that they have been testifying about.

Fitzgerald: And, Commissioner Grove, I think the neighbors are hoping -- they don't want to have access, because that would connect the Olivetree to that road on the -- that's to the north I think is what they were saying before, if I'm explaining that correctly.

Grove: Yeah. I didn't know if that was solely pertaining to vehicles or if it was also to pedestrian traffic as well.

Seal: Yeah. Mr. Chair, on my previous remark by -- by -- what I meant by pathway was simply everybody likes a pathway. You can ride a bike on it. You can walk on it. It looks pretty -- sometimes there is nice things that go along with it, but, you know, a little gravel road back there is maybe off putting to some people. So, at any rate, whatever is put back there would, you know, need to be limited to pedestrian and bike traffic on the norm and, then, any kind of vehicle accesses as described in the application. So, again, I mean when I -- I will -- I can -- I will have more comments since we close the -- the public hearing part of this.

Fitzgerald: Commissioner McCarvel, did you have any questions or did you come off of mute for --

McCarvel: No. I think I will wait until our discussion. I don't have an actual question, just a comment.

Fitzgerald: Okay. Well, Mark, I think we are good. So, thank you very much, sir. I appreciate it.

Freeman: Thank you.

Fitzgerald: With that can I get a motion to close the public hearing?

McCarvel: So moved.

Seal: Second.

Fitzgerald: I have a motion and a second to close the public hearing on H-2020-007. All those in favor say aye. Any opposed? It sounds like we are good and motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Fitzgerald: Anyone want to lead off?

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: A few things in here. I think there is other things that could happen on this. I'm -- I'm kind of leaning towards a continuance on this to explore some other options. One is to have a formal application to ITD to at least explore the option of what would happen with trying to do a joint access with Wagner Farms. We have already heard from Wagner Farms that they are not going to do that, but, basically, it will put that to bed. If -- if that was the deal. Because they are -- they are not going to move the signalized intersection to accommodate this. If they don't do that there is not enough room for the road. I mean I can see that by simply looking at the street view on Google Earth for this, so -- but it is a question that's been raised. It's something that could possibly happen, so maybe if they go down that path something might happen with it. I highly doubt it, but it might be worth looking at. The second, you know, reason I would think a continuance might be in order is just because instead of doing, you know, a gravelized access road, maybe a pathway type system is something that would be better served here. So, I don't know if they can do a pathway system and still allow a 75,000 -- or 75,000 pound vehicle on it. I have doubts about that as well. But, basically, give a little bit of time to explore every option that's out there and, then, if those do not come to fruition, then, I mean it makes total sense to me to go ahead and, you know, allow this to annex in. Personally, you know, I mean putting sprinklers in all the homes is -- I guess if I were a homeowner and I had to choose between looking at a gravel path and as far as I can tell it's not out the front of anybody's home, it's to the back of them, or somebody else's safety, I would choose somebody else's, you know. So, I would choose somebody else's safety over, you know, any objections that I had to something that's purely aesthetic. But that's -- that's where I'm at on it. I understand both sides of it. The simple answer is just put the thing in and let it go, but since there is a lot of people that are involved with this that are -- you know,

are saying that they are going to be impacted by it and that there are other alternatives, then, I think there is time to explore the other alternatives and if they don't pan out, then, they come back before us and we look at it from that perspective again.

McCarvel: Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I think there was definitely a gravel road there -- a gravel path at one time. I -- I disagree that we want to explore the option of it being a walking pathway. I don't -- I mean on the fairway of a golf course. That's not where you want people randomly walking and I think that's what the homeowners are -- around there are trying to avoid is having more people walking back there. I would say if -- if this is something we consider, that there is actually signage that this is not public access. But I can see where -- I mean that -- that has been gravel in the past and it's just looking to improve it and the -- having the perma bark and everything on it I think would improve the look of what was there and, obviously, keep the dust down from the exposed gravel. But I think making it a pathway along a fairway is not where you want people walking.

Yearsley: So, Mr. Chairman?

Fitzgerald: Commissioner Yearsley.

Yearsley: First of all, I want to address the -- one of the person's comments about you recusing yourself from this testimony or our decision. I have no personal problems with it, but I don't want to give it an option for a reason for an appeal I guess and I would look to counsel for direction on that.

Pogue: Mr. Commissioner, Mr. Chair, at the top of the action the chair did put it on the record and, you know, stated he could be objective and neutral and he asked Commission -- the body if they had any concerns and they did not. So, the matter was addressed at the top of the agenda -- at the top of this action when it was opened. So, that's all that's required at this point.

Yearsley: Okay.

Pogue: So, I don't have any concerns about it.

Yearsley: I appreciate that -- that counsel, just to make sure we -- we have addressed to the applicant -- or to the gentleman who gave the testimony. So, I'm kind of torn, because my guess is it was never a gravel road or a gravel pathway, what it was is they just never restored it after they put in the sewer line is what it looks to me and it's just grown back from what has been done before. But on the city side, knowing what the city has and what they do, they would more than likely like some way to get through there if they actually have to go work on it by any means. So, as a city side I think to protect our interest it would be behoove us to -- to annex it and to at least let the applicant put that

gravel pathway in to protect the city's assets. Do we allow that to be a fire access -- at that point it becomes a moot point to me that, you know, there is -- the likelihood of them using it is slim to none, but they always want to make sure that they have a second way out if -- if something happens. So, how do I say that. So, I -- at this point I think I would recommend -- because I -- I can almost guarantee the homeowners are not going to want -- they don't want a gravel path, they are not going to want an asphalt path behind their house so -- and, to be honest with you, they are going to put gates on it, but the likelihood that someone could walk underneath the gate and get through it is -- is if they want to do a loop or something like that it's going to happen. They can't stop that. They could stop the vehicles or the bikes become a lot harder from the one side to get their bike underneath the gate, but those can happen and I don't know what to do about those. People are people. We can put no trespassing signs or whatnot. So, at this point I'm in favor of moving forward and allowing and recommending we annex this property.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: When I first read this I thought this was going to be -- before I got into all of it it looked super simple on paper, nothing to it, like -- yeah. Like just reading the -- you know, the narrative and kind of going through the staff report it seemed pretty straightforward. Reading everything else and listening tonight, I have gone back and forth on like where I'm at on this, understanding both arguments why it should or why shouldn't isn't. Still somewhat on the fence as to not having been shown enough like flexibility in what they presented as options, but there are severe limitations on what their options are. I wouldn't be opposed to approving this to go to Council.

McCarvel: Yeah. Mr. Chair?

Fitzgerald: Commissioner McCarvel.

McCarvel: Yeah. I agree. I think it's in the city's best interest to protect the asset there and so if it's -- you know, there is going to be the significant improvements to protect the asset, you know, I guess what difference does it make if it's the emergency access as well, because you are -- it's rarely if ever going to be used as that. It's -- it's more about the -- getting access to the sewer lines -- sewer and water lines.

Fitzgerald: Commissioner Seal, was there additional information that you think you could gather. I guess that's my question. I generally think, though, with the ITD application is you have to have the interested parties sign an agreement that they are giving their consent to an application. If Mr. Wagner has said he's not giving his consent that application is DOA. It doesn't go forward without a consent. So, that's the challenge with that piece of it. Is there other information that you think you need?

Seal: No. And I understand that, I just -- you know, I think it's something that could be run to ground, basically, was, you know, my point in that. As far as the access, you know

-- and I understand. I mean as far as the access, the access is there. The manholes -- you can access it from either side without having to drive through it. So, as far as anyone from the city mandating that there be anything put on that, they can't mandate it without it being annexed. So, I guess that's the rub for me at this point is I agree that if it needs to be covered in order to provide access, then, it becomes a moot point. That said, I don't think that it needs to be covered in order to provide access, because access is being provided from either side to the manholes that they do access. If they needed to go somewhere in the middle of that, absolutely, then, they are -- you know, that's going to cause issues at some point in time. But, again, that -- if that is Ada county property, then, it doesn't matter what anybody in the City of Meridian says about it, it's not theirs to say at this point. So, that's -- that's the rub that I have with it, so -- you know. And that's -- that's just where I'm at with it. I think there is some things that could be run to ground on it. Again, if it is the only option, then, I'm for annexing it and going forward. But I think a little bit -- you know, just a little bit more footwork could run that to ground and, then, it makes that statement true of there isn't -- there are no other alternatives and if that becomes true, then, people might look at it differently. You know, I know they are looking to develop that as fast as they possibly can. They running up against the numbers as far as how many they can have in there without the emergency access. That said, there has been things that have come through that we have slowed down from even going in in order to do it -- you know, we get one chance to do it, let's do it right. So, I think that a little bit more groundwork on this could prove that out. My personal belief -- you know, and I'm not an attorney and I don't work for ITD or ACHD, I'm not a road engineer. Personally I think that exactly what you lined out will happen. They are going to go to Wagner Farms and they are going to say no and that basically negates any access that's going to be capable of coming through there based on that alone. That said, I think it's something that should happen just to prove that out, show that, you know, everybody has done what they could in order to make something else happen. When it can't happen, then, we move forward with the annexation.

Grove: Mr. Chair?

Fitzgerald: Commissioner Grove.

Grove: Is -- is that something that would be appropriate or possible to put into a condition of approval?

Fitzgerald: Joe, if you want to take that one.

Parsons: Mr. Chair, Members of the Commission, I mean certainly it's annexation. So, if that's something -- I know this Commission on it has regularly moved something forward and given the applicant time to work on those items before City Council. So, you could certainly do that. Or, again, this is annexation and you could deny it and say that you have got an approved access with your plat back in 2007 going through that site or you could also continue this out if you think -- you can almost treat this like a conditional use permit and see if the applicant and the neighbors are willing to work on some additional landscaping and screening or doing something to try to mitigate impacts to the adjacent

property owner and, then, certainly require that signage, that we have no public use over top of that easement, because certainly we do not want -- that is private property and people shouldn't be walking down that emergency access roadway. It is a golf course, they could get hurt. And the other thing that we can't do is -- and I'm not a golfer and I -- but I know golf balls bounce very high off of hard surfaces, so I imagine if you paved it and someone hooked a ball and it hit the asphalt, it would probably end up in someone's backyard at a higher velocity than probably perma bark. So, again, there is a lot of different scenarios here for you. I guess my -- my opinion on really the access -- I'm not ITD, I'm not ACHD either, but we have the applicant -- Rod is only required to provide an access when he develops. So, if ITD would grant that access based on the current location of their path of annexation to Chinden, that's up to IDT to determine that. If that's something that you guys want to move this along this evening predicated on them getting a definitive answer from ITD prior to the City Council, I think Becky would be amenable to that as well. Again, you also have the option of opening up the public hearing and at least talking to the Tsengs and Becky as to what they would like to see as far as the mitigation along their property and, then, make -- you know, see if you want to amend or continue this project for some more additional information. A lot to digest there, but, again, you do have some options. I gave you the PC answer. Sorry.

Fitzgerald: The kitchen sink, Bill. Thanks.

Parsons: Yes.

Fitzgerald: With that information is there additional comments from the Commission? The only other comment, Commissioner Seal, that I want to make sure that we are clear on is if we are -- I mean I don't think it's just access to those manholes that you are worried about, I do think you are actually -- you are worried about protecting that -- that sewer line and that is Meridian property and that is Meridian -- that is a Meridian asset, so we do have to make sure we are protecting something in there. So, we do have a piece of this. It's not just county property, we do have a piece that's running through the middle of it and don't have it -- I mean right now I guess we have a gravel bed that's sunk into the ground, but I think that's what Public Works would like to have is the ability to make sure that they have access for their trucks to get in and clean those things out when they need them, but also to protect it for -- from future issues would be my guess and Commissioner Yearsley could probably explain that better than I can.

Yearsley: Mr. Chair -- and I don't -- I don't want to speak for the city. I know Bill mentioned that they want access to the manhole at least. We might could table it and ask for a recommendation from the Public Works what they want to see on the rest of it. Are they okay with it. You know, that would be an option and that would give an option for Becky to try to work with the adjacent owners for maybe some additional screening, you know, which I don't know if they want -- there maybe some lower shrubs that they can not see the pathway, but see the golf course, you know, as an option as well, to, you know, come back with some additional information.

Fitzgerald: Thoughts?



Grove: Mr. Chair?

Fitzgerald: Go right ahead.

Grove: I -- I think I agree with Commissioner Yearsley and Commissioner Seal for the most part, but I think where I'm landing is sending it to Council with -- with those pieces as conditions before they get to Council to have those discussions and to have the -- that entered into the -- the record for Council. But I don't -- I don't necessarily see this as an issue where I would recommend continuance.

McCarvel: Mr. Chair?

Fitzgerald: Go right ahead.

McCarvel: I would agree with Commissioner Grove. I don't -- I really don't think there is enough here that we would have to see it again. I think we could make recommendations and move it on to Council.

Fitzgerald: Commissioner Seal, Commissioner Yearsley, thoughts?

Yearsley: I'm okay with that.

Fitzgerald: Okay. Somebody want to take a stab at a motion or -- Commissioner Seal, did you have a comment?

Seal: I almost did, but I will just see what the motion sounds like. I guess if I were to make a point, if we recommend approval based on information that would be coming back from ITD or something along those lines and it kind of puts it to where we are now waiting on something to happen. So, I do agree that if ITD comes back and says, no, you can't have that access, there is -- I mean at that point there is no reason for me to see it again, because the option is what we are looking at, which is annexation and putting the path in. So, I guess -- I guess it will all be in how carefully worded the motion is and if you notice I'm not volunteering to make one.

Fitzgerald: I got that.

Yearsley: Mr. Chairman?

Fitzgerald: Commissioner Yearsley.

Yearsley: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2020-0087 as presented with the staff report for the -- for the hearing date of October 15th, 2020, with the following modifications: That Public Works provides description of its -- what recommendations they would recommend to have between the two manholes for a surfacing or what they would prefer. Also to give time for Becky to work with the adjacent homeowners to see if

there are is some additional mitigations that they could do to hide the pathway as best as possible and also potentially if Becky can get a letter from ITD saying that they wouldn't provide access. We already had testimony that Mr. Wagner -- I hope I said that right -- was not going to provide an easement. So, those three things is what I would recommend. And I guess the question for the hearing date -- or no. We approved it. Never mind. That's my motion.

McCarvel: Second.

Fitzgerald: Okay. I have a motion and a second to recommend approval of file number H-2020-0087 with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Parsons: Mr. Chair, before we wrap up on that, I just want one clarification on the motion. Would that also include the additional signage for that area? Just to make sure that it's private property and if that's something you want Council to do.

Yearsley: I'm okay adding that condition. Or do we need a revote on that with that condition?

Fitzgerald: Yeah. We need a separate motion on that one.

Yearsley: So, I would -- I would amend my motion to include signage for no -- no public access on the gates.

McCarvel: Second.

Fitzgerald: Second has -- as we revise our motion I have a motion and a second to recommend approval of H-2020-0087 to City Council with modifications. All those in favor say aye. Any opposed? Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

## **FUTURE MEETING TOPICS / DISCUSSION**

Fitzgerald: Thank you to everyone involved. Appreciate it tonight. I need one more motion.

Seal: Mr. Chair?

Fitzgerald: Commissioner Seal.

Seal: I move that we adjourn.

McCarvel: Second.

Fitzgerald: I have a motion and a second that we adjourn. All those in favor say aye.  
Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 9:18 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

\_\_\_\_\_  
RYAN FITZGERALD - CHAIRMAN

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

ATTEST:

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



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from September 17, 2020 for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd.

A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential).

B. Request: Preliminary Plat consisting of 26 single-family residential lots and 5 common lots on 4.71 acres of land in the proposed R-8 zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Joseph Dodson

**Meeting Date:** October 22, 2020

**Topic:** **Public Hearing Continued from September 17, 2020 for Horse Meadows Subdivision (H-2020-0060) by Riley Planning Services, Located at 710 N. Black Cat Rd.**

- A. Request: Rezone of 4.71 acres of land from the R-4 zoning district (Medium-Low Density Residential) to the R-8 zoning district (Medium-Density Residential); and,
- B. Request: Preliminary Plat consisting of 27 single-family residential lots and 3 common lots on 4.71 acres of land in the R-8 zoning district.

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**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



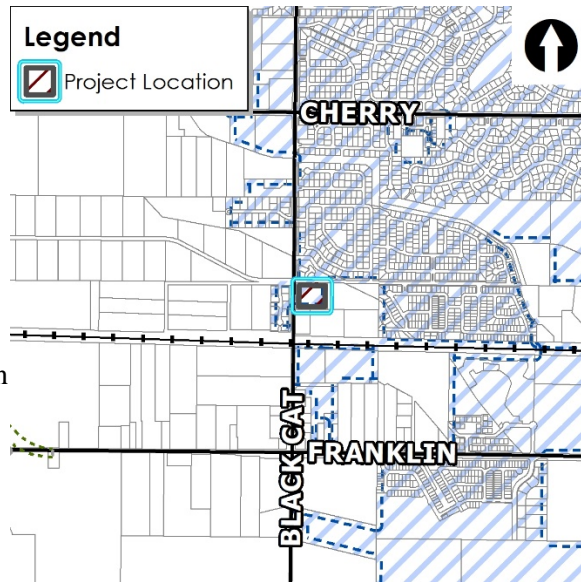
HEARING DATE: ~~9/17/2020~~ 10/22/2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0060  
Horse Meadows Subdivision

LOCATION: The site is located at 710 N. Black Cat, in the NW ¼ of the NW ¼ of Section 10, Township 3N., Range 1W.



## I. PROJECT DESCRIPTION

Rezone of 5.33 acres of land from the R-4 zoning district to the R-8 zoning district and preliminary plat consisting of 26 single-family residential lots and 4 common lots on 4.71 acres, by Riley Planning Services.

*NOTE: The ACHD staff report requires the Applicant to take access off of W. Pine Avenue instead of converting the existing private lane easement (Quarterhorse Lane) into a public road access, as originally proposed. The easement will remain as a non-buildable lot until such time as the easement holders relinquish their rights to use said access with future development of their respective properties.*

*In addition, in response to the staff report for the September 17, 2020 Commission meeting, the Applicant requested a continuance to a future meeting date in order to revise the plat and obtain additional information regarding the existing easement as discussed in the staff report. The plat has been revised and has resulted in strikethrough and underline changes throughout the staff report.*

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details	Page
Acreage	4.71 acres	
Future Land Use Designation	Medium Density Residential	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Residential	

Description	Details	Page
Lots (# and type; bldg./common)	<del>30</del> <u>31</u> total lots – 26 single-family residential; and 4 <u>5</u> common lots.	
Phasing Plan (# of phases)	Proposed as one (1) phase.	
Number of Residential Units (type of units)	26 total single-family detached units	
Density (gross & net)	Gross – 5.52 du/ac.; Net – unknown	
Open Space (acres, total [%]/buffer/qualified)	34,912 square feet (approximately 17%) and includes the required landscape buffers and one open space lot containing the proposed amenity; property is less than 5 acres so minimum open space requirement is not applicable.	
Amenities	1 amenity – Tot Lot	
Physical Features (waterways, hazards, flood plain, hillside)	N/A	
Neighborhood meeting date; # of attendees:	March 14, 2020 – 5 attendees	
History (previous approvals)	AZ-06-016, PP-06-010, FP-07-034; VAR-06-008 –These approvals have expired.	

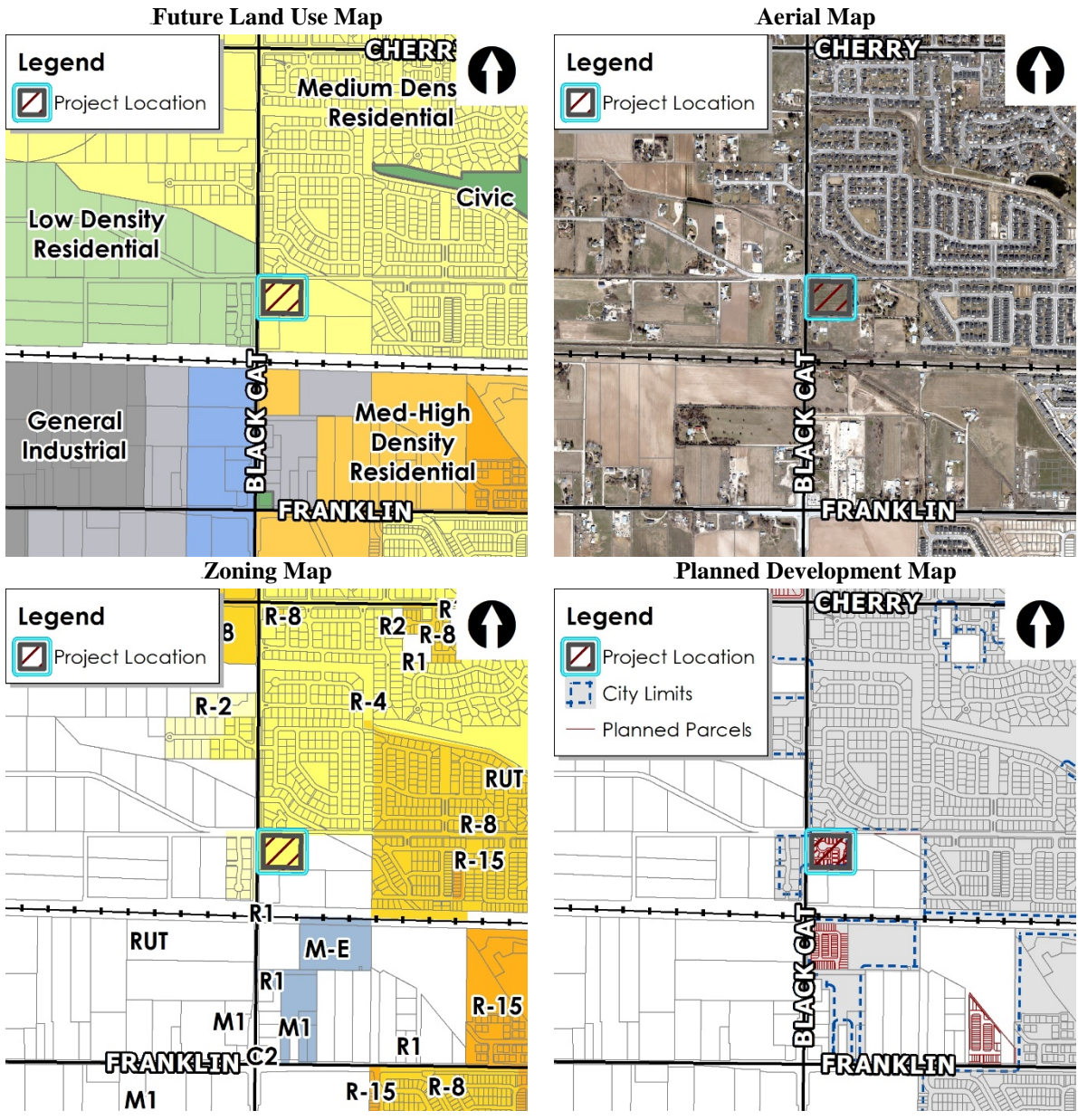
### B. Community Metrics

Description	Details	Page
<b>Ada County Highway District</b>		
<ul style="list-style-type: none"> <li>Staff report (yes/no)</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>Requires ACHD Commission Action (yes/no)</li> </ul>	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Originally, access was proposed from W. Quarterhorse Lane, an existing private street along the southern property boundary. However, ACHD is requiring the applicant take access from Pine Ave. and does not have the authority to require the applicant to close the private driveway connection to Black Cat.	
Stub Street/Interconnectivity/Cross Access	Stub streets are proposed to the existing private lane (Quarterhorse Lane) that are less than 150' in length that will be terminated with some kind of barrier and signs that state the streets will be extended in the future. The Applicant is still required to allow the other easement holders to use their access rights of Quarterhorse Lane.	
Existing Road Network	W. Quarterhorse Lane – a two-lane private street	
Existing Arterial Sidewalks / Buffers	No	
Proposed Road Improvements	Applicant is proposing additional ROW dedication and construction of detached sidewalks along both Black Cat and Pine.	
<b>Fire Service</b>		
<ul style="list-style-type: none"> <li>Distance to Fire Station</li> </ul>	2.1 miles from Fire Station #2	
<ul style="list-style-type: none"> <li>Fire Response Time</li> </ul>	The proposed development falls within the 5 minute response time goal.	
<ul style="list-style-type: none"> <li>Resource Reliability</li> </ul>	76% (below the target goal of 80%)	
<ul style="list-style-type: none"> <li>Risk Identification</li> </ul>	Risk Factor 1 – Residential; current resources would be adequate to supply service to this project.	
<ul style="list-style-type: none"> <li>Accessibility</li> </ul>	Proposed project meets all required access, road widths, and turnarounds.	

Description	Details	Page
	The project will be limited to 30 homes due to a singular access point.	
Police Service		
• Distance to Police Station	4.5 miles	
• Response Time	Approximately 3.5 minutes	
• Accessibility	MPD has no concerns with access into this development; the MPD can service this development if approved.	
• Additional Comments	<ul style="list-style-type: none"> <li>• <b>Between June 2019 and June 2020, MPD responded to 1,281 calls for service within one mile of this proposed development. The crime count on those calls was 126.</b></li> <li>• <b>Between June 2019 and June 2020, MPD responded to 29 crashes within 1 miles of this proposed development.</b></li> </ul>	
West Ada School District		
• Distance (elem, ms, hs)	Peregrine Elementary – 3.2 miles Meridian Middle – 3.1 miles Meridian High – 2.8 miles	
• Capacity of Schools	Peregrine – 650 students Meridian Middle – 1250 students Meridian High – 2400 students	
• # of Students Enrolled	Peregrine – 517 students Meridian Middle – 1273 students Meridian High – 2101 students	
Wastewater		
• Distance to Sewer Services	Directly Adjacent	
• Sewer Shed	South Black Cat Trunk Shed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.95	
• Project Consistent with WW Master Plan/Facility Plan	YES	
• Additional Comments	Additional 918 gpd flow has been committed.	
Water		
• Distance to Water Services	Directly Adjacent	
• Pressure Zone	1	
• Estimated Project Water ERU's	See application	
• Water Quality Concerns	Yes, see below	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	The water main <u>should be looped through the site whenever possible; if any stub is not used it will be required to be abandoned dead end at the cul-de-sac must be extended to the northwest via the common lot pathway and tied into the existing 8" water main stub in Black Cat. This stub is not currently shown on the plans but is stubbed at the northwest corner of the property.</u>	



C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Penelope Constantikes, Riley Planning Services – PO Box 405, Boise, ID 83701

B. Owner Representative:

Black Cat 30 LLC – 1420 S. Mills Avenue, Ste. M, Lodi, CA 92542

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	6/26/2020	
Radius notification mailed to properties within 300 feet	6/23/2020	
Site Posting	<del>9/3/2020</del> 10/2/2020	
Nextdoor posting	6/23/2020	

V. STAFF ANALYSIS

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

Medium Density Residential – 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 currently zoned R-4 and the Applicant is requesting a rezone to R-8; both zoning designations comply with the future land use designation of Medium Density Residential (MDR). The proposed development is proposed as 26 single-family residential lots at a gross density of approximately 5.5 du/ac meeting the required gross density in the MDR. Single-family homes are a desired residential use in the MDR ~~as well~~ and the proposed development will match much of what is nearby but with smaller lots and more density, therefore offering homes at different price points than the surround R-4 sites to the north of the subject site. ~~but with the latest redesign of the plat the Applicant is proposing some alley loaded and side loaded single-family homes. These additional housing designs meet the intent of providing housing options within this future land use designation. Further site design analysis is below in subsequent sections.~~*

*Staff finds the proposed development and use to be generally consistent with the future land use designation of Medium Density Residential.*

The City may require a development agreement (DA) in conjunction with an annexation and/or rezone 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 rezoning with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the rezone for approval by City Council and subsequent recordation.*

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

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

*“With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities” (2.02.01A). The Applicant is proposing to construct detached sidewalks along both Black Cat and Pine and add a micro-pathway into the development in the northeast corner of the site. The Applicant is proposing these buffers and micro-pathway as their open space; the micro-pathway is also shown with a tot-lot which is intended to be a site amenity. This pedestrian connection is a nice addition, especially with it being shown within a larger common lot than originally proposed. Because of the redesign that occurred, this pedestrian connection and the new street connection to Pine Ave allows for more pedestrian and bicycle connection through the site. The proposed plat is smaller than 5 acres*

**and therefore is not required to meet the minimum 10% open space standard and the open space that is proposed within this development is largely landscape buffers that offer pedestrian connectivity but is not active in its use. The Applicant is proposing a tot lot, as mentioned, which should help activate the common lot that it is within. Despite the type of open space proposed, Fuller Park (the closest public park to the site) is approximately 1 mile away by foot and the proposed pedestrian connectivity should make it more efficient to reach it. Staff finds that despite the proximity of the public park, it does not alleviate the need for usable open space within this development as desired in the purpose statement of UDC 11-3G, the Common Open Space code section. Therefore, Staff finds that the Applicant should lose an internal building lot and make it a common open space lot instead. This change would help this project meet both the UDC and the Comprehensive Plan.**

“Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity” (6.01.02B). **The existing access to this site is via W. Quarterhorse Lane—a private road that other parcels located to the south and east also use as an access to Black Cat Road, an arterial street. According to the originally submitted plat, the Applicant proposed to convert the private road to a public road. The Applicant proposed the main access for this development to be from Black Cat rather than the adjacent Pine Avenue, a collector street. However, ACHD policy does not support the Quarterhorse access to Black Cat, an arterial street. As such, they have required the applicant to take access from the lesser classified street, Pine Avenue, which necessitated a redesign of the project. City code, UDC 11-3A-3, also requires access to be taken from Pine Ave. To complicate the matter further, Quarterhorse Lane will remain as a private lane and ACHD does not have the authority to require the closure of this access.**

**The new layout does in fact show access to Pine, a lesser classified street but the private lane access to Black Cat cannot be closed without the consent of all easement holders. Further, access prevents the extension of the 25-foot wide landscape buffer and the 5-foot wide detached sidewalk along N. Black Cat Rd. Staff is of the opinion this area should be depicted on the plat as a non-buildable lot until the easement holders consent to vacate the access—the Applicant has revised the plat to show this and will extend the landscaping and sidewalk as far south along Black Cat as possible. To ensure this lot can re-develop in the future, staff recommends the applicant provide an exhibit that demonstrates how the 25-foot wide landscape buffer and two stub streets are going to be extended in the future and how the remaining portion of the easement area can be redeveloped with the adjacent properties. See additional discussion below in the Access section of the staff report (V.E).**

“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). **Public services are readily available to the subject site because of the existing nearby developments to the north and west. Applicable service departments have granted their approval of the development and its impact to the system with one modification; the Water Department would like to see the water system looped through and connected to the water main in Black Cat Road to ensure better water quality is achieved. It should be noted that the Public Works Department generally does not want public infrastructure placed in the private road easements. However, the Applicant has limited options to loop the water main in this development and must utilize the existing private access easement. Public Works has signed off on this location and has offered their comments regarding this (see Section VIII.B). The applicant should work with City Staff to determine the appropriate routing of the infrastructure prior to the City Council hearing.**



“Slow the outward progression of the City's limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits” (4.05.03B). *The subject site is near the edge of the City’s limits but has City of Meridian development to its north and west. In addition, this site is currently vacant and underutilized because it is already annexed but not yet developed. The proposed development is an opportunity to develop the site adequately and remove a vacant parcel from the City. This development is also allowing the City to plan for the future use of the private road easement and for how the future road network will work in this area should it redevelop from county land and be annexed into the City.*

“Encourage the assembly of parcels for master planning, design and entitlement purposes; discourage piecemeal annexation and development” (3.03.03J). *The subject parcel is already annexed into the City of Meridian and cannot be made part of a larger assembly of parcels at this time. The public road layout should lay the infrastructure for future connectivity of the immediate area as all parcels to the south and east that are not currently annexed into the City should have a lower classified street to access in the future. With Quarterhorse Lane being the only access for these parcels, master planning the public road network becomes even more imperative as City code and ACHD cannot support maintaining this access to Black Cat. This requires that ultimately all easement holders agree to vacate their rights to the easement and take access through this development and other local street networks to the east. With the revised plat, the Applicant has provided two stub streets to the existing Quarterhorse Lane for future connectivity. ~~However, it is still unclear how the easement area is intended to be incorporated into the future road network.~~ The Applicant agrees that at least a portion of the existing easement should be come public right-of-way in the future so that the parcels to the southeast have local street access to Pine and the accesses to Black Cat are continued to be limited in line with ACHD and the Comprehensive Plan.*

*Staff finds this development to be generally consistent with Comprehensive Plan policies and objectives if Staff’s recommendations are adhered to and despite the W. Quarterhorse Lane access remaining.*

C. Proposed Use Analysis:

The proposed use is detached single-family residential homes; this use is listed as a principally permitted use in the requested R-8 zoning district per UDC Table 11-2A-2.

*The Applicant’s revised plat shows front loaded single-family homes within the R-8 zone, seemingly the industry standard in the requested zone. The proposed development and use meet both the zoning and comprehensive plan policies despite the development not providing a new housing type. However, the proposed lot sizes are smaller than those closest to the subject site and therefore cannot accommodate as large of a home which should dictate a lower price point for these homes; the comprehensive plan also calls for housing variety in the way of price point but this is merely conjecture at this point in the development process. The proposed use is allowed in the requested zone but does not offer an “exciting” or “premier” housing type outside of what already exists in the immediate area. as a majority of the proposed use but it also shows four homes that are alley-loaded and two homes that are proposed with side-loaded garages. This is a change from any previous plat submitted to Staff and would allow different architectural styles of homes within the same development. Staff is appreciative of this proposal and is recommending a DA provision to ensure these homes are constructed as proposed and not as all front loaded.*

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

The proposed preliminary plat appears to meet all UDC dimensional standards for the requested R-8 zoning district and use of detached single-family homes. This includes property sizes, required street frontages, and road widths of the local streets and alleyway. All local streets are proposed as 33-foot wide street sections within 47 feet of right-of-way.

*Staff notes that the Applicant's request to rezone the property from the existing R-4 district to the R-8 zoning district, increases the number of lots that are able to be developed on this parcel. This is due to the minimum lot size in the R-8 district being half of that in the R-4 district. The Applicant has not proposed all lots at the minimum 4,000 square feet but the average lot size in the development is just below 4,100 square feet. Because the Applicant is proposing such small lots ~~and is now proposing differing styles of detached single family homes (alley and side loaded units)~~, Staff is recommending that prior to the City Council hearing the Applicant provide exhibits showing how the ~~different homes styles~~ will physically fit on the proposed lots.*

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

Access into this development is now proposed via a new street connection to Pine Avenue instead of converting W. Quarterhorse Lane to a new public street. The Applicant has chosen to take access from Pine Avenue after receiving the draft staff report from ACHD which required a completely new plat layout following the initial submittal; subsequent revisions have maintained this access point to Pine. W. Quarterhorse Lane is currently an ingress/egress access easement with 4 servient sites, including the subject site of this application. Without the consent of all easement holders, the access must remain until the remainder of the properties annex or redevelop. Therefore the easement will remain as a non-buildable lot until such time it can be included as part of a future development. As noted above, staff has received ~~recommends the applicant provide~~ an exhibit for the Commission that demonstrates how this area of the property could redevelop with the required street frontage improvements and be incorporated into a future plat when the properties to the southeast redevelop in the future. The applicant should relinquish their right to use of said easement as part of the rezone request. All internal local streets within the proposed development are shown as 33-foot wide street sections that will accommodate on-street parking where no driveways exist.

*The new layout proposes access off of Pine Avenue in line with N. Traquair Place on the north side of Pine. The internal streets provide two north-south stub streets to the existing private lane (Quarterhorse Lane) that will be extended in the future and a cul-de-sac that serves six (6) homes connects back to the westerly north-south street via an alleyway. ~~This alleyway is where the Applicant is proposing the alley loaded and side loaded homes.~~ Staff can support this revised layout more than previously submitted plats as it places the easement within a lot of its own, shown as Lot 910, Block 1. ~~However, this lot is not specifically addressed on the plat or within the revised narrative. Therefore, the Applicant has not shown sufficient evidence how this layout and the existing easement could work in the future with future development to the east, specifically with the future road network. Will it be green space? Will it become part of the future road network? These are questions the Commission and Council should ask of the Applicant.~~ Staff understands that there may be no precise way to know what will happen ~~here~~ with this easement but it is often up to the developer/Applicant to show Staff that all aspects of a property have been vetted; Staff is ~~not now~~ comfortable in stating that this due diligence has occurred with the future of this access easement because the Applicant has provided an exhibit showing this lot as common open space to be landscaped with grass and still accommodate the existing gravel access road for the servient sites. In addition, the area of the access easement that is between the new local north-south street and Black Cat will hold both a sewer and water main line in order to loop the systems. These utilities require a 30-foot wide easement which will overlay the lot and*

make this area non buildable in perpetuity. The Applicant has stated to Staff that the remaining easement area is best suited for future right-of-way for future redevelopment to the southeast and Staff agrees. The exhibit provided by the Applicant does not specifically show this because it is unknown where future access to the south could be taken from but the story has been told in both discussion and in the response to the previous staff report.

Despite the unknowns, Staff is more comfortable supporting this revised plat with the requirement of an additional DA provision to ensure this easement area is used appropriately in the future. This recommended provision is to restrict Lot 910, Block 1 as a non-buildable lot for either common open space or future right-of-way dedication as other easement holders redevelop their own properties and relinquish their rights to this private lane access in the future.

**Note: Staff has received a revised staff report from ACHD and they have approved the revised plat with specific conditions of approval (see Section VIII.G).**

F. 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. No parking plan was submitted with the application.

***The street sections (33-feet wide) of the proposed local streets within the development, as shown on the submitted plat, accommodate parking on both sides of the street where no driveways exist. The cul-de-sac is proposed with a radius of 48 feet and cannot accommodate any parking along its perimeter.***

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

No multi-use pathways are proposed or required with this development because the master pathways plan does not show any multi-use pathway adjacent to the subject site. This Applicant is proposing attached sidewalks along all local streets that will connect to the detached sidewalks proposed along the arterial and collector streets via the micro-pathway proposed in the northeast corner of the site and the new road connection out to Pine. These sidewalks and micro-pathway should help improve pedestrian and cyclist connectivity from this development.

*Originally, the Applicant proposed their micro-pathway and amenity in the northwest corner of the site but Staff was concerned with the amenity being on an intersection that is only going to get busier over time. During the project review meeting between department staff some additional comments from Public Works regarding the location of the proposed micro-pathway have come to Staff's attention. Public Works noted that this development should loop their water line to the water main that lays in Black Cat Road to help with water quality for the development. The revised plat still proposes the micro-path and amenity in the northeast corner which does not help Public Works with achieving a looped water system on this property. In lieu of this, Public Works has recommended that the water main connect to the main within Black Cat via a new water main easement in the existing Quarterhorse Lane access easement, generally paralleling the sewer main proposed in the easement area as well. This will require the Applicant to abandon the existing main line stub located in the intersection of Black Cat and Pine since it will no longer be needed.*

The Applicant has taken these comments into account with their most recent revisions to the plat and has made the appropriate accommodations for a looped system via the existing access easement. Public Works has reviewed the latest plat and utility layout and offers their support of the new layout of the looped systems. ~~provided a rendering of the requested changes and can be~~

~~reviewed in Exhibit VII.E. The conditions regarding this recommendation can be found under the Public Works conditions in Section VIII.B.~~

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

Five-foot attached sidewalks are proposed along all internal local streets. The Applicant is also proposing 5-foot detached sidewalks within the required landscape street buffers on Pine Avenue and Black Cat Road.

*There are no existing sidewalks adjacent to the site and along the arterial streets. These additional sidewalks will add to the pedestrian connectivity throughout the immediate area and offer safer routes for pedestrians and cyclists alike. Black Cat Road is expected to be widened adjacent to this site within the next five (5) years and the proposed sidewalk is shown outside of that ultimate ROW. **However, the sidewalks appear to be right at the edge of the ultimate ROW which does not meet code. UDC 11-3B-7C.1a states that detached sidewalks shall have an average minimum separation of greater than four (4) feet to back of curb and the back of curb shall be measured from the ultimate curb location. Therefore, Staff is recommending a condition of approval to move the detached sidewalks further into the landscape buffers to meet this requirement.***

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

A 25-foot wide street buffer is required adjacent to N. Black Cat Road, an arterial, and a 20-foot buffer is required adjacent to Pine, a collector street. This buffer should be landscaped per the standards listed in UDC 11-3B-7C and placed into a common lot that is at least as wide as the required buffer width; this common lot should also contain the detached sidewalk required along both roadways. Pathways, including micro-paths are required to be landscaped in accord with the standards listed in UDC 11-3B-12. **The original landscape plans appear to show compliance with those requirements but no updated landscape plans have been provided that match the revised plat layout.**

*The submitted plat depicts a 25-foot wide landscape buffer along Black Cat and a 20-foot wide buffer along Pine, both within common lots. The correct number of trees appeared to be shown on the original landscape plans as well (see Section VII.C). To ensure these buffers are installed and vegetated appropriately, the improvements required outside of the ultimate ROW should be constructed prior to receiving building permit approvals. Code also dictates that street landscape buffers are to be vegetated with shrubs, lawn, or other vegetative ground cover **in addition to trees**; the submitted landscape plans do not appear to show this vegetation. Staff is recommending a condition of approval to revise the landscape plans to correct this as well as revise the landscape plan to match the revised plat layout and be submitted to Staff no later than ten (10) days prior to the City Council hearing.*

J. Open Space and Amenity (UDC [11-3G](#)):

**Because the subject site is less than five (5) acres in size, the minimum requirement of 10% qualified open space and at least one site amenity are not required to be met by UDC 11-3G. However, the Applicant is requesting a rezone to a zoning district that allows higher density. Staff finds it appropriate that usable open space and an amenity be provided. In response, the Applicant has proposed approximately 35,000 square feet of open space which amounts to approximately 17% of the site. This open space consists mostly of the street buffers along the outside of the development and also includes the common lot that holds the micro-pathway and the proposed tot-lot in the northeast corner of the site at the end of the cul-de-sac.**

**Even though the regulations in UDC 11-3G do not apply to this development because of its size, Staff believes that the purpose statement of providing open space that improves the**

*livability of neighborhoods should still be adhered to. In addition, the purpose statement for subdivision regulations in UDC 11-6A-1 discusses promotion of developments that provide for adequate sunlight, fresh air, and usable open space. ~~Staff can better support the new open space layout but is still unsure how it will work with Public Works' comments.~~ Due to the existence of a large public park being within a mile of the development, Staff can understand why the Applicant has not proposed more usable open space within the development. However, it is Staff's opinion that more usable open space should be made available within the site to accommodate those who cannot so easily walk or bike to Fuller Park. In order to meet the purpose statement of UDC 11-3G and the subdivision regulations the Applicant should lose a buildable lot and convert it to open space. Therefore, Staff is recommending that Lot 6, Block 2 be a common open space lot instead of a buildable lot.*

K. Fencing (UDC [11-3A-6](#), [11-3A-7](#)):

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is shown on the landscape plan and appears to meet UDC requirements in regards to height, type, and location. *The Applicant should ensure fencing still meets the required UDC standards once providing a revised landscape plan that matches the revised plat.*

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

The Applicant has submitted sample elevations of the detached single-family homes for this project (see Section VII.D).

*The submitted elevations show a combination of single and two-story single-family homes. The elevations also show different architectural elements, finish materials, and overall design options including some RV size garage spaces. However, with such small lot sizes proposed, Staff is concerned the submitted elevations may not depict homes that can actually fit within the building envelope of the R-8 zoning district. To help staff see this, Staff is recommending a condition of approval that the Applicant provide an exhibit showing how a proposed home will fit on these lots. However, the Applicant has not provided conceptual elevations of the alley loaded or side-loaded unit types. Prior to the City Council hearing, the Applicant should provide these conceptual elevations. Design review is not required for single-family detached structures but Staff finds the submitted elevations meet the requirements in the Architectural Standards Manual. Because a number of the homes abut streets that are heavily traveled, Staff is recommending a condition of approval that requires those homes abutting both Black Cat and Pine are constructed with modulation and variations in materials to mitigate any potential of a monotonous wall plane along these streets.*

**VI. DECISION**

A. Staff:

Staff recommends approval of the requested rezone and the requested preliminary plat per the analysis in Section V and 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. Rezone Legal Description and Exhibit Map**



**DAVID EVANS  
AND ASSOCIATES INC.**

**DESCRIPTION  
FOR  
HORSE MEADOWS SUBDIVISION  
REZONE**

The following describes a parcel of real property, situated within a portion of the Northwest Quarter of the Southwest Quarter (NW1/4 SW1/4) and within a of portion of the Northwest Quarter (NW1/4) of Section 10, Township 3 North, Range1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

**BEGINNING** at the centerline of North Black Cat Road, which is also the northwest corner of said NW1/4 SW1/4, also being the southwest corner of said NW 1/4; Thence, along the extension of said centerline, along the west boundary line of said NW1/4, North 00°25'10" East, 21.85 feet to the intersection and centerline of West Pine Avenue;

Thence, along the centerline of said West Pine Avenue, South 89°13'30" East, 525.16 feet;

Thence, departing said centerline, South 00°25'10" West, 20.12 feet to the northeast corner of the land described in Warranty Instrument, Number 2020-034862, which is also shown in Record of Survey, Instrument Number, 95043060 as the northwest corner of Parcel 2;

Thence, along the east boundary line of said Warranty Deed, Instrument Number 2020-034862, South 00°25'10" West, 420.45 feet to the southeast corner of said Warranty Deed;

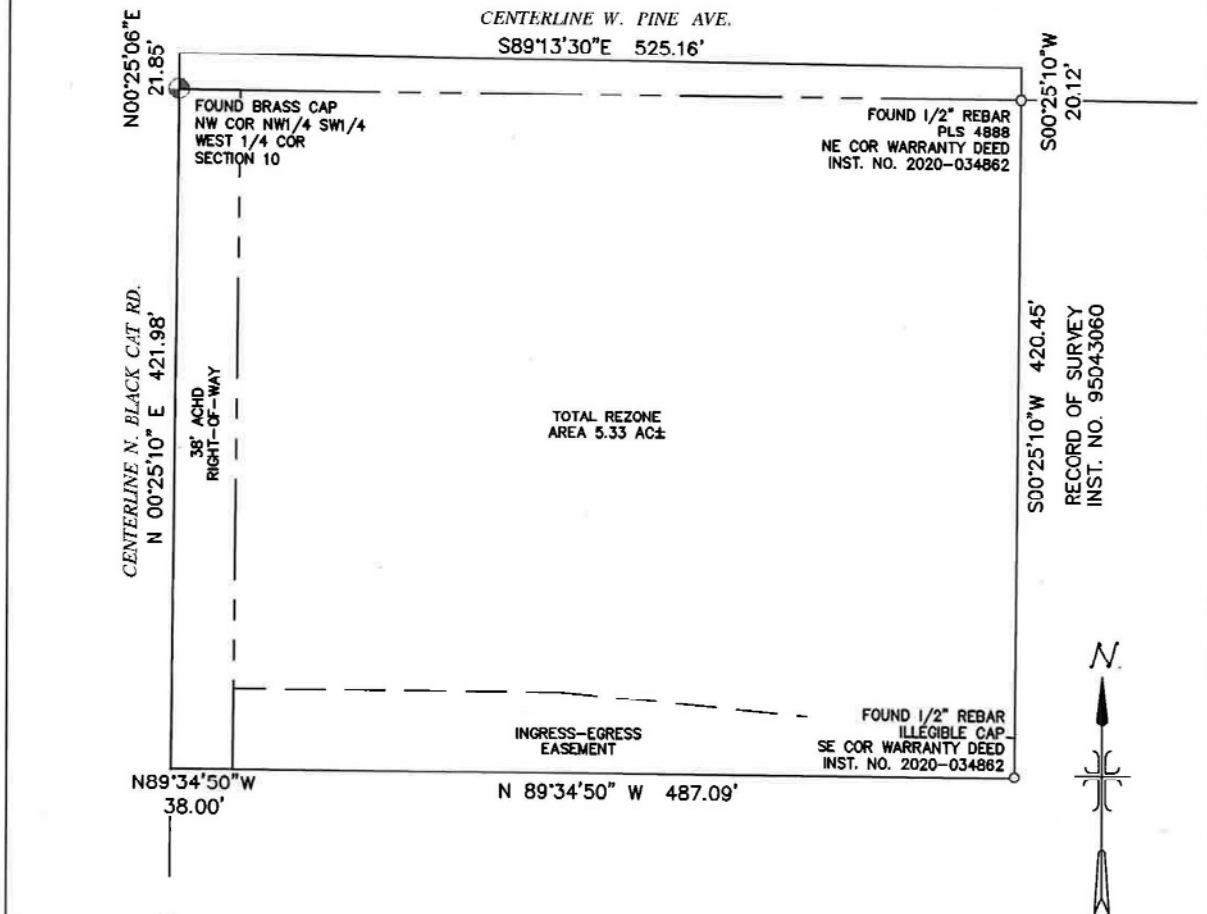
Thence, along the south boundary line of said Warranty Deed, North 89°34'50" West, 487.09 feet to the east right of way of North Black Cat Road;

Thence, continuing along the extension of said south boundary line, departing said east right of way, North 89°34'50" West, 38.00 feet to the west boundary line of said NW1/4 SW1/4;

Thence, along said west boundary line, North 00°25'10" East, 421.98 feet to the **POINT OF BEGINNING**, containing 5.33 acres more or less.



**EXHIBIT MAP FOR REZONE  
HORSE MEADOWS SUBDIVISION**  
A PORTION OF THE NW1/4 OF THE SW1/4  
AND A PORTION OF THE NW1/4 OF SECTION 10  
T. 3 N., R. 1 W., B.M., ADA COUNTY, IDAHO  
2020

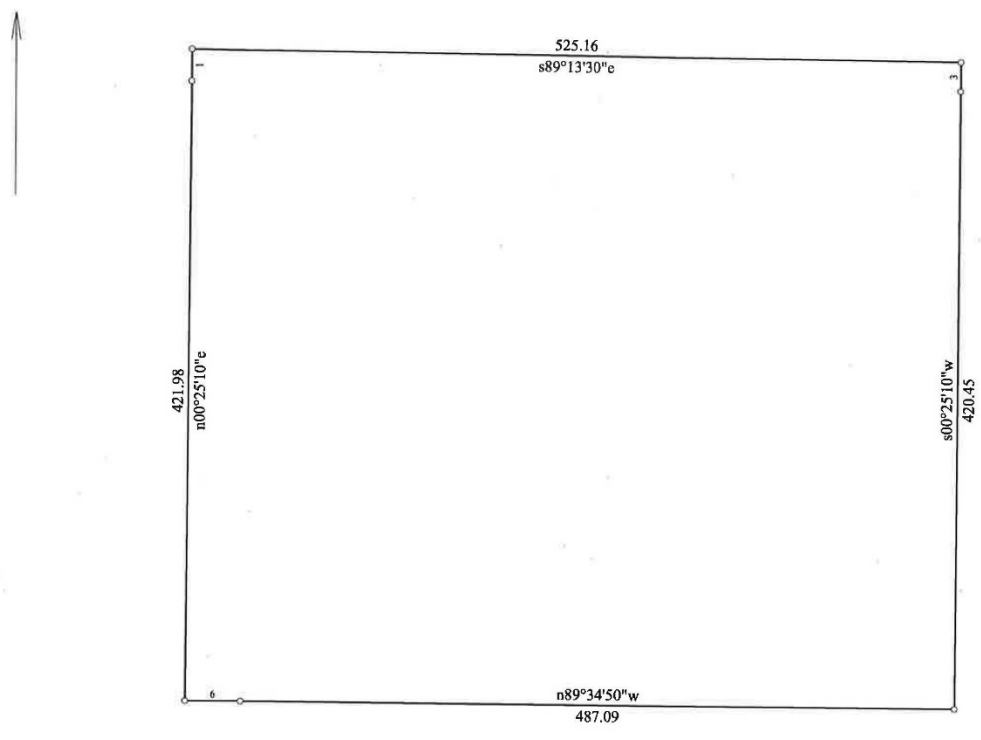


1"=100'



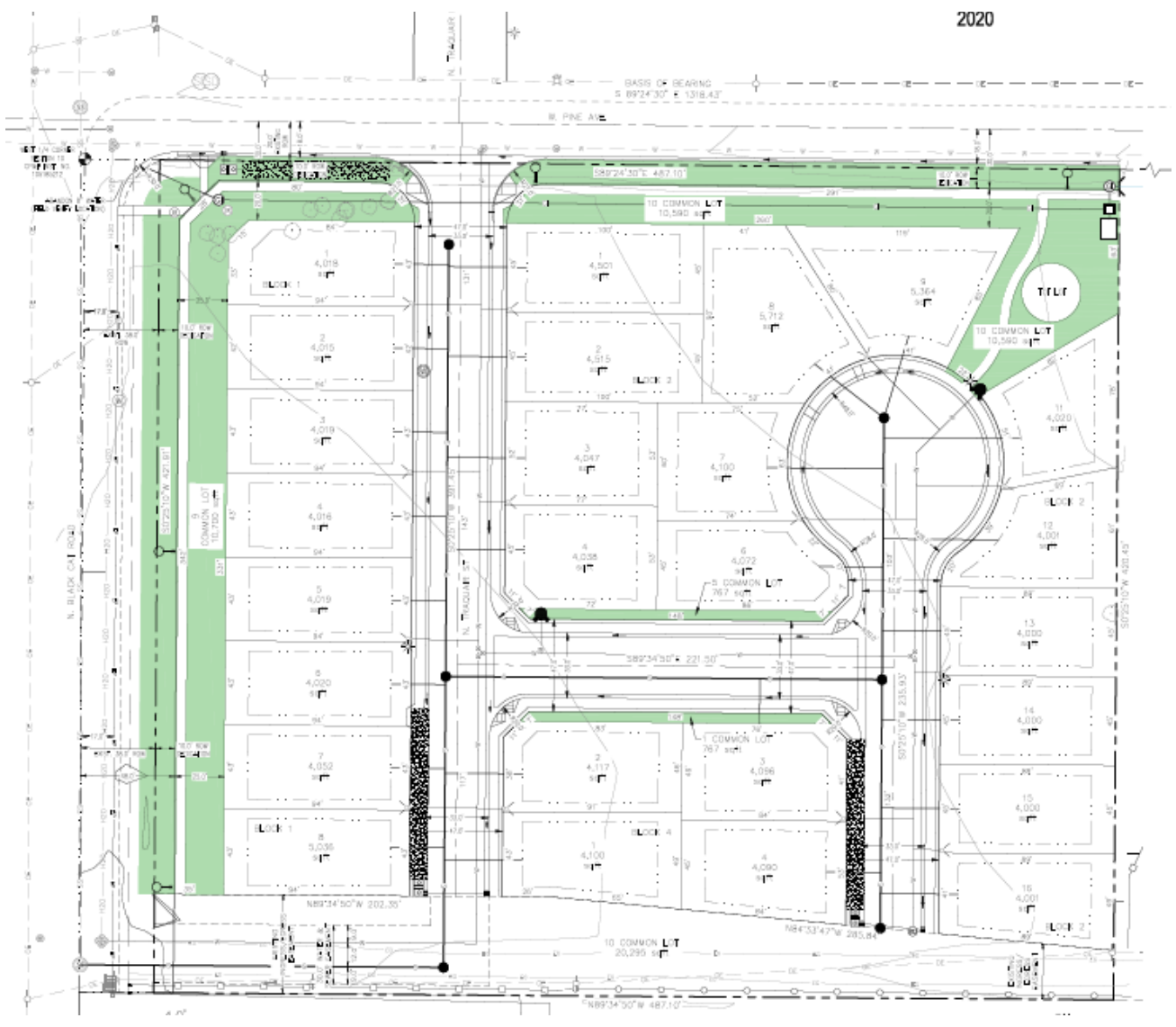
**DAVID EVANS  
AND ASSOCIATES INC.**  
9179 W Black Eagle Dr  
Boise Idaho  
Phone: 208-585-5858





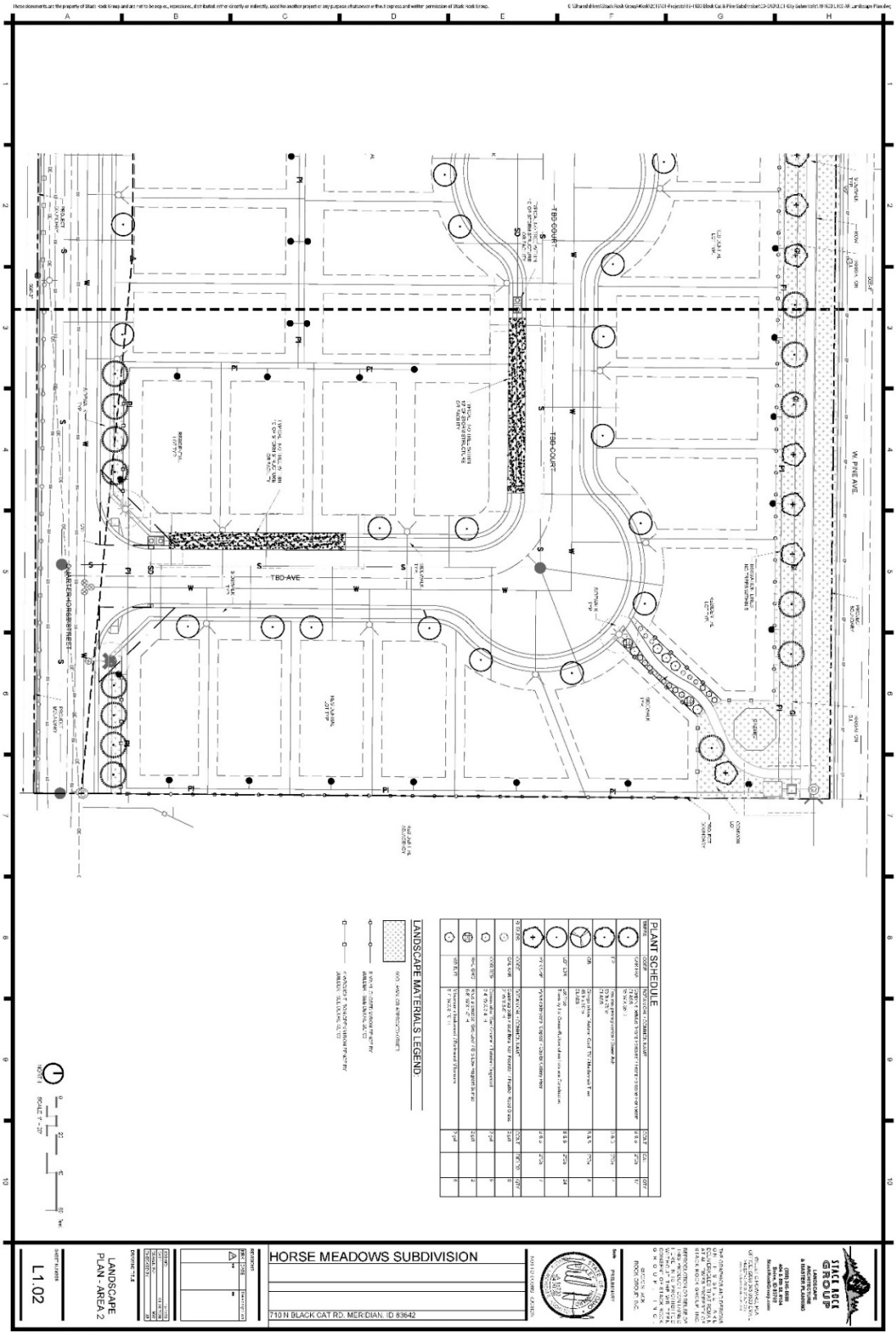
Title:		Date: 05-20-2020
Scale: 1 inch = 100 feet	File: RSCV16 HORSE MEADOWS SUB REZONE.des	
Tract 1: 5.331 Acres: 232208 Sq Feet: Closure = s89.2310w 0.06 Feet: Precision = 1/32299: Perimeter = 1935 Feet		
001=n00.2510e 21.85	004=s00.2510w 420.45	007=n00.2510e 421.98
002=s89.1330e 525.16	005=n89.3450w 487.09	
003=s00.2510w 20.12	006=n89.3450w 38.00	

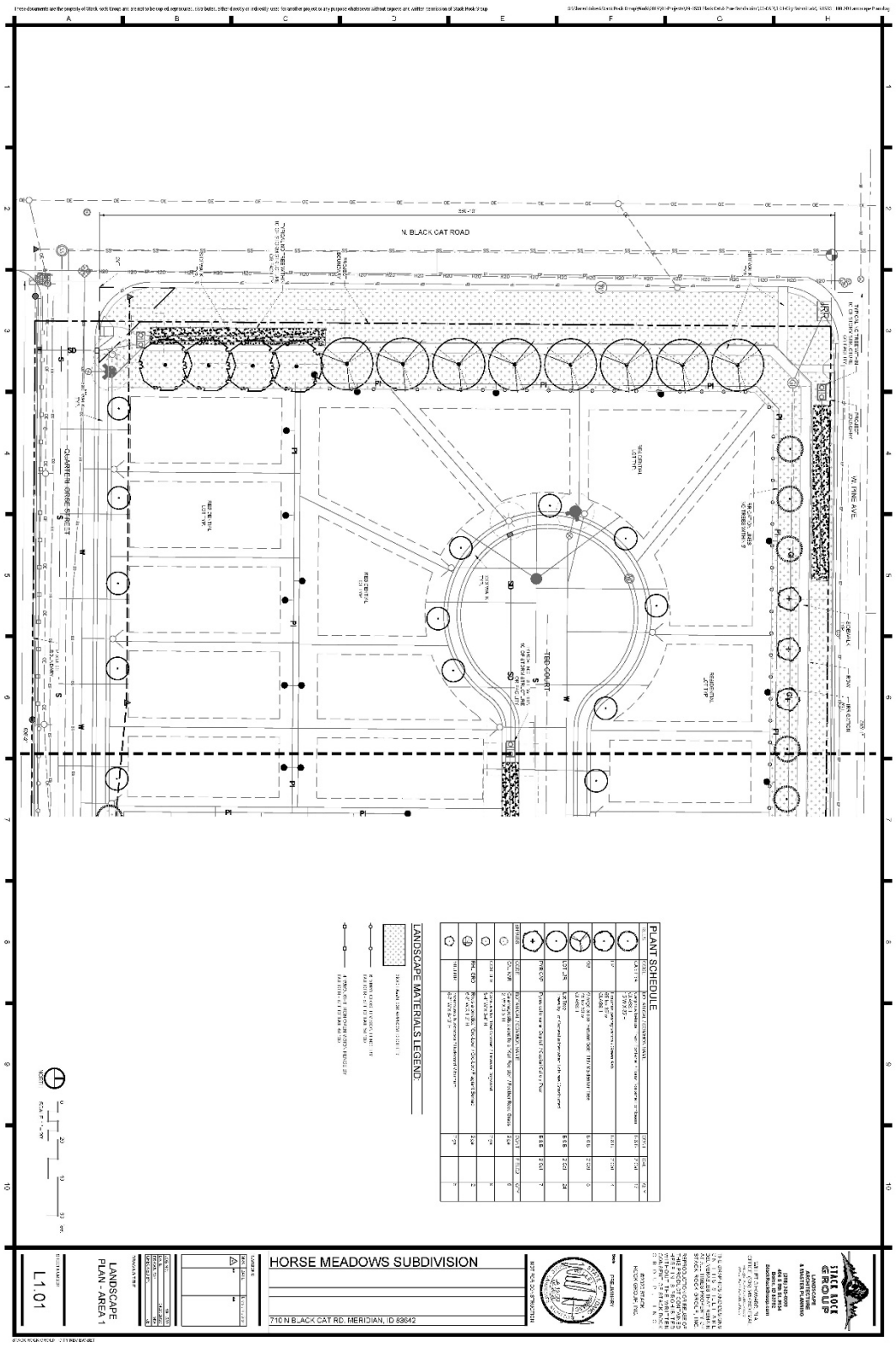






C. Landscape Plan (date: 4/20/2020) (NOT APPROVED)



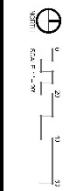


**PLANT SCHEDULE**

NO.	SYMBOL	PLANT SPECIFICATION	QTY	DATE	BY
1	(Symbol)	1" DBL. SP. REDWOOD	100	12/11	JL
2	(Symbol)	2" DBL. SP. REDWOOD	100	12/11	JL
3	(Symbol)	3" DBL. SP. REDWOOD	100	12/11	JL
4	(Symbol)	4" DBL. SP. REDWOOD	100	12/11	JL
5	(Symbol)	5" DBL. SP. REDWOOD	100	12/11	JL
6	(Symbol)	6" DBL. SP. REDWOOD	100	12/11	JL
7	(Symbol)	7" DBL. SP. REDWOOD	100	12/11	JL
8	(Symbol)	8" DBL. SP. REDWOOD	100	12/11	JL
9	(Symbol)	9" DBL. SP. REDWOOD	100	12/11	JL
10	(Symbol)	10" DBL. SP. REDWOOD	100	12/11	JL

**LANDSCAPE MATERIALS LEGEND**

(Symbol)	1" DBL. SP. REDWOOD
(Symbol)	2" DBL. SP. REDWOOD
(Symbol)	3" DBL. SP. REDWOOD
(Symbol)	4" DBL. SP. REDWOOD
(Symbol)	5" DBL. SP. REDWOOD
(Symbol)	6" DBL. SP. REDWOOD
(Symbol)	7" DBL. SP. REDWOOD
(Symbol)	8" DBL. SP. REDWOOD
(Symbol)	9" DBL. SP. REDWOOD
(Symbol)	10" DBL. SP. REDWOOD



**HORSE MEADOWS SUBDIVISION**

710 N. BLACK CAT RD., MERIDIAN, ID 83642

**SHILL LOCK GROUP**

2000 N. 10th St., Meridian, ID 83642  
 208.333.1111  
 www.shilllockgroup.com

**LANDSCAPE PLAN - AREA 1**

**L1.01**





D. Conceptual Building Elevations

















## VIII. CITY/AGENCY COMMENTS & CONDITIONS

### A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of rezone of this property. Prior to approval of the rezone ordinance, a DA shall be entered into between the City of Meridian, 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 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 submitted and revised plans and conceptual building elevations for the detached single-family dwellings included in Section VII and the provisions contained herein.
  - b. The Applicant shall comply with the ordinances in effect at the time of application submittal.
  - c. Direct lot access to N. Black Cat Road is prohibited.
  - d. Upon approval of the preliminary plat and rezone, the Applicant shall relinquish their rights to use the ingress-egress easement along the south boundary known as W. Quarterhorse Lane.
  - e. Lot ~~9~~10, Block 1 (the lot containing W. Quarterhorse Lane) shall be a non-buildable lot owned and maintained by the HOA until such time that it is redeveloped in the future as either common open space or as public right-of-way. ~~Prior to the Commission hearing, the applicant shall provide an exhibit that demonstrates the extension of the 25-foot wide landscape buffer, the two stub streets and integration with the adjacent properties to ensure this area is utilized.~~
2. At least ten (10) days prior to the City Council hearing, the preliminary plat included in Section VII.B, dated 09/01/2020, shall be revised as follows:
    - a. ~~Add a note prohibiting direct lot access via N. Black Cat Road.~~
    - b. Revise the plat to show the detached sidewalks along N. Black Cat Road and W. Pine Avenue with at least 4 feet of separation between it and the ultimate ACHD right-of-way.
    - c. ~~Add a~~ Revise plat note number 18 regarding stating that Lot ~~9~~10, Block 1 to state: Lot 10, Block 1 is a non-buildable lot and is to be owned and maintained by the HOA until such time that it redevelops as either common open space or as public right-of-way only.
    - d. Show Lot 6, Block 2 as a common open space lot instead of a building lot.
  3. At least ten (10) days prior to the City Council hearing, the landscape plan included in Section VII.C, dated 04/20/2020 shall be revised as follows:
    - a. Revise the landscape plan to show the required shrubs and other vegetative ground cover within the street landscape buffers along N. Black Cat Road and W. Pine Avenue.
    - b. Revise the landscape plan to show the layout of the revised preliminary plat; make any adjustments to the calculations table if needed.

- c. Revise the landscape plans to show the detached sidewalks along N. Black Cat Road and W. Pine Avenue with at least 4 feet of separation between it and the ultimate ACHD right-of-way.
  - d. Show Lot 6, Block 2 as a common open space lot instead of a building lot with the correct vegetation as set forth in UDC 11-3G and 11-3B.
  - e. Revise the landscape plans to show Lot 10, Block 1 with vegetative ground cover.
  - f. Add a detail of the proposed tot-lot to the landscape plans to ensure quality of structures.
4. Prior to the Commission hearing, the Applicant shall provide the following to Planning Staff: ~~1) building elevations depicting those homes that are alley loaded and side loaded, and; 2) exhibits showing setback compliance with the proposed building lot sizes and different style homes.~~
  5. Future development shall be consistent with the R-8 dimensional standards listed in UDC Table 11-2A-6 for all buildable lots.
  6. All common open space and site amenities shall be maintained by an owner's association as set forth in UDC 11-3G-3F1.
  7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
  8. Comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to cul-de-sacs, alleys, driveways, common driveways, easements, blocks, street buffers, and mailbox placement.
  9. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
  10. The façade of structures that face N. Black Cat Rd. and W. Pine Ave. shall incorporate articulation through changes in materials, color, modulation, and architectural elements (horizontal and vertical) to break up monotonous wall planes and roof lines in accord with UDC 11-3A-19 and the Meridian Design Manual.
  11. The Applicant shall adhere to all ACHD conditions of approval.
  12. 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.
  13. The preliminary plat approval shall become null and void if the applicant fails to either 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
  14. At least ten (10) days prior to the City Council hearing, the Applicant shall ensure that no tree mitigation is required with this development and provide proof to the Planning Department.

## **B. PUBLIC WORKS**

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

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards.



- ~~1.2 The water main dead end at the cul de sac must be extended to the northwest via the common lot pathway and tied into the existing 8" water main stub in Black Cat. This stub is not currently shown on the plans but is stubbed at the northwest corner of the property.~~
- 1.3 Due to service crossing issues, please relocate the storm drainage beds on the south end of the project to the east-west roadway.
- 1.4 Relocate the east-west sewer alignment at the southwest corner of the development to connect to the existing manhole that is closer to the south property boundary in N. Black Cat Road.
- 1.5 Applicant to abandon the existing water main stub, per Meridian Public Works standards, near the northwest corner of the development in N. Black Cat Road.
- ~~1.6 Connect the watermain at the south end of N. Traquair Street to the existing mainline in N. Black Cat Road. The alignment of this connection should follow established utility corridors.~~
- 1.7 The applicants design engineer has indicated that a geotechnical site investigation was conducted by MTI (Materials Testing & Inspection) dated December 4, 2019, indicating that groundwater was encountered at 14-feet below ground surface. It was also stated that the MTI report concluded that groundwater would remain greater than 4-feet below ground surface. The actual MTI report was not submitted with the application, and typically they highlight any specific soils concerns, and specific construction considerations and recommendations. The applicant shall be responsible for the strict adherence of these considerations and recommendations to help ensure that homes are constructed upon suitable bearing soils, and that shallow groundwater does not become a problem with home construction. **Prior to this application being considered by the Meridian City Council, the applicant shall be required to submit the MTI report and any up to date ground water monitoring data based upon current adopted building codes, as well as any other updated geotechnical information or recommendations since the initial work.**

## 2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 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 existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.

- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

**C. FIRE DEPARTMENT (MFD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190297&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT (MPD)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190779&dbid=0&repo=MeridianCity>

**E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191217&dbid=0&repo=MeridianCity>

**F. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190615&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=194266&dbid=0&repo=MeridianCity>

**IX. FINDINGS**

**A. Annexation and/or Rezone (UDC 11-5B-3E)**

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

**1. The map amendment complies with the applicable provisions of the comprehensive plan;**

*Staff finds the proposed zoning map amendment to R-8 and proposed use are consistent with the Comprehensive Plan, if all provisions of the Development Agreement and conditions of approval are complied with.*

**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 use of detached single-family dwellings complies with the regulations outlined for the requested upzone to the R-8 zoning district, specifically the purpose statement.*

**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.**

*The property is already annexed into the City of Meridian. Therefore, Staff finds that this finding is not applicable.*

**B. Preliminary Plat Findings:**

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

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

*Staff finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and*

*pedestrian connectivity. (Please see Comprehensive Plan analysis and other analysis in Section V of this report for more information.)*

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

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

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

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

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

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

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

*Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and approves of the project.*

**6. The development preserves significant natural, scenic or historic features.**

*Staff is unaware of any significant natural, scenic or historic features that exist on this site that require preserving.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from September 17, 2020 for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.

A. Request: Annexation of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres), zoning districts.

B. Request: A Preliminary Plat consisting of 395 buildable lots [316 single-family residential (94 attached & 222 detached), 63 townhomes, 14 multi-family residential, 1 commercial and 1 school], 32 common lots and 6 other (shared driveway) lots on 123.26 acres of land in the R-8, R-15 and C-G zoning districts.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** October 22, 2020

**Topic:** **Public Hearing Continued from September 17, 2020 for Prescott Ridge (H-2020-0047) by Providence Properties, LLC, Located on the South Side of W. Chinden Blvd. and on the East Side of N. McDermott Rd.**

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- 

## Information Resources:

[Click Here for Application Materials](#)

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

October 21, 2020

### MEMORANDUM

TO: City Clerk

FROM: Sonya Allen, Associate Planner

RE: Prescott Ridge – H-2020-0047

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At the Commission hearing for this project on September 17<sup>th</sup>, the Commission continued the project to the October 22<sup>nd</sup> hearing in order for the Applicant to revise the conceptual development plan for the medical campus/commercial portion of the site and the townhome portion of the site.

A revised concept plan was submitted for the commercial portion of the development that includes the following changes (see attached):

- Reconfigured frontage road between Levi Ln. and Serenity Ln./Chinden Blvd.;
- Relocation of medical office building from the southeast corner to the northwest corner of the site;
- Addition of restaurant/retail uses at the northeast corner of the site on the out-parcel to contribute to the mix of uses desired in MU-R designated areas; (*Note: The Applicant states the hospital and land owner of this parcel have signed a Letter of Intent & a final purchase & sale agreement is being drafted – however, this parcel is not part of the subject development application so future development cannot be held to this plan.*)
- Reduction in the number of stories for the hospital and medical office buildings from 4- to 3-stories;
- Addition of many more trees within the 30-foot wide landscape buffers along the west & south boundaries as an added buffer to adjacent residential properties;
- Addition of pathway connections to the main building entrances from perimeter sidewalks and from the single-family residential to the commercial portion of the development for pedestrian interconnectivity; and,



- Addition of a shaded seating area in front of the medical office building and a large plaza/green space in front of the hospital.

A revised site plan was submitted for the townhome portion of the development that depicts the following changes (see attached):

- Reconfiguration of the site layout with homes fronting on private streets and a mew;
- Reduction in the number of dwelling units from 54 to 46 and inclusion of attached units in addition to the townhome units;
- An increase in the amount of common open space area; and,
- Addition of amenities consisting of a pavilion, BBQ's, seating area and fire pit.

A revised preliminary plat and landscape plan were also submitted that depict the revised layout of the townhome portion of the development and the replacement of a buildable lot with a common area lot (Lot 4, Block 8) adjacent to the east boundary of Peregrine Heights (see attached).

# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



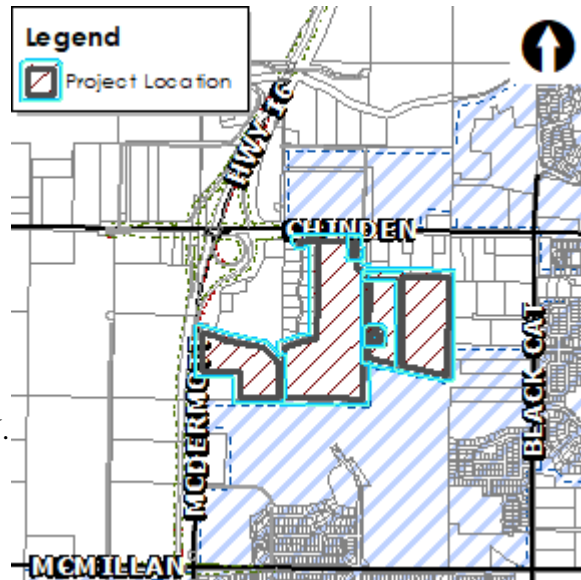
HEARING DATE: October 22, 2020  
*Continued from July 16, August 20, September 17, 2020*

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0047  
Prescott Ridge – AZ, PP, PS, ALT

LOCATION: South of W. Chinden Blvd. and east of N. McDermott Rd., in the North ½ of Section 28, Township 4N., Range 1W.  
*(Parcels: S0428233640, R6991222210, S0428120950, S0428131315, S0428131200, S0428211102)*



## I. PROJECT DESCRIPTION

Annexation of a total of 126.53 acres of land with R-8 (99.53 acres), R-15 (8.82 acres) and C-G (18.17 acres) zoning districts; and, Preliminary Plat consisting of 395 buildable lots [316 single-family residential (94 attached & 222 detached), 63 townhome, 14 multi-family residential, 1 commercial and 1 school], 32 common lots and 6 other (shared driveway) lots on 123.26 acres of land in the proposed R-8, R-15 and C-G zoning districts.

Private streets are proposed within the townhome portion of the development for internal access and circulation. Alternative Compliance to UDC 11-3F-4A.4, which requires a limited gated development when townhomes are proposed, is also requested.

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details	Page
Acreage	122.8	
Existing/Proposed Zoning	Rural Urban Transition (RUT) in Ada County (existing)/R-8, R-15 and C-G (proposed)	
Future Land Use Designation	Medium Density Residential (MDR) (3-8 units/acre) (113.5+/- acres) with Mixed Use – Regional (MU-R) (9+/- acres) along W. Chinden Blvd.	
Existing Land Use(s)	Rural residential/agricultural with 1 existing single-family home	
Proposed Land Use(s)	Residential (single-family attached/detached, townhomes & multi-family) & commercial (hospital and medical campus)	
Lots (# and type; bldg./common)	395 buildable lots (316 single-family residential, 63 townhome, 14 multi-family, 1 commercial and 1 school)/32 common lots/6 other (common driveway) lots	

Description	Details	Page
Phasing Plan (# of phases)	9 phases	
Number of Residential Units (type of units)	316 single-family (94 attached/222 detached), (63) townhome and (56) multi-family units	
Density (gross & net)	Overall - 3.63 units/acre (gross); 7.86 units/acre (net) R-8 area: 4.87 units/acre (gross); 7.19 units/acre (net) R-15 area: 12.87 units/acre (gross); 21.39 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	11.56 acres (or 11%) <i>(10.51 acres required based on 105.08 acres of residential area)</i>	
Amenities	Swimming pool, clubhouse, large and small children’s play structures, a dog park, multi-use pathways and additional qualified open space beyond the minimum standards	
Physical Features (waterways, hazards, flood plain, hillside)	Two (2) segments of the West Tap Sublateral cross this site	
Neighborhood meeting date; # of attendees:	12/18/19 - 11 attendees; and 4/1/20 - 13 attendees	
History (previous approvals)	A portion of the site is Lot 18, Block 1, Peregrine Heights Subdivision (formerly deed restricted agricultural lot for open space – non-farm that has since expired).	

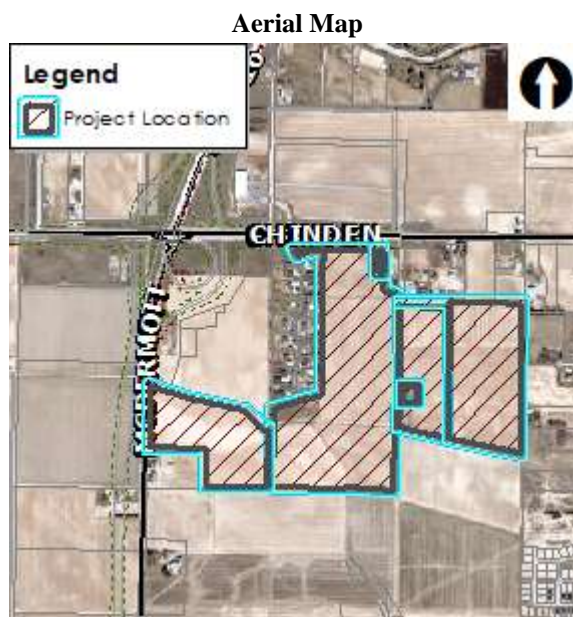
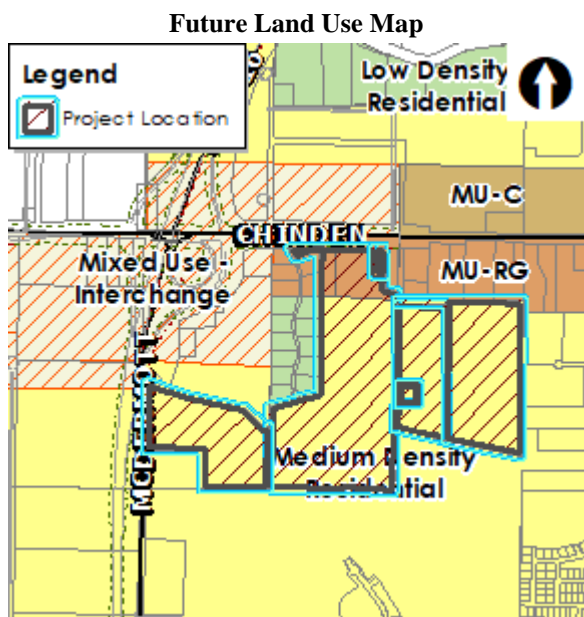
B. Community Metrics

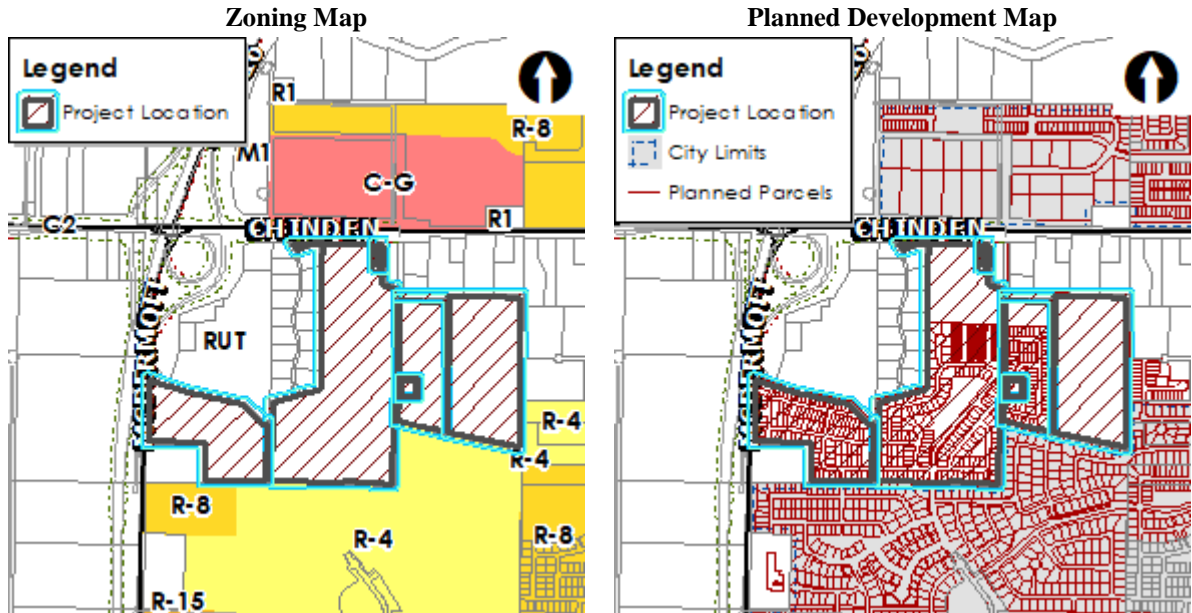
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Not yet</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	A collector street access (W. Rustic Oak Way) is proposed via W. Chinden Blvd./SH 20-26 at the half mile which runs through the site and connects to a future collector street (N. Rustic Way) in the Oaks North development from McMillan Rd. An access is proposed via N. McDermott Rd., a collector street.	
Traffic Level of Service	McDermott Rd. – Better than “D” (acceptable level of service) W. Rustic Oak Way/Levi Ln. – Better than “D” (acceptable level of service)	
Stub Street/Interconnectivity/Cross Access	Two local stub streets are planned to be constructed with the Oaks North development at the southern boundary of the site and extended with this development. Two stub streets (N. Serenity Ave. & W. Fireline Ct.) are proposed to the north for future extension. A cross-access easement is required to be provided to the MU-R designated property to the west.	
Existing Road Network	No public streets exist within the site; N. Levi Ln., a private lane, exists on the northern portion of the site via W. Chinden Blvd./SH 20-26.	
Existing Arterial Sidewalks / Buffers	There are no existing buffers or sidewalks along N. McDermott Rd. or W. Chinden Blvd./SH 20-26	
Proposed Road Improvements	<p><b>Capital Improvements Plan (CIP) / Integrated Five Year Work Plan (IFYWP):</b></p> <ul style="list-style-type: none"> <li>• Black Cat Road is listed in the CIP to be widened to 3-lanes from Chinden Boulevard to McMillan Road between 2026 and 2030.</li> <li>• The intersection of Black Cat Road and Chinden Boulevard is listed in the CIP to be widened to 5-lanes on the north leg, 5-lanes on the south leg, 6-lanes on the east leg and 6-lanes on the south leg between 2026 and 2030.</li> <li>• The intersection of McMillan Road and Black Cat Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 2 lanes on the northbound and southbound legs and 1 lane on the westbound and eastbound legs.</li> <li>• The intersection of McMillan Road and McDermott Road is listed in the CIP to be widened to 3-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the east leg and 3-lanes on the west leg between 2031 and 2035.</li> </ul>	

Description	Details	Page																
<b>Fire Service</b>																		
• Distance to Fire Station	3 miles from Station #5 to Serenity Ln. on Chinden & 4.4 miles to the McDermott side of the project (Station #7 once constructed, will serve this development)																	
• Fire Response Time	Some of this development falls within the 5 minute response time area as shown on the priority growth map; the McDermott side is 8 minutes away and does <i>not</i> meet response time goals																	
• Resource Reliability	80% from Station #5 – meets response time goal																	
• Risk Identification	2 – current resources would <i>not</i> be adequate to supply service (open waterway)																	
• Accessibility	Project meets all required access, road widths and turnarounds as long as phasing plan is followed.																	
• Special/resource needs	Project will require an aerial device for the multi-family development – cannot meet this need in the required timeframe. Eagle Station #1 is the closest truck company at approximately 8.4 miles away.																	
• Water Supply	Requires 1,000 gallons per minute for one hour for the single-family homes; the multi-family areas will require additional water (may be less if buildings are fully sprinklered)																	
• Other Resources	NA																	
<b>Police Service</b>																		
No comments submitted																		
• Distance to Police Station	9 miles																	
• Police Response Time	No emergency response data can be provided because this development is near the edge of City limits																	
• Calls for Service	56 (within a mile of site between 4/1/19-3/31/20)																	
• Accessibility	No concerns																	
• Specialty/resource needs	None																	
• Crimes	5 (within a mile of site between 4/1/19-3/31/20)																	
• Crashes	4 (within a mile of site between 4/1/19-3/31/20)																	
• Other	Although located near the edge of City limits, service can be provided if this development is approved.																	
<b>West Ada School District</b>																		
• Distance (elem, ms, hs)	<table border="1" data-bbox="511 1171 1380 1291"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles Dist. to school</th> </tr> </thead> <tbody> <tr> <td>Pleasant View Elementary</td> <td>Opening 20/21 School Year</td> <td>650</td> <td>2.4</td> </tr> <tr> <td>Star Middle School</td> <td>704</td> <td>1000</td> <td>6.9</td> </tr> <tr> <td>Meridian High School</td> <td>1965</td> <td>2400</td> <td>6.1</td> </tr> </tbody> </table> <p data-bbox="511 1312 1380 1354">Due to the abundant amount of growth in the area, West Ada is actively building new schools, and boundaries are always changing. These future students could potentially attend Dwyhee High School.</p>		Enrollment	Capacity	Miles Dist. to school	Pleasant View Elementary	Opening 20/21 School Year	650	2.4	Star Middle School	704	1000	6.9	Meridian High School	1965	2400	6.1	
	Enrollment	Capacity	Miles Dist. to school															
Pleasant View Elementary	Opening 20/21 School Year	650	2.4															
Star Middle School	704	1000	6.9															
Meridian High School	1965	2400	6.1															
• Capacity of Schools																		
• # of Students Enrolled																		
<b>Wastewater</b>																		
• Distance to Sewer Services	This proposed development is not currently serviceable by Meridian Sanitary Sewer service. The sewer trunk line designed to service this development is within The Oaks North Subdivision to the south.																	
• Sewer Shed	North McDermott Trunk Shed																	
• Estimated Project Sewer ERU's	See application																	
• WRRF Declining Balance	13.92																	
• Project Consistent with WW Master Plan/Facility Plan	Yes																	
• Impacts/Concerns	• Additional 4,662 gpd has been committed																	

	<ul style="list-style-type: none"> <li>• Sewer mains are not allowed in common driveways. Please remove.</li> <li>• The planned sewer trunk line will enter this property at N. Rustic Oak Way</li> <li>• Sewer line in N. Rustic Oak Way shall be 10-inch all the way to Chinden Blvd</li> <li>• This development is subject to paying sanitary sewer reimbursement fees (see Public Works Site Specific Conditions of Approval for detail). Reimbursement fees for the entire subdivision shall be paid prior to city signatures on the first final plat.</li> </ul>	
Water		
<ul style="list-style-type: none"> <li>• Distance to Water Services</li> </ul>	This proposed development is not currently serviceable by the Meridian City water system. Water mainlines designed to service this development are within The Oaks North Subdivision to the south.	
<ul style="list-style-type: none"> <li>• Pressure Zone</li> </ul>	1	
<ul style="list-style-type: none"> <li>• Estimated Project Water ERU's</li> </ul>	See application	
<ul style="list-style-type: none"> <li>• Water Quality</li> </ul>	None	
<ul style="list-style-type: none"> <li>• Project Consistent with Water Master Plan</li> </ul>	Yes	
<ul style="list-style-type: none"> <li>• Impacts/Concerns</li> </ul>	None	

C. Project Area Maps





**III. APPLICANT INFORMATION**

**A. Applicant:**

Providence Properties, LLC – 701 South Allen Street, Ste. 104, Meridian, ID 83642

**B. Owner:**

- Joseph Hon – 16790 Rose Park Dr., Nampa, ID 83687
- Raymond Roark – 5952 N. Serenity Ln., Meridian, ID 83646
- Lonnie Kuenzli – 6210 N. Levi Ln., Meridian, ID 83646
- West Ada School District – 1303 E. Central Dr., Meridian, ID 83642

**C. Representative:**

Stephanie Leonard, KM Engineering – 9233 W. State St., Boise, ID 83714

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Notification published in newspaper	6/26/2020, 8/28/2020	
Notification mailed to property owners within 300 feet	6/23/2020, 8/26/2020	
Applicant posted public hearing notice on site	7/2/2020, 8/27/2020	
Nextdoor posting	6/23/2020, 8/27/2020	



## V. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates 9+/- acres along W. Chinden Blvd./SH 20-26 as Mixed Use – Regional (MU-R); and the 113.5+/- acres to the south as Medium Density Residential (MDR).

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 purpose of the MDR designation is to allow small lots for residential purposes within City limits. Uses may include single-family homes at gross densities of 3 to 8 dwelling units per acre.

The MU-R designated area is located adjacent to a major intersection, W. Chinden Blvd./SH 20-26 and N. McDermott Rd. (future SH-16). The MU-R area is proposed to develop with a medical campus, including a regional hospital, and multi-family apartments. **A larger MU-R area than currently designated on the FLUM is proposed which incorporates an additional 9.5+/- acres to the south and east of the current designated area. Because FLUM designations are not parcel specific and the proposed development provides needed services, employment opportunities and housing consistent with that desired in MU-R designated areas, Staff is supportive of the expanded MU-R area provided that a retail component is also included and integrated as part of the development.** The MDR designated area is proposed to develop with a mix of single-family attached, detached and townhome units at a gross density of 3.46 units/acre, which although at the low end of the desired density range, is consistent with that of the MDR designation.

The following Comprehensive Plan Policies are applicable to this development:

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

*The proposed single-family attached, detached, townhomes and multi-family apartments will provide a variety of housing types for future residents in the northwest portion of the City in close proximity to the proposed employment uses on this site and across Chinden Blvd. to the north.*

- “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 not currently available to the subject development, however the main/trunk lines intended to provide service are currently being developed in The Oaks North Subdivision to the south. This development is dependent on the development timing of the phase(s) within The Oaks North for services to be readily available for extension. This developer is attempting to work with The Oaks developer to hasten the timing of utility expansion.*

- “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)

*Four (4) different housing types are proposed in this development (i.e. single-family attached/detached, townhomes and multi-family apartments) along with a wide range of lot sizes for diversity in housing types in this area.*

- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)

*The proposed single-family residential development should be compatible with existing single-family homes to the west in Peregrine Heights and in the development process to the south in The Oaks North and*

*the future school to the east. Larger lot sizes are proposed as a transition to the 1-acre lots in Peregrine Heights. Higher density residential uses are planned adjacent to the proposed medical campus at the north boundary and the future school site at the east boundary. A 30-foot wide landscaped buffer with a pedestrian pathway and 8' tall CMU wall is also proposed adjacent to residential uses along the southern and western boundaries of the proposed medical campus to reduce conflicts.*

- “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)

*A 10' wide multi-use pathway is required within the street buffers along W. Chinden Blvd./SH 20-26 and the north/south collector street (Levi Ln./Rustic Oak), and to the east to the future school site for safe pedestrian access to the school. A large central common area is proposed along the collector street with quality amenities.*

- “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 when available; services are proposed to be provided to and though this development in accord with current City plans.*

- “Locate higher density housing near corridors with existing or planned transit, Downtown, and in proximity to employment centers.” (2.01.01H)

*The proposed townhomes and multi-family apartments in close proximity to the regional hospital and medical campus will provide higher density housing options in close proximity to the employment center and major transportation corridor (i.e. Chinden Blvd./SH 20-26 & future SH 16).*

- “Encourage the development of high quality, dense residential and mixed use areas near in and around Downtown, near employment, large shopping centers, public open spaces and parks, and along major transportation corridors, as shown on the Future Land Use Map.” (2.02.01E)

*Townhomes and a multi-family development are proposed in close proximity to the mixed use area along Chinden Blvd./SH 20-26, a major transportation corridor, where employment uses are proposed.*

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

*The proposed project is located on the fringe of the northwest corner of the City. However, because the land to the north and south has been annexed into the City as well as land located a half mile to the east, services will be extended in this area. Therefore, public services will be maximized by the development of this property.*

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

*Urban sewer and water infrastructure, when available, and curb, gutter and sidewalks is proposed to be provided as required.*

- “Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City's vision and the necessary extension of public services and infrastructure is provided.” (3.03.03)

*The proposed development plan is consistent with the City's vision in that a mix of uses are proposed including a regional hospital and medical offices in the MU-R designated area adjacent to a major transportation corridor. Residential uses are proposed at densities consistent with the Comprehensive*



*Plan for this area. Public services can be provided and public infrastructure will be extended when available to this site.*

- “Require collectors consistent with the ACHD Master Street Map (MSM), generally at/near the mid-mile location within the Area of City Impact.” (6.01.03B)

*The MSM depicts a collector street at the half mile between Black Cat and McDermott Roads in the current location of N. Levi Ln. at the northeast corner of the site from W. Chinden Blvd./SH 20-26 to the south to McMillan Rd. A collector street is proposed in accord with the MSM which will connect to N. Rustic Oak Way to the south in The Oaks North subdivision.*

**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 two (2) different land use types – residential and office. Staff recommends commercial (i.e. retail, restaurant, etc.) uses are also provided as desired in Mixed Use and specifically MU-R designated areas to serve the employment area and adjacent neighborhood. A public school (i.e. civic use) is planned on the eastern portion of the annexation area; however, it’s outside the mixed use designated area and not a part of the proposed development.*

- “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.”

*Multi-family apartments and townhomes are proposed adjacent to the Mixed Use designated area to provide a higher density in close proximity to the employment center located adjacent to W. Chinden Blvd./SH 20-26.*

- “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 Master Plan is proposed with the annexation request which will be incorporated into a Development Agreement to ensure future development is consistent with the Mixed Use designation. Staff recommends changes to the Master Plan as noted in Section IX consistent with the development guidelines for Mixed Use designated areas in the Comprehensive Plan.*

- “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 Master Plan depicts an outdoor yard area at the south end of the hospital and a pedestrian pathway within a 30’ wide landscaped common area along the southern and western boundaries of the commercial portion of the development abutting residential uses. Staff recommends the concept plan is revised prior to the City Council hearing to reflect common usable area such as a plaza or green space more central to the development with buildings arranged around the common area in accord with this provision.*

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

*There are existing low density homes on 1-acre lots along the west boundary of this site in Peregrine Heights Subdivision adjacent to the area proposed to be zoned C-G and developed with a medical campus. A 30’ wide densely landscaped buffer is proposed along the west and south boundaries of the C-G zoned property adjacent to existing and proposed abutting residential uses along with an 8’ tall CMU wall as a buffer to future commercial uses. Parking is proposed along these boundaries except for a 4-story medical office building proposed at the southeast corner of the commercial development, which Staff*

***recommends is shifted to the north to front on the main entry drive aisle off W. Rustic Oak Way as a better transition to the residences to the south.***

- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”  
*A future school site is planned on the eastern portion of the annexation area but it is outside the Mixed Use designated area and not a part of this development. A hospital is proposed in the medical campus on the northern portion of the site adjacent to W. Chinden Blvd./SH 20-26 which will provide much needed services in the northern portion of the City.*
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”  
*A school is planned to develop on the eastern portion of the annexation area but it outside the Mixed Use designated area and not being developed with this project. **To ensure such spaces and places are included in the mixed-use portion of the development as desired, Staff recommends the concept plan is revised accordingly prior to the City Council hearing.***
- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”  
*No such spaces or design elements/amenities are proposed. **To ensure future development in the MU-R designated area is consistent with this guideline, Staff recommends the concept plan is revised accordingly prior to the City Council hearing.***
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”  
*The proposed mixed use development is directly accessible to neighborhoods within the section by a collector street (W. Rustic Oak Way) that runs along the project’s east boundary at the half mile between McDermott and Black Cat Roads; a multi-use pathway is planned along the collector street for pedestrian connectivity in accord with the Pathways Master Plan.*
- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”  
*There are no roadways separating the commercial/mixed use area from the single-family detached homes and townhomes proposed at the south boundary of the area proposed to be zoned C-G. **Staff recommends as a provision of the DA that a street is constructed paralleling W. Chinden Blvd./SH 20-26 to distribute traffic in this area in accord with the standards listed in UDC 11-3H-4B.3 and also as a transition between land uses.***
- “Because of the parcel configuration within Old Town, development is not subject to the Mixed Use standards listed herein.”  
*The subject property is not located in Old Town, therefore, this item is not applicable.*

**In reviewing development applications, the following items will be considered in MU-R areas, per the Comprehensive Plan (pgs. 3-16 thru 3-17):**

- Development should generally comply with the general guidelines for development in all Mixed Use areas.  
*Staff’s analysis on the proposed project’s compliance with these guidelines is included above. Because a development plan isn’t proposed at this time for the Mixed Use designated area, Staff has included*

*recommended provisions in the DA to ensure future development is consistent with these guidelines.*

- 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.  
*Multi-family uses are proposed at a density of 16.6 units/acre for approximately 27% of the mixed use development area. Non-retail medical office/hospital uses are proposed on the remainder of the mixed use development.*
- Retail commercial uses should comprise a maximum of 50% of the development area.  
*No retail commercial uses are proposed. Because this site is proposed to develop with a medical campus including a regional hospital, retail uses will be minimal but should be provided as a third land use type as desired in mixed use designated areas as discussed above to serve patrons and residents.*

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.*

*Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan if a commercial (i.e. retail, restaurant, etc.) component is included in the mixed use designated portion of the development as discussed above.*

## VI. UNIFIED DEVELOPMENT CODE ANALYSIS ([UDC](#))

### A. Annexation & Zoning:

The proposed annexation area consists of six (6) parcels of land totaling 122.8 acres designated on the Comprehensive Plan Future Land Use Map (FLUM) as Medium Density Residential (MDR) and Mixed Use – Regional (MU-R). Per the proposed conceptual Master Plans included in Section VIII.A, single-family residential attached and detached homes, townhomes, multi-family apartments and a medical campus featuring a regional hospital is proposed to develop on this site. **As discussed above, Staff recommends commercial (i.e. retail, restaurant, etc.) uses are also provided in the C-G zoned area as desired in Mixed Use and specifically MU-R designated areas to serve the employment area and adjacent neighborhood.**

The medical campus is proposed to include “boutique” medical services geared toward women’s health and pediatrics. Two buildings are proposed – a 4-story 220,000+/- square foot (s.f.) hospital with approximately 90 in-patient beds and a 4-story 90,000+/- s.f. medical office building. Most services anticipated to be performed in the hospital will be out-patient procedures. Areas not used for inpatient beds will be used for surgery, radiology, an emergency department, labor rooms, physical plant and a cafeteria. The hospital is proposed to be similar in scope and size to the St. Luke’s and St. Al’s campuses in Nampa.

West Ada School District plans to develop a public school on the eastern portion of the annexation area separate from this development. The parcel was included in the subject AZ and PP applications because it was created outside of the process required by Ada County to create a buildable parcel. Including it in the proposed plat will allow building permits to be obtained for future development.

The single-family attached/detached portion of the development is proposed to be annexed with R-8 zoning (99.53 acres), the townhome and multi-family portions are proposed to be zoned R-15 (8.82 acres) and the medical campus is proposed to be zoned C-G (18.17 acres, including adjacent right-of-way to the section line of W. Chinden Blvd./SH 20-26), which is generally consistent with the associated MDR and MU-R FLUM designations for the site as discussed above in Section V (see zoning exhibit in Section VIII.B).

**Proposed Use Analysis:** Single-family attached and detached homes and townhouse dwellings are listed as a principal permitted use in the R-8 and R-15 zoning districts; multi-family developments are listed as a conditional use in the R-15 zoning district, subject to the specific use standards listed in UDC 11-4-3-27; and public education institutions are listed as a conditional use in the R-8 zoning district per the Allowed Uses in the Residential Districts table in UDC Table 11-2A-2, subject to the specific use standards listed in UDC 11-4-3-14. A hospital is listed as a conditional use in the C-G district, subject to the specific use standards in UDC 11-4-3-22; and healthcare and social services is listed as a principal permitted use in the C-G district per the Allowed Uses in the Commercial Districts table in UDC 11-2B-2.

Evaluation of the multi-family development for consistency with the specific use standards listed in UDC 11-4-3-27 and the hospital's consistency with the specific use standards listed in UDC 11-4-3-22 will occur with the conditional use permit applications for such uses. **One of the standards for hospitals that provide emergency care requires that the location shall have direct access on an arterial street; the proposed hospital is planned to provide emergency care. Because UDC 11-3H-4B.2 prohibits new approaches directly accessing a State Highway, access is proposed via N. Rustic Oak Way, a collector street, at the project's east boundary located at the half mile mark between section line roads. *The City Council should determine if this meets the intent of the requirement; if so, it should be memorialized in the Development Agreement. If not, City Council may consider a modification to the standard prohibiting new approaches directly accessing SH 20-26 (UDC 11-3H-4B.2a) upon specific recommendation of the Idaho Transportation Dept. or if strict adherence is not feasible as determined by City Council. Alternatively, Council may deny the emergency care component of the hospital use.***

The property is within the Area of City Impact Boundary (AOCI). A legal description for the annexation area is included in Section VIII.B.

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 future development meets the Mixed Use and specifically the MU-R guidelines in the Comprehensive Plan, Staff recommends a DA as a requirement of annexation with the provisions included in Section VIII.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.

The Applicant requests three (3) separate DA's are required – one for the R-8 and R-15 residential portions of the development, one for the medical campus and another for the school district's parcel. Staff is amenable to this request as there are three (3) distinct components of the project.

## **B. Preliminary Plat:**

The proposed preliminary plat consists of 433 lots – 395 buildable lots [316 single-family residential (94 attached & 222 detached), 63 townhome, 14 multi-family residential, 1 commercial and 1 school], 32 common lots and 6 other (shared driveway) lots on 123.26 acres of land in the proposed R-8, R-15 and C-G zoning districts. A portion of the proposed plat is a re-subdivision of Lot 18, Block 1, Peregrine Heights Subdivision,

a formerly deed restricted agricultural lot that was only to be used for open space (i.e. non-farm) – this restriction has since expired.

The minimum lot size proposed in the single-family residential portion of the development is 4,000 square feet (s.f.) with an average lot size of 6,060 s.f.; the average townhome lot size is 2,037 s.f. The overall gross density is 3.63 units/acre with a net density of 7.86 units/acre. The gross density of the R-8 zoned portion is 4.87 units/acre with a net density of 7.19 units/acre and the gross density of the R-15 zoned portion is 12.87 units/acre with a net density of 21.39 units/acre consistent with the density desired in the associated MDR & MU-R FLUM designations in the Comprehensive Plan for this site.

**Phasing:** The residential portion of the subdivision is proposed to develop in nine (9) phases as depicted on the phasing exhibit in Section VIII.C over a time period of 4 to 5 years. The north/south collector street will be constructed from W. Chinden Blvd./SH 20-26 in alignment with Pollard Ln. across Chinden Blvd. to the north and extend to the southern boundary with the first phase of development. The single family portion of the site will develop first, followed by the townhomes and then the multi-family apartments.

The commercial portion of the development (Lot 80, Block 8) and the school property (Lot 84, Block 12) are not included in the phasing plan as they are under separate ownership and will develop separately from the residential portion of the development. The Applicant estimates development of the hospital and medical campus will commence in 2021 at the earliest; and the school in 2023 at the earliest, assuming services are available.

**Existing Structures/Site Improvements:**

There is an existing home on the Kuenzli property and some old accessory structures on the Roark property that are proposed to be removed with development. **All existing structures should be removed prior to signature on the final plat by the City Engineer for the phase in which they are located.**

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

Development of the subject property is required to comply with the dimensional standards listed in UDC Tables 11-2A-6 for the R-8 district, 11-2A-7 for the R-15 district and 11-2B-3 for the C-G district as applicable.

**Lot Layout:**

**The lot layout/development plan for the townhome portion of the development on Lots 16-79, Block 8 is not consistent with UDC standards as it depicts common driveways for access to homes off the private street, which is prohibited per UDC 11-3F-4A.6; additionally, each common driveway may only serve a maximum of (6) dwelling units per UDC 11-6C-3D – 8 units are proposed off each driveway. Private streets are not intended for townhome developments other than those that create a common mew through the site design or that propose a limited gated development – neither mews nor gates are proposed (alternative compliance is requested to this standard – see analysis below in Section VI.C, D).**

**Alternative Compliance may be requested to these standards and approved upon recommendation of the City Engineer, Fire Marshal and the Director when the Applicant can demonstrate that the proposed overall design meets or exceeds the intent of the required standards and shall not be detrimental to the public health, safety and welfare and where private streets are determined to enhance the safety of the development by establishing a clear emergency vehicle travel lane. However, the Fire Dept. and Staff would *not* be in support of such a request as Staff is of the opinion approving such at the number of units and density proposed would result in a neighborhood that is severely under parked, which could be detrimental to the public health, safety and welfare if emergency services were not able to access homes within the development due to parking issues on the private street.**

**Staff recommends this portion of the development is redesigned with public streets (alleys and/or common driveways may be incorporated), or if private streets are proposed, each unit should front on and be accessed via the private street(s) and the design should include a mew or gated entry in accord with UDC 11-3F-1 – however, public streets are preferred. Alternatively, a multi-family development**



(i.e. one structure on one property with 3 or more dwelling units) with townhome style units might be a development option for this area. A revised parking plan should be submitted for this area as well that provides for adequate guest parking above the minimum UDC standards (Table 11-3C-6) to serve this portion of the development. A revised concept plan and parking plan should be submitted prior to or at the Commission hearing for review and a revised plat should be submitted at least 10 days prior to the City Council hearing that reflects this modification.

The lot layout/development plan for the multi-family development on Lots 70-83, Block 12 depicts parking and access driveways on buildable lots – the number of parking spaces varies with each lot and are not commensurate with the parking required for each building. Therefore, Staff recommends the access driveways and parking are placed in a common lot with an ingress-egress/parking easement for each buildable lot. A revised plat should be submitted at least 10 days prior to the City Council hearing.

#### **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, including but not limited to streets, common driveways and block face.

Block length is required to comply with the standards listed in UDC 11-6C-3F. Block faces should not exceed 750' in length without an intersecting street or alley unless a pedestrian connection is provided, then the block face may be extended up to 1,000' in length. The face of Block 7 on the south side of W. Smokejumper St. exceeds 750' at approximately 900'+/-; because the preliminary plat for the abutting property to the south did not include a pathway to this site in this location, Staff does not recommend a pathway is required for connectivity as it would dead-end at the subdivision boundary. Other block faces comply with the standard.

Common driveways are required to be constructed in accord with the standards listed in UDC 11-6C-3D. **A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

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

Access is proposed via one (1) collector street (N. Rustic Oak Way) from W. Chinden Blvd./SH 20-26, which extends through the site to the south boundary and will eventually extend to McMillan Rd. with development of The Oaks North subdivision to the south. A local street access (W. Sturgill Peak St.) is proposed via N. McDermott Rd., a collector street, at the project's west boundary.

A stub street (N. Jumpspot Ave.) is proposed to the out-parcel at the southwest corner of the site – Staff recommends W. Smokejumper St. is also stubbed to this property from the east; two (2) stub streets (N. Trident Ave. and N. Rustic Oak Way) are proposed to the south for future extension with The Oaks North subdivision; and two (2) stub streets (N. Serenity Ave. & W. Fireline Ct.) are proposed to the north for future extension – the stub street to Serenity Ln. will serve as an emergency access only to Peregrine Heights Subdivision and will have bollards preventing public access. A collector street (W. Ramblin St.) is proposed for access to the school site. A stub street (Sunfield Way) was approved with The Oaks North preliminary plat to Lot 37, Block 12, proposed as a common lot; this street is not proposed to be extended. The ACHD report states Sunfield Way cannot be extended into the site at this time as the stub street is aligned with the parcel line between this site and the school parcel. ACHD has required a permanent right-of-way easement to be provided and a road trust for the future extension of Sunfield Way with development of the school parcel.

Cross-access/ingress-egress easements should be provided to adjacent MU-R designated properties to the west (Parcels # R6991221700 & R6991221600) and east (Parcel # R6991222101) in accord with UDC 11-3A-3A.2.

As discussed above, a private street loop (N. Highfire Loop) is proposed for access to the townhome portion of the development in Block 8 adjacent to the southern boundary of the commercial development (see analysis below under Private Streets). Staff is *not* supportive of the proposed design and recommends revisions to the plan as stated above and in Section IX.A.

The Applicant's proposal to curve McDermott Rd. north of Sturgill Peak St. to the east at the project's west boundary does not meet ACHD policy and is not approved; the ACHD report states construction of this portion of McDermott will be completed in conjunction with ITD's SH-16 extension.

Developments along SH 20-26 are required to construct a street generally paralleling the state highway that is no closer than 660 linear feet (measured from centerline to centerline) from the intersection (i.e. Rustic Oak) with the state highway. The purpose of which is to provide future connectivity and access to all properties fronting the state highway that lie between the subject property and the nearest section line road and/or half mile collector road. The street shall be designed in accord with the standards set forth in UDC 11-3H-4B.3 and shall collect and distribute traffic. Frontage streets or private streets may be considered by the council at the time of property annexation or through the conditional use process. Frontage streets and private streets shall be limited to areas where there is sufficient access to surrounding properties and a public street is not desirable in that location.

A frontage road is proposed along the northern boundary of the site adjacent to Chinden Blvd. with an access on Rustic Oak approximately 660' south of Chinden as depicted on the conceptual development plan in Section VIII.A. Because residential homes exist to the west that are not likely to redevelop in the near future, a future interchange for SH-16 is planned east of the McDermott/Chinden intersection, and a north/south collector street (Rustic Oak) exists along the east boundary of this site, Staff believes there is sufficient access to surrounding properties as proposed without the provision of a public street.

*Emergency access: In response to the Fire Department's estimated response time to the development, which are below the target goal on the McDermott side of the subdivision, the Applicant plans to include an AED (Automated External Defibrillator) device in the clubhouse and provide education related to the use of the device to ensure residents are aware of the benefits and function if the device is needed. Additionally, a connection is proposed from Chinden through the project to the southern boundary of the subdivision with the first phase of development to aid in emergency response times to the site; this should also benefit response times to The Oaks North to the south.*

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

Off-street parking is required to be provided for residential uses in accord with the standards listed in [UDC Table 11-3C-6](#); and for non-residential uses in accord with the standards listed in 11-3C-6B.1. Future development should comply with these standards. A parking exhibit (and details in the narrative) was submitted with this application, included in Section VIII.F that depicts 46 extra off-street parking spaces in the townhome portion of the development and a total of 505 on-street parking spaces available for guest parking. A total of 16 off-street parking spaces are proposed for the 3,750+/- square foot clubhouse and swimming pool facility. Staff is of the opinion the proposed parking in the single-family and townhomes portions of the development should meet the parking needs. Off-street parking in the multi-family portion of the development will be evaluated with the conditional use permit application.

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

The Pathways Master Plan depicts segments of the City's multi-use pathway system across this site. In accord with the Plan, the Park's Dept. recommends detached 10' wide multi-use pathways are provided within the

street buffers in the following locations: along N. McDermott Rd., W. Chinden Blvd./SH 20-26, the east side of N. Rustic Oak Way from Chinden to the southern boundary of the site, and along W. Ramblin St. from Rustic Oak to the school site. **These pathways are required to be placed in a 14-foot wide public pedestrian easement.**

Other pathways and micro-paths through common areas are also proposed for pedestrian interconnectivity and access within the development. Two (2) micro-path connections to the school site are proposed in addition to the multi-use pathway connection from Rustic Oak that extends along the northern boundary of the multi-family development.

**All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and landscaping shall be provided on either side of the pathways as set forth in UDC 11-3B-12C.**

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

Detached sidewalks are required to be provided along all arterial and collector streets; attached (or detached) sidewalks may be provided along internal local streets. Sidewalks are proposed in accord with the standards listed in UDC 11-3A-17, except for along the east side of Rustic Oak, north of W. Lost Rapids St., where an attached 7' wide sidewalk is proposed. **This sidewalk should be detached from the curb in accord with UDC 11-3A-17.**

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

Eight-foot wide parkways are proposed adjacent to the north/south collector street (N. Rustic Oak Way) and are required to be constructed in accord with the standards listed in UDC 11-3A-17 and landscaped in accord with the standards listed in UDC 11-3B-7C. *Note: The Master Plan included in Section VIII.A appears to include landscaped parkways throughout the development; however, they are only proposed along N. Rustic Oak Way.*

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

Street buffers are required to be provided within the development as follows: a 35-foot wide street buffer is required along W. Chinden Blvd./SH 20-26, an entryway corridor; and a 20' wide buffer is required along N. Rustic Oak Way, N. McDermott Rd. and W. Ramblin St., collector streets, landscaped in accord with the standards listed in UDC 11-3B-7C.

A 25' wide buffer is required on the C-G zoned property to residential uses as set forth in UDC Table 11-2B-3, landscaped per the standards listed in UDC 11-3B-9C. The buffer area should be comprised of a mix of evergreen and deciduous trees, shrubs, lawn or other vegetative groundcover that results in a barrier that allowed trees to touch at the time of maturity.

Parkways where provided are required to be landscaped in accord with the standards listed in [UDC 11-3B-7C](#). **The total linear feet of parkways with the required and proposed number of trees should be included in the Landscape Calculations table on the final plat landscape plan to demonstrate compliance with the required standards.**

Landscaping is required along all pathways in accord with the standards listed in [UDC 11-3B-12C](#). **The total linear feet of pathways with the required and proposed number of trees should be included in the Landscape Calculations table on the final plat landscape plan to demonstrate compliance with UDC standards.**

Common open space is required to be landscaped in accord with the standards listed in [UDC 11-3G-3E](#). **The total square footage of common open space with the required and proposed number of trees should be included in the Landscape Calculations table on the final plat landscape plan to demonstrate compliance with the UDC standards.**

**Parking lot landscaping is required to be provided in the commercial portion of the development in accord with the standards listed in UDC 11-3B-8C.**



**If any existing trees on the site are proposed to be removed, mitigation may be required per the standards listed in UDC 11-3B-10C.5. The Applicant should coordinate with Matt Perkins, the City Arborist, to determine mitigation requirements if any existing trees are *not* proposed to be retained on site.**

Noise abatement is required to be provided in the form of a berm or a berm and wall combination parallel to W. Chinden Blvd./SH 20-26 constructed in accord with the standards listed in UDC 11-3H-4D. **A detail/cross-section of the proposed noise abatement should be submitted with the final plat application for the commercial portion of the development that demonstrates compliance with the required standards.**

**Qualified Open Space (UDC [11-3G](#)):**

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required for the residential portion of the development. Based on 105.08 acres, a minimum of 10.51 acres of qualified open space should be provided.

A qualified open space exhibit was submitted, included in Section VIII.E, that depicts 11.56 acres (or 11%) of open space consisting of the entire buffer along collector streets (McDermott & Rustic Oak), open space areas of at least 50' x 100' in area and linear open space in accord with UDC standards. *Note: Although a couple of the lots (i.e. Lot 30, Block 1 and Lot 29, Block 9) counted toward qualified open space don't meet the minimum dimensional standards of 50' x 100', the rest of the area does qualify which still exceeds the minimum standards.*

**Because the multi-family portion of the development is proposed to be subdivided with each 4-plex on its own individual lot for the option of separate ownership of the 4-plex buildings, Staff recommends a provision is included in the DA that requires one management company handle the leasing and maintenance of the entire project to ensure better overall consistent management of the development.**

**Qualified Site Amenities (UDC [11-3G](#)):**

A minimum of (1) site amenity is required for every 20 acres of development area. Based on the residential area of the proposed plat (105.08 acres), a *minimum* of five (5) qualified site amenities are required to be provided per the standards listed in [UDC 11-3G-3C](#). A site amenity exhibit and renderings are included in Section VIII.E.

A 3,750+/- square foot clubhouse with restrooms, an exercise area, office and meeting room with an outdoor patio and a 54' x 30' +/- swimming pool, one large tot lot on Lot 1, Block 9 and (2) smaller tot lots on Lot 1, Block 13 and Lot 12, Block 6 with children's play equipment, an enclosed 5,500+/- s.f. dog park (although this area may be just a pocket park with no dog facilities depending on what is desired by future residents), segments of the City's multi-use regional pathway system, and additional qualified open space exceeding 20,000 square feet are proposed as amenities in *excess* of UDC standards. Amenities are proposed from the following categories listed in UDC 11-3G-3C: quality of life, recreation and pedestrian or bicycle circulation system, in accord with UDC standards. **Details of these amenities should be submitted with the final plat applications for the phases in which they are located.**

**Storm Drainage (UDC [11-3A-18](#)):**

An adequate storm drainage system is required in accord with the City's adopted standards, specifications and ordinances as set forth in UDC 11-3A-18. Design and construction shall follow Best Management Practice as adopted by the City. Sub-surface drainage is proposed but swales could be incorporated if needed.

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

Underground pressurized irrigation water is required to be provided in each development as set forth in UDC 11-3A-15. This property is within the Settler's Irrigation District and the Nampa & Meridian Irrigation District's boundaries.

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

The West Tap Sublateral runs east/west across the southern portion of this site within a 20' wide drainage district easement; and a 15' wide irrigation easement runs east/west across the northern portion of the site as depicted on the Peregrine Heights subdivision plat. This waterway is planned to be relocated and piped. **If the easement(s) for the waterway is greater than 10' in width, it should be placed in a common lot that is a minimum of 20' in width and outside of a fenced area, unless modified by City Council in accord with UDC 11-3A-6E.**

All waterways are required to be piped unless used as a water amenity of linear open space as defined in UDC 11-1A-1 in accord with UDC 11-3A-6B.

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

All fencing is required to comply with the standards listed in UDC 11-3A-6C and 11-3A-7. Fencing is depicted on the landscape plan.

Fences abutting pathways and common open space lots not entirely visible from a public street is required to be an open vision or semi-private fence up to 6' in height as it provides visibility from adjacent homes or buildings per UDC 11-3A-7A.7. **Staff is concerned there is not enough visibility from the street of the common area on Lot 1, Block 2 located behind building lots and around Lot 37, Block 12 and recommends the fencing type is revised on the perimeter of these lots to comply with this standard.**

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

The Applicant submitted sample photo elevations and renderings of the different home types planned to be constructed in this development which are included in Section VIII.G. Homes depicted are a mix of 1- and 2-story units of varying sizes for the variety of lot sizes proposed. Building materials consist of a mix of finish materials with stone/brick veneer accents.

**Because the side and/or rear of 2-story homes that face collector streets (i.e. N. McDermott Rd., N. Rustic Oak Way and W. Ramblin St.) will be highly visible, these elevations, should incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.**

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the clubhouse, swimming pool facility, single-family attached, townhome and multi-family structures. The design of such is required to comply with the design standards listed in the Architectural Standards Manual. *Design review is not required for single-family detached homes.*

**C. Private Streets (UDC [11-3F](#))**

A private street loop (N. Highfire Loop) is proposed for access within the portion of the development where townhomes are proposed on Lots 17-70, Block 8 adjacent to the southern boundary of the commercial development. The Applicant believes a private street in this area will enhance safety and vehicular circulation by creating a clear path of travel for emergency vehicles and residential traffic. Mews nor a gated development are proposed as the Applicant believes a gate would detract from site circulation and would physically and figuratively disjoint the townhomes from the rest of the community.

Private streets are not intended for townhome developments other than those that create a common mew through the site design or that propose a limited gated residential development per UDC 11-3F-1. The applicability may be extended where the Director or Fire Marshall determines that private streets will enhance the safety of the development. The Applicant requests alternative compliance to UDC 11-3F-1 to allow the development as proposed, without a mew(s) or a gated entry.

As noted above in Section VI.B, Lot Layout, Staff recommends changes to the layout of the portion of the plat where the private street is proposed. Staff and the Fire Dept. does *not* believe safety is enhanced by the provision of a private street in this area with the density and lot layout proposed and in fact, believes it creates a safety/emergency access issue due to the likelihood of vehicles parking in fire lanes due to inadequacy of parking for guests and overflow parking. Therefore, Staff does *not* recommend approval of the private street as proposed; a subsequent request for private streets may be considered *if* warranted by the redesign.

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

Alternative Compliance to UDC 11-3F-1, which requires a new or limited gated development to be provided when townhomes are proposed, is also requested. The Applicant's request is based on their belief that the townhome portion of the development will better integrate with the rest of the Prescott Ridge community and will be easily accessible and usable without a gated entry and will provide a safer path of travel for emergency vehicles.

**Because Staff is not supportive of the proposed design of the townhome portion of the development with the private street, Staff is in turn not supportive of the request for alternative compliance. As noted above in Section VI.B, Lot Layout, Staff recommends changes to the layout of this portion of the plat. A subsequent request may be considered *if* warranted by the redesign.**

## VII. DECISION

### A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and approval of the requested preliminary plat with the conditions noted in Section IX.A and denial of the request for a private street and alternative compliance per the Findings in Section X.

### B. The Meridian Planning & Zoning Commission heard these items on (continued from July 16<sup>th</sup> and August 20<sup>th</sup>) September 17, 2020. At the public hearing, the Commission moved to continue the subject AZ and PP requests to a subsequent Commission hearing in order for the Applicant to revise the concept plan for the commercial/medical campus and plat for the townhome portion of the development.

#### 1. Summary of Commission public hearing:

- a. In favor: Stephanie Leonard, KM Engineering & Patrick Connor (Applicant's Representative); Betsy Huntsinger, representing the proposed hospital; Randall Peterman (adjacent property owner); Mitch Armuth, Providence Properties
- b. In opposition: None
- c. Commenting: Val Stack and Paul Hoyer; Sue Ropski; Cory Coltrin; Randall Peterman
- d. Written testimony: Josh Femreite, Chief of New Schools for Gem Innovation Schools
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: Joe Bongiorno

#### 2. Key issue(s) of public testimony:

- a. Gem Innovation School is in strong support of the project as their future campus lies approximately 300 yards to the south and will be able to provide K-12 public education options for future residents;
- b. Would like 30' buffer extended along entire east and south boundaries of Peregrine Heights Subdivision for a buffer to higher density residential uses; would like more of a transition to the lots at the southeast corner of Peregrine Heights Subdivision either with larger lots or common area instead of 5 building lots; not in favor of proposed access via Serenity Ln.; concern pertaining to future access for Serenity Ln. residents via

- Chinden; concern pertaining to obstruction of view sheds with proposed 4-story structures on commercial portion of development.
- c. Ms. Ropski's concern with location of trash dumpsters and parking adjacent to their property;
  - d. Preference for the hospital to be located closer to the Chinden/Rustic Oak intersection away from low density residential lots at west boundary;
  - e. Mr. Peterman is in favor of the proposed development as it will bring services to his property for development.
3. Key issue(s) of discussion by Commission:
- a. Preference for owner-occupied townhomes rather than rental or more multi-family units in the portion currently proposed for townhomes;
  - b. Preference for the Applicant to obtain the out-parcel at northeast corner of site in order to develop commercial (retail, restaurant, etc.) uses on the site;
  - c. In favor of the variety in housing types and lot sizes proposed;
  - d. Not in favor of the proposed design of the townhome portion of the development and the private streets – needs to be redesigned;
  - e. The Fire Dept.'s preference for a direct unhindered access to the site via Serenity Ln. (i.e. not obstructed by a gate, bollards or a chain) – opposed to right-in/right-out at Serenity Ln./Chinden Blvd. as a fire engine will not be able to access the site from the east via Chinden.
  - f. Conceptual development plan for the commercial/medical campus portion of the site needs to be revised as discussed.
4. Commission change(s) to Staff recommendation:
- a. None
5. Outstanding issue(s) for City Council:
- a. None

VIII. EXHIBITS

A. Master Plan Conceptual Rendering & Medical Campus Conceptual Development Plan - **NOT APPROVED**

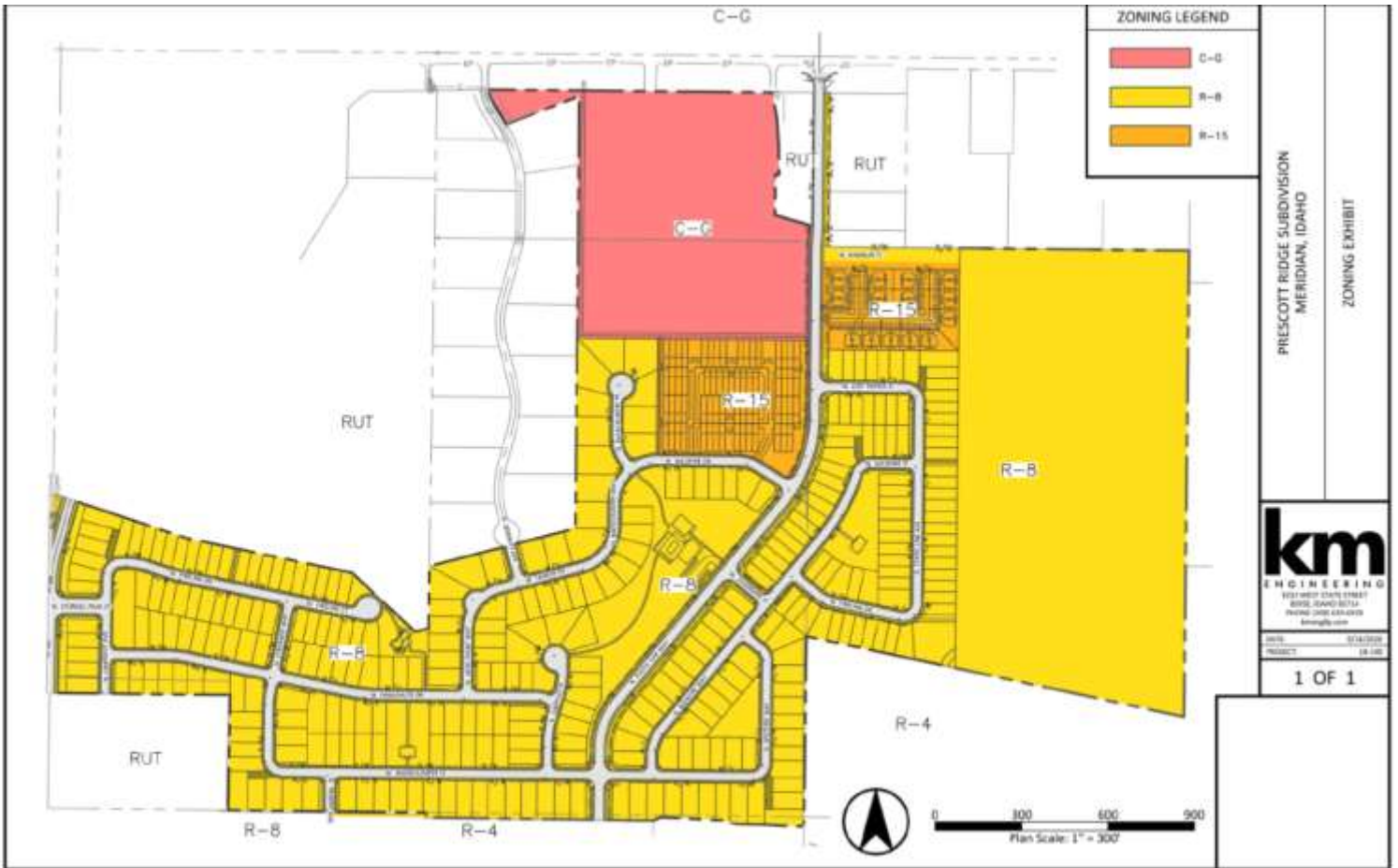


*Note: Although tree-lined trees are depicted, parkways with detached sidewalks are not proposed except for along the collector streets (i.e. N. Rustic Oak Way & McDermott Rd.) and on common lot end-caps; an east/west oriented mew with landscaping is depicted within the townhome portion of the development which is also not proposed.*





B. Annexation & Zoning Legal Descriptions and Exhibit Maps





April 6, 2020  
Project No. 18-140

**Exhibit A**  
**Legal Description for**  
**Annexation**  
**Prescott Ridge Subdivision**

A parcel of land situated in a portion of the West 1/2 of the Northeast 1/4 and a portion of the West 1/2 of Section 28, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner said Section 28, which bears N89°27'17"W a distance of 2,609.40 feet from an aluminum cap marking the North 1/4 corner of said Section 28, thence following the northerly line of the Northwest 1/4 of said Section 28, S89°27'17"E a distance of 1,484.66 feet to the **POINT OF BEGINNING**.

Thence following said northerly line, S89°27'17"E a distance of 982.15 feet to a point;  
Thence leaving said northerly line, S00°32'43"W a distance of 125.00 feet to a point;  
Thence S01°27'47"E a distance of 6.95 feet to a point;  
Thence S11°01'47"E a distance of 80.41 feet to a 5/8-inch rebar;  
Thence S04°02'47"E a distance of 96.02 feet to a 5/8-inch rebar;  
Thence S00°27'47"E a distance of 104.59 feet to a 5/8-inch rebar;  
Thence N89°27'17"W a distance of 12.18 feet to a 1/2-inch rebar;  
Thence S00°32'13"W a distance of 139.52 feet to a 1/2-inch rebar;  
Thence S73°36'44"E a distance of 131.95 feet to a 1/2-inch rebar on the easterly line of the Northwest 1/4 of said Section 28;  
Thence following said easterly line, N00°43'55"E a distance of 586.55 feet to a aluminum cap marking the North 1/4 corner of said Section 28;  
Thence leaving said easterly line and following the northerly line of the Northeast 1/4 of said Section 28, S89°25'25"E a distance of 60.00 feet to a point;  
Thence leaving said northerly line, S00°43'55"W a distance of 658.89 feet to a point;  
Thence S89°24'23"E a distance of 1,248.58 feet to a 5/8-inch rebar on the easterly line of the West 1/2 of the Northeast 1/4 of said Section 28;  
Thence following said easterly line, S00°36'13"W a distance of 1,615.76 feet to a 5/8-inch rebar;  
Thence leaving said easterly line, N77°58'17"W a distance of 1,338.12 feet to a 5/8-inch rebar on the easterly line of the Northwest 1/4 of said Section 28;  
Thence following said easterly line, S00°43'55"W a distance of 625.95 feet to 2-inch pipe marking the Center 1/4 of said Section 28;  
Thence leaving said easterly line, S00°43'51"W a distance of 24.35 feet to a 5/8-inch rebar;  
Thence S53°05'53"W a distance of 16.53 feet to a 5/8-inch rebar;  
Thence N78°07'38"W a distance of 19.68 feet to a 5/8-inch rebar;  
Thence S89°18'46"W a distance of 45.49 feet to a 5/8-inch rebar;  
Thence N86°14'49"W a distance of 63.62 feet to a 5/8-inch rebar;  
Thence N88°50'04"W a distance of 85.57 feet to a 5/8-inch rebar;  
Thence N80°59'54"W a distance of 36.69 feet to a 5/8-inch rebar;  
Thence N70°27'41"W a distance of 25.64 feet to a 5/8-inch rebar;

2923 West State Street • Boise, Idaho 83714 • 208.639.6939 • kmengllp.com



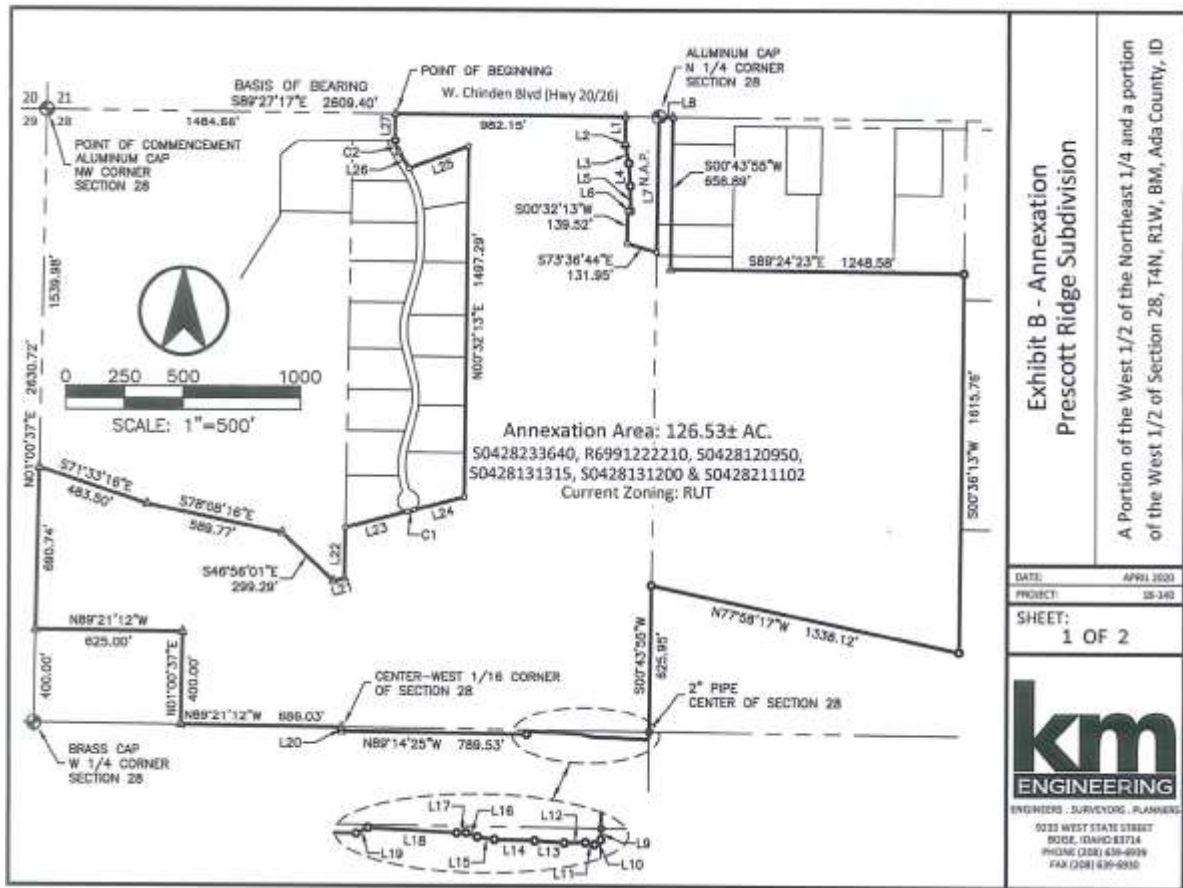
Thence S89°15'00"W a distance of 20.04 feet to a 5/8-inch rebar;  
 Thence N86°53'39"W a distance of 189.53 feet to a 5/8-inch rebar;  
 Thence S64°04'03"W a distance of 27.64 feet to a 5/8-inch rebar;  
 Thence N89°14'25"W a distance of 789.53 feet to a point;  
 Thence N00°52'21"E a distance of 16.96 feet to a point being the Center West 1/16 corner of said Section 28;  
 Thence following the southerly line of the Northwest 1/4 of said Section 28, N89°21'12"W a distance of 686.03 feet to a point;  
 Thence leaving said southerly line, N01°00'37"E a distance of 400.00 feet to a point;  
 Thence N89°21'12"W a distance of 625.00 feet to a point on the westerly line of the Northwest 1/4 of said Section 28;  
 Thence following said westerly line, N01°00'37"E a distance of 690.74 feet to a point;  
 Thence leaving said westerly line, S71°33'16"E a distance of 483.50 feet to a point;  
 Thence S78°08'16"E a distance of 589.77 feet to a point;  
 Thence S46°56'01"E a distance of 299.29 feet to a point;  
 Thence N75°51'12"E a distance of 48.41 feet to a point;  
 Thence N00°52'17"E a distance of 215.98 feet to a 1/2-inch rebar;  
 Thence N75°32'13"E a distance of 272.40 feet to a 1/2-inch rebar;  
 Thence 30.59 feet along the arc of a circular curve to the left, said curve having a radius of 45.00 feet, a delta angle of 38°56'33", a chord bearing of N75°32'13"E and a chord distance of 30.00 feet to a 1/2-inch rebar;  
 Thence N75°32'13"E a distance of 219.13 feet to a 1/2-inch rebar;  
 Thence N00°32'13"E a distance of 1,497.29 feet to a 1/2-inch rebar;  
 Thence S69°18'13"W a distance of 270.56 feet to a 1/2-inch rebar;  
 Thence N31°55'35"W a distance of 81.73 feet to a point;  
 Thence 53.14 feet along the arc of a circular curve to the right, said curve having a radius of 115.00 feet, a delta angle of 26°28'39", a chord bearing of N18°41'13"W and a chord distance of 52.67 feet to a 5/8-inch rebar;  
 Thence N00°32'43"E a distance of 125.29 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 126.527 acres, more or less.

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



Client  
Project Name



**Exhibit B - Annexation  
 Prescott Ridge Subdivision**

A Portion of the West 1/2 of the Northeast 1/4 and a portion  
 of the West 1/2 of Section 28, T4N, R1W, BM, Ada County, ID

DATE: APRIL 2023  
 PROJECT: 20-340  
 SHEET: 1 OF 2

**km**  
**ENGINEERING**  
 ENGINEERS, SURVEYORS, PLANNERS  
 1023 WEST STATE STREET  
 BOISE, IDAHO 83714  
 PHONE (208) 439-6939  
 FAX (208) 439-9335

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S0°32'43"W	125.00
L2	S1°27'47"E	8.95
L3	S11°01'47"E	80.41
L4	S4°02'47"E	96.02
L5	S0°27'47"E	104.59
L6	N8°27'17"W	12.18
L7	N0°43'55"E	596.55
L8	S8°25'25"E	60.00
L9	S0°43'51"W	24.35
L10	S5°30'55"W	14.53
L11	N7°50'36"W	19.68
L12	S8°18'46"W	45.49
L13	N8°14'49"W	83.62
L14	N8°50'04"W	85.57

LINE TABLE		
LINE	BEARING	DISTANCE
L15	N8°59'54"W	36.69
L16	N7°27'41"W	25.64
L17	S8°10'50"W	20.04
L18	N8°53'39"W	189.53
L19	S6°04'03"W	27.64
L20	N0°52'21"E	16.96
L21	N7°51'13"E	48.41
L22	N0°52'17"E	215.98
L23	N7°32'13"E	272.40
L24	N7°32'13"E	219.13
L25	S6°18'13"W	270.56
L26	N31°55'35"W	81.73
L27	N0°32'43"E	125.29

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	45.00'	30.59'	38°56'33"	N7°32'13"E	30.00'
C2	115.00'	53.14'	28°28'36"	N18°41'13"W	52.67'

**Exhibit B - Annexation  
 Prescott Ridge Subdivision**

A Portion of the West 1/2 of the Northeast 1/4 and a portion  
 of the West 1/2 of Section 28, T4N, R1W, BM, Ada County, ID

DATE: APRIL 2023  
 PROJECT: 20-340  
 SHEET: 2 OF 2

**km**  
**ENGINEERING**  
 ENGINEERS, SURVEYORS, PLANNERS  
 1023 WEST STATE STREET  
 BOISE, IDAHO 83714  
 PHONE (208) 439-6939  
 FAX (208) 439-9335



April 7, 2020  
Project No. 18-140

**Exhibit A**  
**Legal Description for**  
**Rezone to R-8**  
**Prescott Ridge Subdivision**

A parcel of land situated in a portion of the West 1/2 of the Northeast 1/4 and a portion of the West 1/2 of Section 28, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner said Section 28, which bears N89°27'17"W a distance of 2,609.40 feet from an aluminum cap marking the North 1/4 corner of said Section 28, thence following the northerly line of the Northwest 1/4 of said Section 28, S89°27'17"E a distance of 2,609.40 feet to the **POINT OF BEGINNING**.

Thence following the northerly line of the Northeast 1/4 of said Section 28, S89°25'25"E a distance of 60.00 feet to a point;

Thence leaving said northerly line, S00°43'55"W a distance of 658.89 feet to a point;

Thence S89°24'23"E a distance of 1,248.58 feet to a 5/8-inch rebar on the easterly line of the West 1/2 of the Northeast 1/4 of said Section 28;

Thence following said easterly line, S00°36'13"W a distance of 1,615.76 feet to a 5/8-inch rebar;

Thence leaving said easterly line, N77°58'17"W a distance of 1,338.12 feet to a 5/8-inch rebar on the easterly line of the Northwest 1/4 of said Section 28;

Thence following said easterly line, S00°43'55"W a distance of 625.95 feet to 2-inch pipe marking the Center 1/4 of said Section 28;

Thence leaving said easterly line, S00°43'51"W a distance of 24.35 feet to a 5/8-inch rebar;

Thence S53°05'53"W a distance of 16.53 feet to a 5/8-inch rebar;

Thence N78°07'38"W a distance of 19.68 feet to a 5/8-inch rebar;

Thence S89°18'46"W a distance of 45.49 feet to a 5/8-inch rebar;

Thence N86°14'49"W a distance of 63.62 feet to a 5/8-inch rebar;

Thence N88°50'04"W a distance of 85.57 feet to a 5/8-inch rebar;

Thence N80°59'54"W a distance of 36.69 feet to a 5/8-inch rebar;

Thence N70°27'41"W a distance of 25.64 feet to a 5/8-inch rebar;

Thence S89°15'00"W a distance of 20.04 feet to a 5/8-inch rebar;

Thence N86°53'39"W a distance of 189.53 feet to a 5/8-inch rebar;

Thence S64°04'03"W a distance of 27.64 feet to a 5/8-inch rebar;

Thence N89°14'25"W a distance of 789.53 feet to a point;

Thence N00°52'21"E a distance of 16.96 feet to a point being the Center West 1/16 corner of said Section 28;

Thence following the southerly line of the Northwest 1/4 of said Section 28, N89°21'12"W a distance of 686.03 feet to a point;

Thence leaving said southerly line, N01°00'37"E a distance of 400.00 feet to a point;

Thence N89°21'12"W a distance of 625.00 feet to a point on the westerly line of the Northwest 1/4 of said Section 28;

Thence following said westerly line, N01°00'37"E a distance of 690.74 feet to a point;



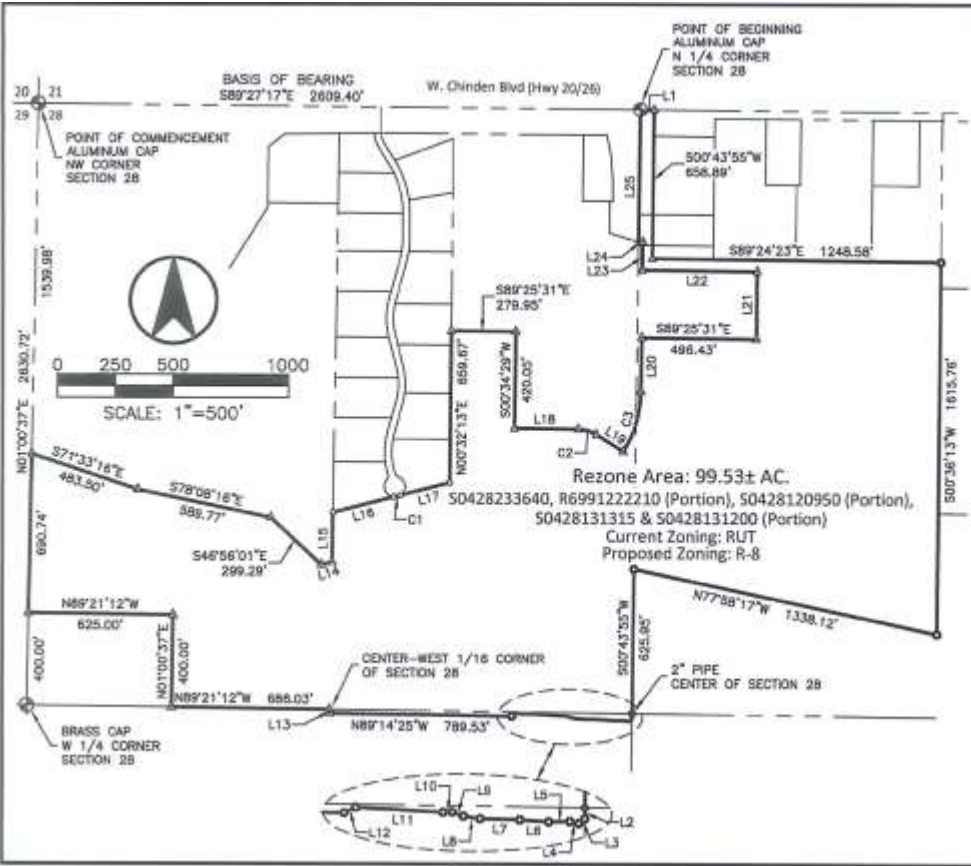
Thence leaving said westerly line, S71°33'16"E a distance of 483.50 feet to a point;  
 Thence S78°08'16"E a distance of 589.77 feet to a point;  
 Thence S46°56'01"E a distance of 299.29 feet to a point;  
 Thence N75°51'12"E a distance of 48.41 feet to a point;  
 Thence N00°52'17"E a distance of 215.98 feet to a 1/2-inch rebar;  
 Thence N75°32'13"E a distance of 272.40 feet to a 1/2-inch rebar;  
 Thence 30.59 feet along the arc of a circular curve to the left, said curve having a radius of 45.00 feet, a delta angle of 38°56'33", a chord bearing of N75°32'13"E and a chord distance of 30.00 feet to a 1/2-inch rebar;  
 Thence N75°32'13"E a distance of 219.13 feet to a 1/2-inch rebar;  
 Thence N00°32'13"E a distance of 659.67 feet to a point;  
 Thence S89°25'31"E a distance of 279.95 feet to a point;  
 Thence S00°34'29"W a distance of 420.05 feet to a point;  
 Thence S89°25'31"E a distance of 275.60 feet to a point;  
 Thence 82.73 feet along the arc of a circular curve to the right, said curve having a radius of 150.00 feet, a delta angle of 31°36'09", a chord bearing of S73°37'27"E and a chord distance of 81.69 feet to a point;  
 Thence S57°49'22"E a distance of 138.82 feet to a point;  
 Thence 275.78 feet along the arc of a circular curve to the left, said curve having a radius of 500.00 feet, a delta angle of 31°36'09", a chord bearing of N16°22'33"E and a chord distance of 272.30 feet to a point;  
 Thence N00°34'29"E a distance of 233.13 feet to a point;  
 Thence S89°25'31"E a distance of 496.43 feet to a point;  
 Thence N00°36'19"E a distance of 294.85 feet to a point;  
 Thence N89°24'23"W a distance of 496.59 feet to a point;  
 Thence N00°34'29"E a distance of 122.33 feet to a point;  
 Thence N89°25'31"W a distance of 17.44 feet to a point on the easterly line of the Northwest 1/4 of said Section 28;  
 Thence following said easterly line, N00°43'55"E a distance of 586.55 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 99.532 acres, more or less.

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



Client  
Project Name



**Exhibit B - Rezone to R-8  
Prescott Ridge Subdivision**

A Portion of the West 1/2 of the Northeast 1/4 and a portion of the West 1/2 of Section 28, T4N, R1W, BM, Ada County, ID

DATE: APRIL 2020  
PROJECT: 18-140  
SHEET: 1 OF 2

**km**  
ENGINEERING  
ENGINEERS, SURVEYORS, PLANNERS  
3033 WEST STATE STREET  
BOISE, IDAHO 83714  
PHONE (208) 689-6939  
FAX (208) 639-6930

LINE	BEARING	DISTANCE
L1	S89°25'25"E	60.00
L2	S7°43'51"W	24.35
L3	S53°05'53"W	16.53
L4	N78°07'38"W	19.88
L5	S89°18'46"W	45.49
L6	N88°14'40"W	63.62
L7	N88°50'04"W	85.57
L8	N80°58'54"W	36.69
L9	N70°27'41"W	25.64
L10	S88°15'00"W	20.04
L11	N89°53'39"W	189.53
L12	S64°04'03"W	27.84
L13	N07°52'21"E	16.96
L14	N79°51'12"E	48.41

LINE	BEARING	DISTANCE
L15	N0°52'17"E	215.98
L16	N79°32'13"E	272.40
L17	N79°32'13"E	219.13
L18	S89°25'31"E	275.60
L19	S57°49'22"E	138.82
L20	N0°34'29"E	233.13
L21	N0°36'19"E	294.85
L22	N89°24'23"W	498.59
L23	N0°34'29"E	122.33
L24	N89°25'31"W	17.44
L25	N0°43'55"E	580.55

CURVE	RADIUS	LENGTH	DELTA	CHORD BRG	CHORD
C1	45.00'	30.69'	38°56'33"	N79°32'13"E	30.00'
C2	150.00'	82.73'	31°38'09"	S73°37'27"E	81.69'
C3	500.00'	275.78'	31°38'09"	N16°22'33"E	272.30'

**Exhibit B - Rezone to R-8  
Prescott Ridge Subdivision**

A Portion of the West 1/2 of the Northeast 1/4 and a portion of the West 1/2 of Section 28, T4N, R1W, BM, Ada County, ID

DATE: APRIL 2020  
PROJECT: 18-140  
SHEET: 2 OF 2

**km**  
ENGINEERING  
ENGINEERS, SURVEYORS, PLANNERS  
3033 WEST STATE STREET  
BOISE, IDAHO 83714  
PHONE (208) 689-6939  
FAX (208) 639-6930



April 7, 2020  
Project No. 18-140

**Exhibit A  
Legal Description for  
Rezone to R-15  
Prescott Ridge Subdivision**

A parcel of land situated in a portion of Northwest 1/4 and a portion of the West 1/2 of the Northeast 1/4 of Section 28, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner said Section 28, which bears N89°27'17"W a distance of 2,609.40 feet from an aluminum cap marking the North 1/4 corner of said Section 28, thence following the northerly line of the Northwest 1/4 of said Section 28, S89°27'17"E a distance of 2,078.14 feet to a point;  
Thence leaving said northerly line, S00°43'55"W a distance of 983.71 feet to the **POINT OF BEGINNING.**

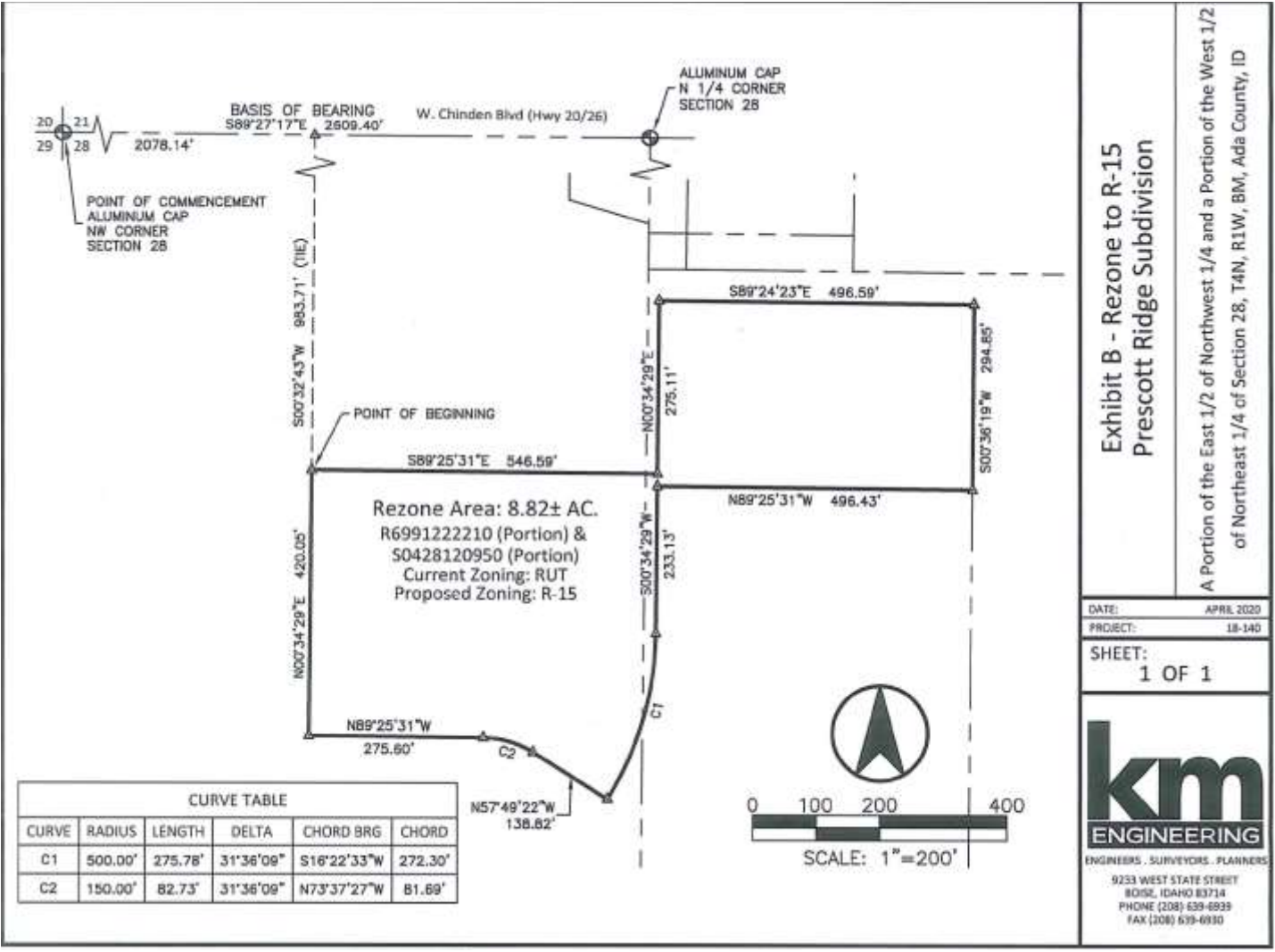
Thence S89°25'31"E a distance of 546.59 feet to a point;  
Thence N00°34'29"E a distance of 275.11 feet to a point;  
Thence S89°24'23"E a distance of 496.59 feet to a point;  
Thence S00°36'19"W a distance of 294.85 feet to a point;  
Thence N89°25'31"W a distance of 496.43 feet to a point;  
Thence S00°34'29"W a distance of 233.13 feet to a point;  
Thence 275.78 feet along the arc of a circular curve to the right, said curve having a radius of 500.00 feet, a delta angle of 31°36'09", a chord bearing of S16°22'33"W and a chord distance of 272.30 feet to a point;  
Thence N57°49'22"W a distance of 138.82 feet to a point;  
Thence 82.73 feet along the arc of a circular curve to the left, said curve having a radius of 150.00 feet, a delta angle of 31°36'09", a chord bearing of N73°37'27"W and a chord distance of 81.69 feet to a point;  
Thence N89°25'31"W a distance of 275.60 feet to a point;  
Thence N00°34'29"E a distance of 420.05 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 8.822 acres, more or less.

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









April 7, 2020  
Project No. 18-140

**Exhibit A  
Legal Description for  
Rezone to C-G  
Prescott Ridge Subdivision**

A parcel of land situated in a portion of Northwest 1/4 and a portion of the West 1/2 of the Northeast 1/4 of Section 28, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at an aluminum cap marking the Northwest corner said Section 28, which bears N89°27'17"W a distance of 2,609.40 feet from an aluminum cap marking the North 1/4 corner of said Section 28, thence following the northerly line of the Northwest 1/4 of said Section 28, S89°27'17"E a distance of 1,484.66 feet to the **POINT OF BEGINNING.**

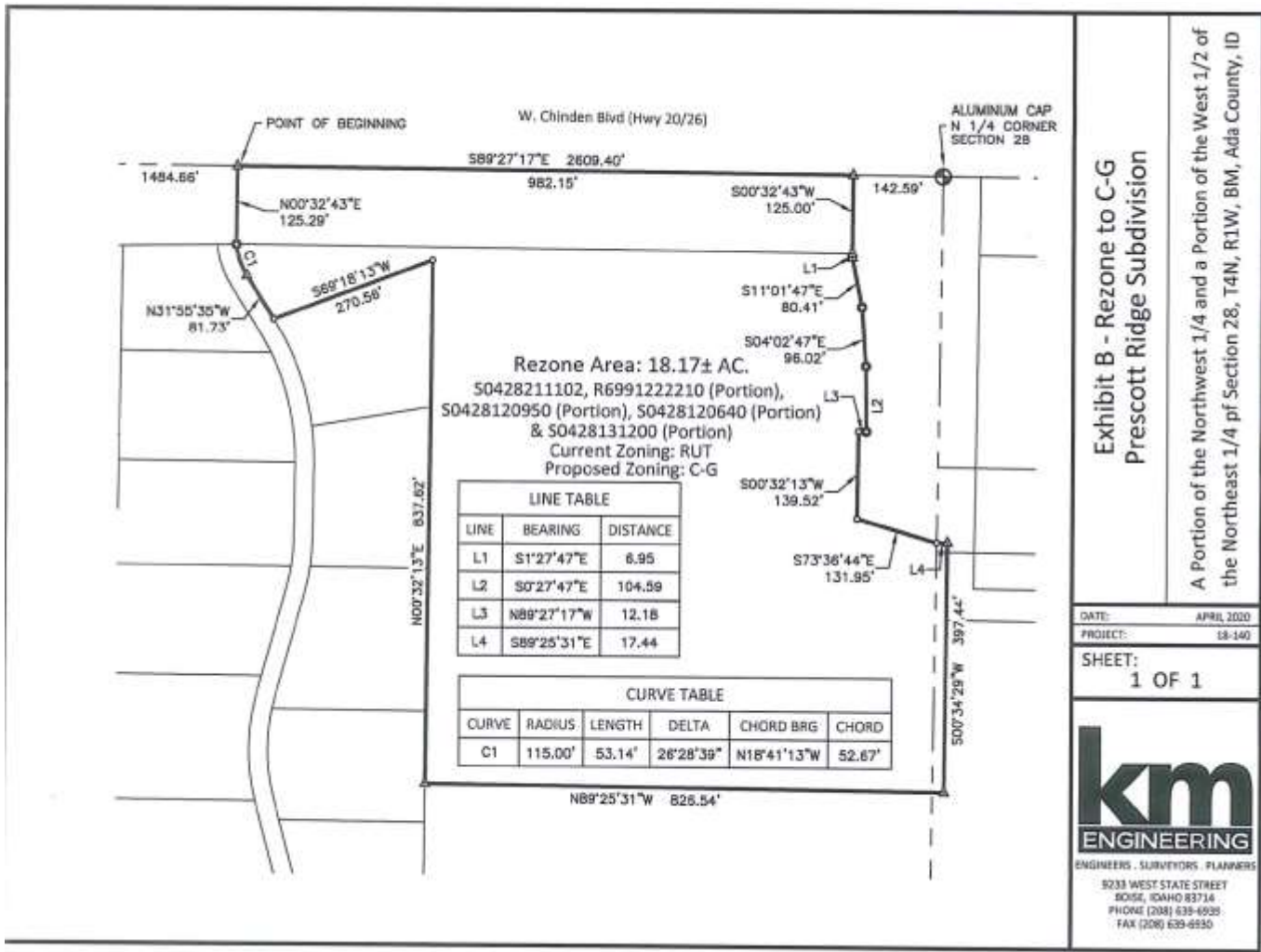
Thence S89°27'17"E a distance of 982.15 feet to a point;  
Thence S00°32'43"W a distance of 125.00 feet to a point;  
Thence S01°27'47"E a distance of 6.95 feet to a point;  
Thence S11°01'47"E a distance of 80.41 feet to a 5/8-inch rebar;  
Thence S04°02'47"E a distance of 96.02 feet to a 5/8-inch rebar;  
Thence S00°27'47"E a distance of 104.59 feet to a 5/8-inch rebar;  
Thence N89°27'17"W a distance of 12.18 feet to a 1/2-inch rebar;  
Thence S00°32'13"W a distance of 139.52 feet to a 1/2-inch rebar;  
Thence S73°36'44"E a distance of 131.95 feet to a 1/2-inch rebar on the easterly line of the Northwest 1/4 of said Section 28;  
Thence leaving said easterly line, S89°25'31"E a distance of 17.44 feet to a point;  
Thence S00°34'29"W a distance of 397.44 feet to a point;  
Thence N89°25'31"W a distance of 826.54 feet to a point;  
Thence N00°32'13"E a distance of 837.62 feet to a 1/2-inch rebar;  
Thence S69°18'13"W a distance of 270.56 feet to a 1/2-inch rebar;  
Thence N31°55'35"W a distance of 81.73 feet to a point;  
Thence 53.14 feet along the arc of a circular curve to the right, said curve having a radius of 115.00 feet, a delta angle of 26°28'39", a chord bearing of N18°41'13"W and a chord distance of 52.67 feet to a 5/8-inch rebar;  
Thence N00°32'43"E a distance of 125.29 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 18.172 acres, more or less.

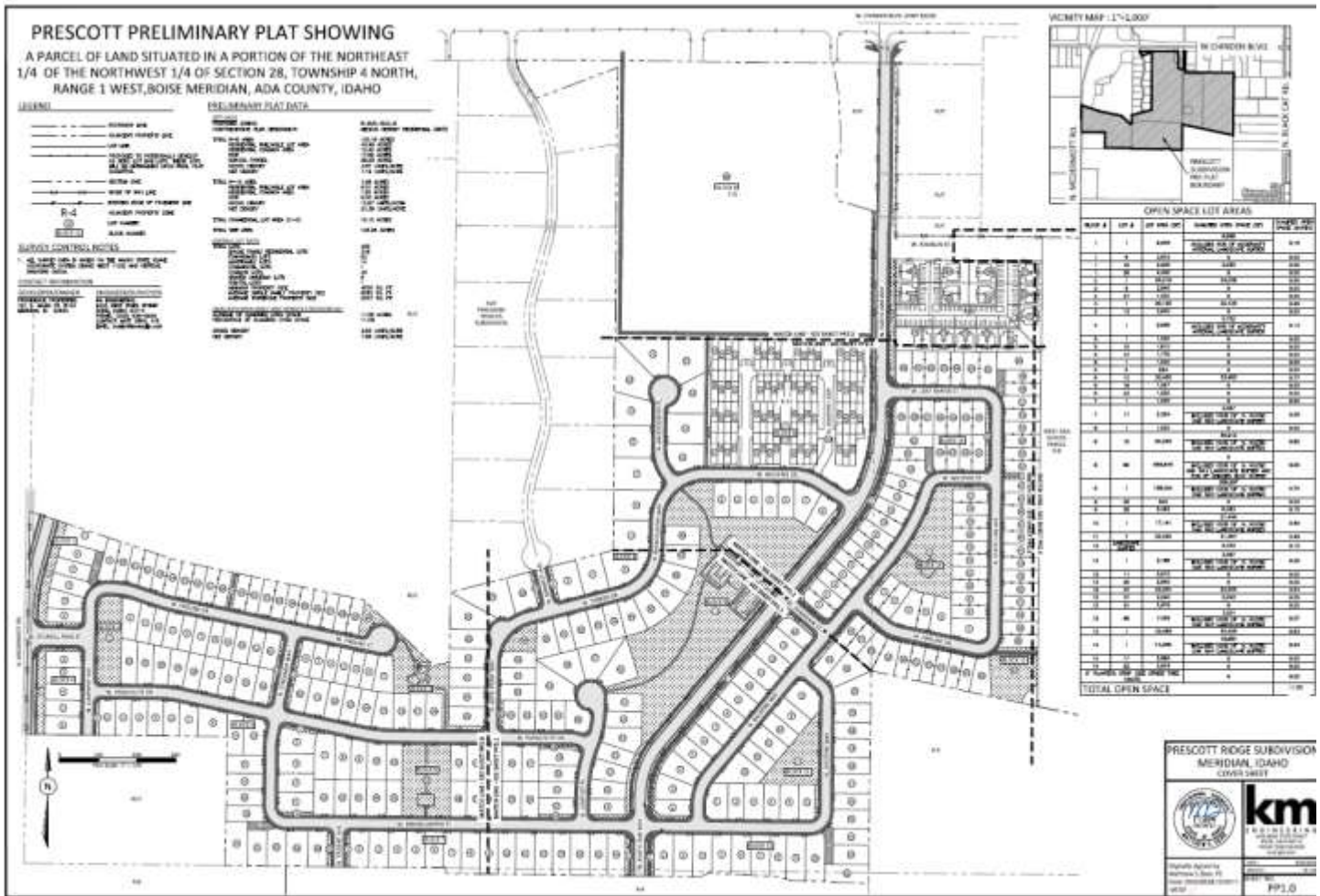
Attached hereto is Exhibit B and by this reference is hereby made a part of.







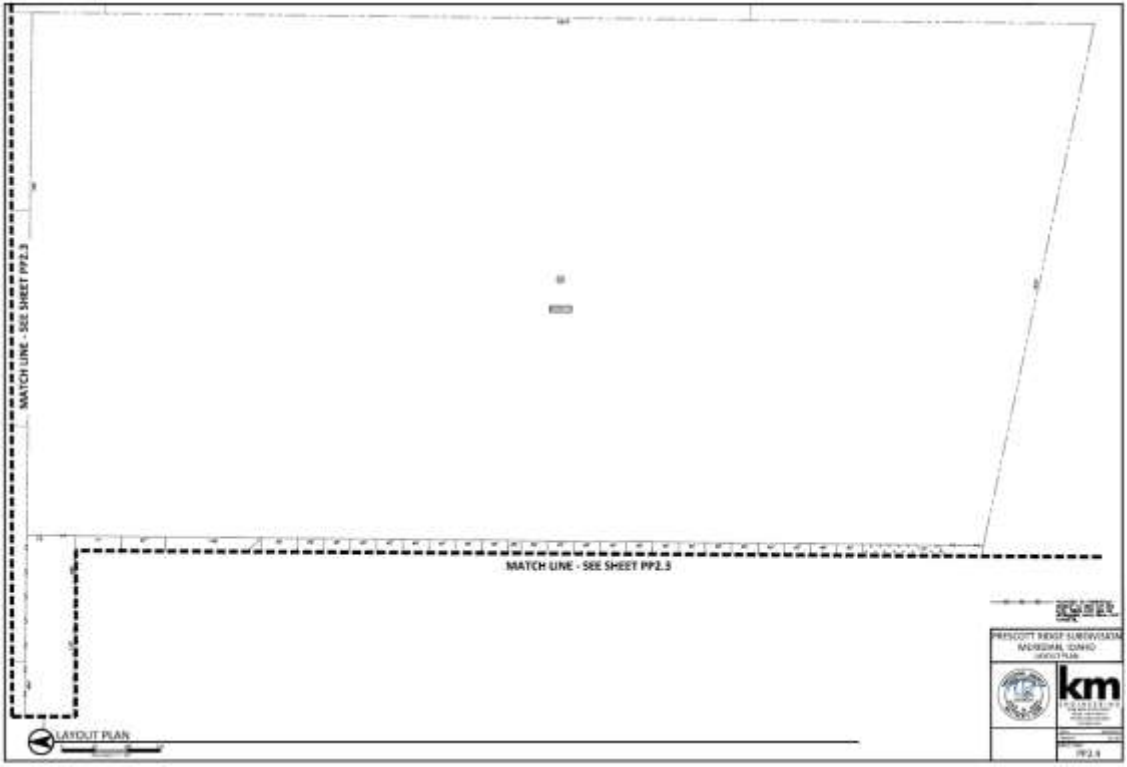
C. Preliminary Plat (date: 8/28/2020), Phasing Plan & Lot Layout Exhibit











PRESCOTT RIDGE SUBDIVISION  
 MERIDIAN, IDAHO  
 PHASING EXHIBIT

**km**  
 ENGINEERING  
 8633 WEST OAKS STREET  
 BOISE, IDAHO 83714  
 PHONE (208) 634-4300  
 kmengr.com

DATE: 8/17/2007  
 PROJECT: 070407

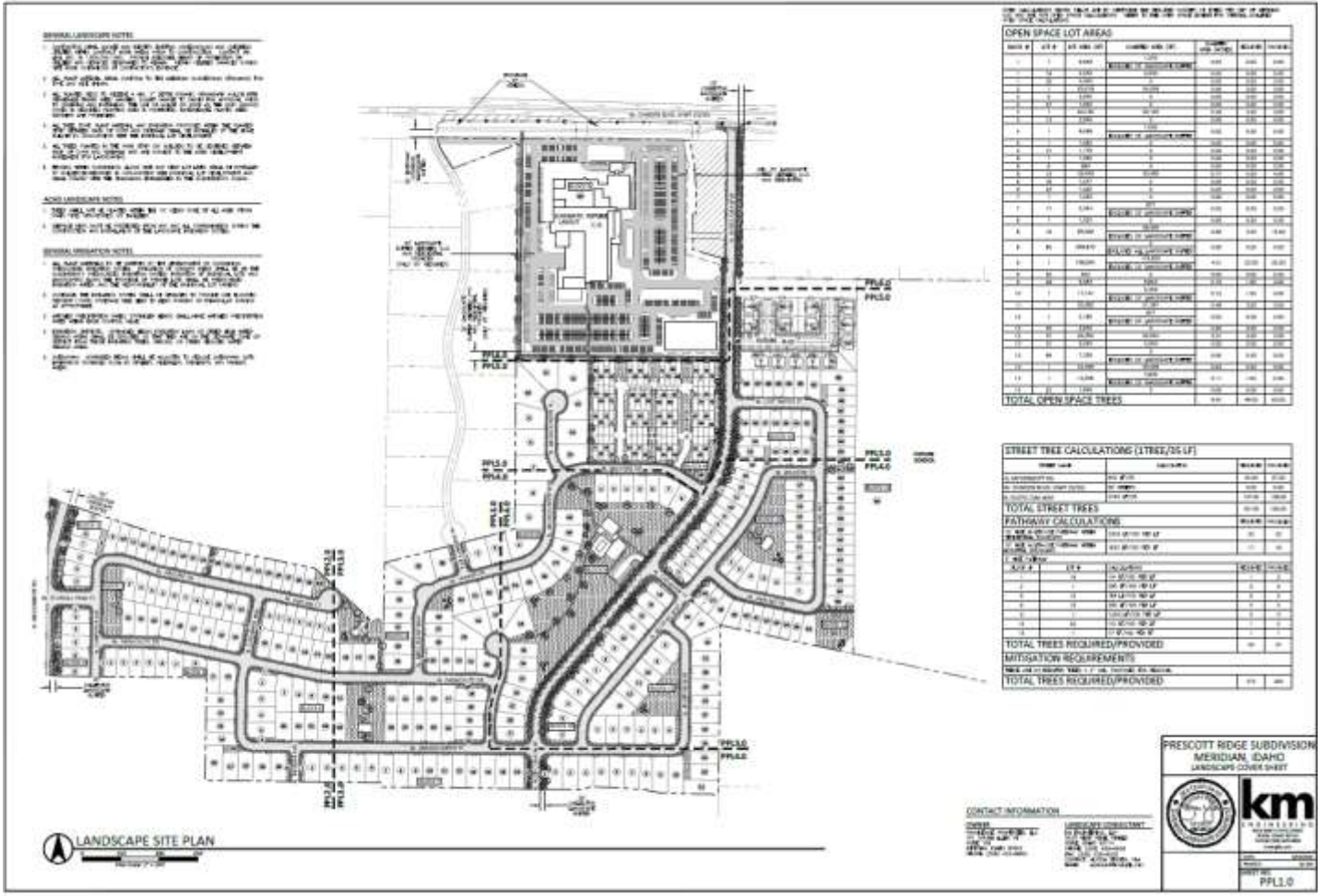
1 OF 1







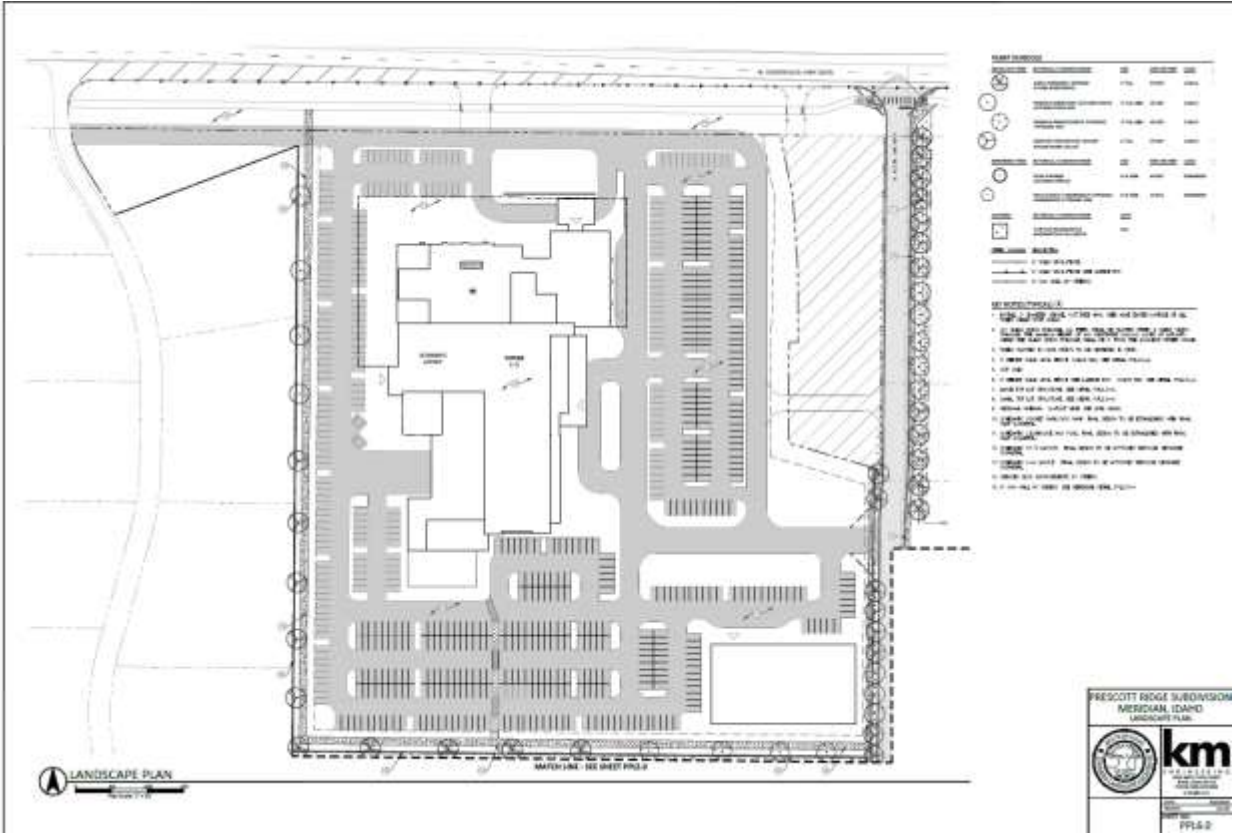
D. Landscape Plan (date: 8/26/2020)



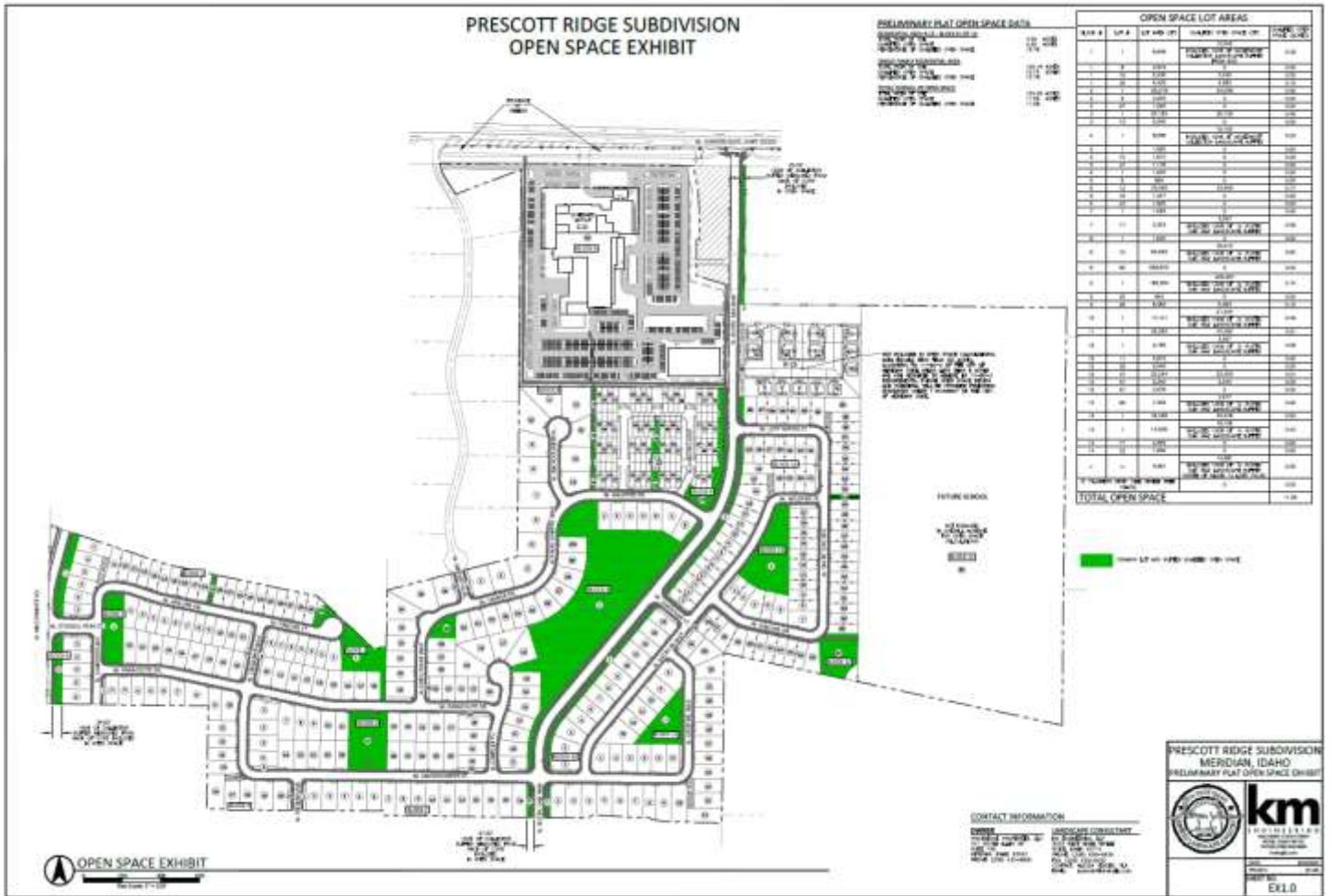








E. Qualified Open Space Exhibit & Site Amenities (dated: 8/26/20)





**AMENITIES**

- A** - POOL AND CLUBHOUSE  
1360 SF BUILDING  
54'X30' POOL  
17 PARKING SPACES
- B** - LARGE TOT LOT
- C** - SMALL TOT LOT
- D** - DOG PARK/POCKET PARK
- E** - OPEN SPACE




**A** SCHEMATIC CLUBHOUSE



**B** LARGE TOT LOT



**C** SMALL TOT LOT








**D** DOG PARK/POCKET PARK





G. Conceptual Building Elevations/Perspectives

**SINGLE FAMILY HOMES**




**A TOWNHOMES**



**B FOUR-PLEX FLATS**






MAIN MEDICAL BUILDING -  
DRAFT RENDERING, VIEW LOOKING WEST

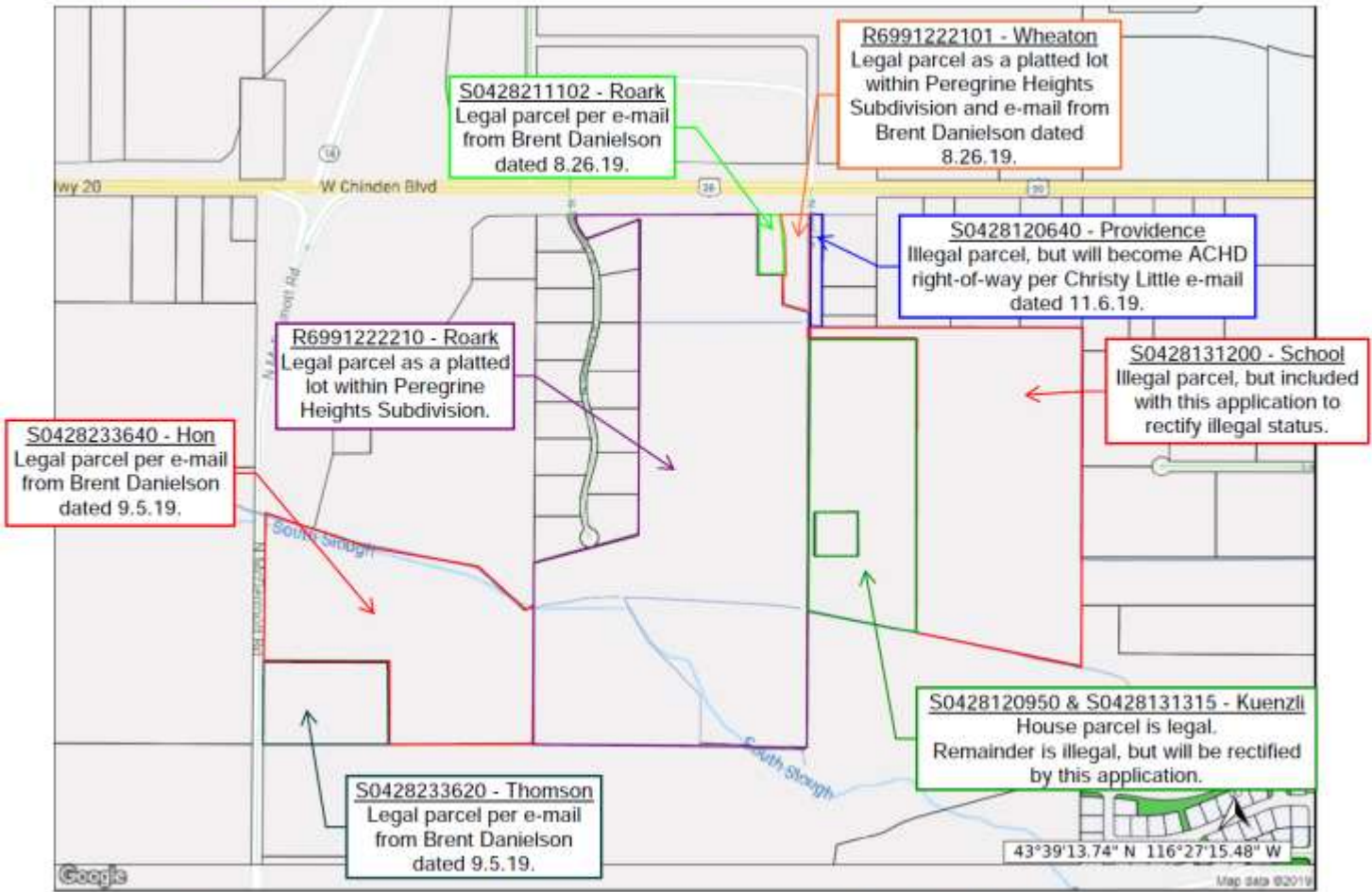




H. Parcel Status Exhibit



Parcel Status Exhibit



Aug 26, 2019 - landproDATA.com  
Scale: 1 inch approx 600 feet

The materials available at this website are for informational purposes only and do not constitute a legal document.

**IX. CITY/AGENCY COMMENTS & CONDITIONS**

**A. PLANNING DIVISION**

**The conceptual development plan for the commercial, C-G zoned portion of the site, shall be revised and submitted to the City Clerk at least 10 days prior to the City Council hearing to reflect conformance with the following guidelines in the Comprehensive Plan for Mixed Use developments:**

- **The buildings in the commercial C-G zoned portion of the development shall be arranged to create some form of common, usable area, such as a plaza or green space in accord with the mixed use guidelines in the Comprehensive Plan (pg. 3-13).**
- **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 shall be provided in the Mixed Use designated portion of the site; outdoor seating areas at restaurants do not count (pg. 3-13). *The school planned on the eastern portion of the annexation area does not satisfy this requirement as it is not part of the Mixed Use designated area.***
- **Development of the Mixed Use designated area shall 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 4-story medical office building proposed at the southeast corner of the commercial development shall be shifted to the north to front on the main entry drive aisle off N. Rustic Oak Way as a better transition to the residences to the south.**
- **A commercial land use type shall be included on the plan in the MU-R designated area (includes retail, restaurants, etc.).**

1. A Development Agreement (DA) is required as a provision of annexation of this property. At the Applicant’s request, three (3) separate DA’s shall be required for each component of the project – one for the R-8 and R-15 zoned residential portions of the development, one for the medical campus and another for the school district’s parcel.

Prior to approval of the annexation ordinance, Development Agreements shall be entered into between the City of Meridian, the property owner(s) at the time of annexation ordinance adoption, and the developer(s). Currently, a fee of \$303.00 shall be paid by the Applicants to the Planning Division for *each* DA prior to commencement of the DA’s. The DA’s shall be signed by the property owner(s) and returned to the Planning Division within six (6) months of the City Council granting the annexation. The DA’s shall, at minimum, incorporate the following provisions:

**a. R-8 and R-15 zoned portions of the development:**

1. Future development of the R-8 and R-15 zoned portions of the site shall be generally consistent with the master plan, preliminary plat, phasing plan, landscape plan, qualified open space & site amenity exhibit, and conceptual building elevations included in Section VIII and the provisions contained herein.
2. Administrative design review shall be required for all single-family attached, townhome and multi-family structures. Compliance with the design standards for such listed in the Architectural Standards Manual is required.
3. The rear and/or side of structures on Lots 2-6, Block 4; Lots 2-7, Block 1; Lots 8 and 9-15, Block 9; Lot 16, Block 7; Lot 2, Block 12; Lots 2-14, Block 10; Lots 2-16 and 29, Block 14; Lot 68, 70, 81-83, and 77-78, Block 12; and Lots 43-44, 75 and 79, Block 8 that face collector streets (i.e. N.

McDermott Rd., N. Rustic Oak Way and W. Ramblin St.), shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

4. A conditional use permit shall be obtained for a multi-family development in the R-15 zoning district as set forth in UDC Table 11-2A-2. The use is subject to the specific use standards listed in UDC 11-4-3-27: Multi-Family Development.
5. One management company shall handle the leasing and maintenance of the entire multi-family development to ensure better overall consistent management of the development.

**b. Medical campus/hospital:**

1. Future development of this site shall be generally consistent with the master plan, preliminary plat, phasing plan, landscape plan and conceptual building elevation included in Section VIII and the provisions contained herein.
2. Future development shall comply with the design standards listed in UDC 11-3A-19 and in the Architectural Standards Manual.
3. Noise abatement shall be provided in the form of a berm or a berm and wall combination parallel to W. Chinden Blvd./SH 20-26 constructed in accord with the standards listed in UDC 11-3H-4D.
4. A minimum 30-foot wide buffer with an 8-foot tall CMU wall shall be provided along the western and southern boundaries of the site adjacent to residential uses as proposed on the landscape plan in Section VIII.D. Dense landscaping consisting of a mix of evergreen and deciduous trees, shrubs, lawn or other vegetative ground cover that results in a barrier that allows trees to touch at maturity is required per the standards listed in UDC 11-3B-9C. The block wall shall be decorative and have texture and a color complimentary to adjacent residential structures – plain CMU block is not allowed.
5. A frontage road parallel to W. Chinden Blvd./SH 20-26 shall be constructed as depicted on the conceptual development plan in Section VIII.A in accord with UDC 11-3H-4B.3e.

*The City Council should determine if the proposed access to the hospital which provides emergency care from Chinden Blvd./SH 20-26 via W. Rustic Oak Way meets the intent of the requirement in UDC 11-4-3-22A, which requires hospitals that provides emergency care to have direct access on an arterial street. If so, it should be memorialized in the Development Agreement. If not, City Council may consider a modification to the standard in UDC 11-3H-4B.2a upon specific recommendation of the Idaho Transportation Dept. or if strict adherence is not feasible as determined by City Council. Alternatively, Council may deny the emergency care component of the hospital use.*

**c. School Site:**

1. The subject property shall develop with an education institution; any other uses shall require modification of this agreement.
2. A conditional use permit shall be obtained for an education institution in the R-8 zoning district as set forth in UDC Table 11-2A-2. The use is subject to the specific use standards listed in UDC 11-4-3-14: Education Institution.
3. Future development shall comply with the design standards listed in UDC 11-3A-19 and in the Architectural Standards Manual is required.

2. The final plat(s) submitted for this development shall incorporate the following changes:
  - a. Include a note that prohibits direct lot access via W. Chinden Blvd./SH 20-26 unless otherwise approved by the City and the Idaho Transportation Department.
  - b. Remove Lot 1, Block 15 as it's ACHD right-of-way and cannot be platted as a common lot.
  - c. Depict cross-access/ingress-egress easements to adjacent MU-R designated properties to the west (Parcels # R6991221700 & R6991221600) and east (Parcel # R6991222101) in accord with UDC 11-3A-3A.2.
  - d. Depict lot numbers for common areas in the townhome portion of the development in Block 8.
  - e. Depict the easement(s) for the West Tap sub-lateral; if the easement(s) is greater than 10-feet in width, it should be placed in a common lot that is a minimum of 20-feet in width and outside of a fenced area, unless modified by City Council as set forth in UDC 11-3A-6E.
  - f. Re-design the townhome portion of the development (i.e. Lots 16-79, Block 8) with public streets (alleys and/or common driveways may be incorporated); or, if private streets are proposed, each unit should front on and be accessed via the private street(s). Alternatively, a multi-family development (i.e. one structure on one property with 3 or more dwelling units) with townhome style units might be a development option for this area. **A revised concept plan shall be presented prior to or at the Commission hearing for review and a revised plat reflecting this change shall be submitted at least 10 days prior to the City Council hearing. If private streets are proposed with a townhome development, a new or gated private streets should be provided in accord with UDC 11-3F-1. Also, provide updated density calculations.**
  - g. Lots 70-83, Block 12 in the multi-family portion of the development shall be revised to depict parking and access driveways on a common lot with an ingress-egress/parking easement for each buildable lot. **A revised plat shall be submitted at least 10 days prior to the City Council hearing depicting this change.**
  - h. Extend W. Smokejumper St. as a stub street to the out-parcel (Parcel #S0428233620) at the southwest corner of the site.
3. The landscape plan submitted with the final plat application shall be revised as follows:
  - a. Depict a detail/cross-section of the berm or berm and wall combination required as noise abatement within the street buffer along W. Chinden Blvd./SH 20-26; also address how the wall will be constructed to avoid a monotonous wall, that demonstrates compliance with the standards listed in UDC 11-3H-4D.
  - b. Remove Lot 1, Block 15 as it's ACHD right-of-way and cannot be platted as a common lot.
  - c. Depict a detached sidewalk/pathway (as applicable) along all collector streets (i.e. N. McDermott Rd., N. Rustic Oak Way and W. Ramblin St.) and W. Chinden Blvd./SH 20-26 in accord with UDC 11-3A-17. *A detached 10-foot wide multi-use pathway is required within the street buffers along N. McDermott Rd., W. Chinden Blvd./SH 20-26, the east side of N. Rustic Oak Way and W. Ramblin St.*
  - d. Landscaping shall be depicted on either side of all pathways as set forth in UDC 11-3B-12C.
  - e. If existing trees are proposed to be removed from the site, the Applicant shall coordinate with Matt Perkins, the City Arborist, to determine mitigation requirements per the standards listed in UDC 11-3B-10C.5. Mitigation information shall be included on the plan. If existing trees are proposed to be retained on site, they shall be depicted on the plan.
  - f. A calculations table shall be included on the plan that demonstrates compliance with the landscape standards listed in UDC 11-3G-3E (common open space), 11-3B-12C (pathways), 11-3A-17



- (parkways) and 11-3B-7C (street buffers); calculations should include the linear feet of pathways, parkways and street buffers and square footage of common open space as applicable, along with the required vs. provided number of trees.
- g. Revise the fencing type around the perimeter of Lot 1, Block 2 and Lot 37, Block 12 to comply with the standards listed in UDC 11-3A-7A.7 to provide more visibility of the common areas in accord with CPTED design strategies.
  - h. Include a detail of the amenities proposed with each phase of development.
  - i. The CMU wall proposed along the south and west boundaries of the commercial portion of the development shall have texture and a color complimentary to adjacent residential structures – plain CMU block is not allowed; revise the detail (i.e. reference photo) accordingly.
  - j. Depict lot numbers and landscaping for common areas in the townhome portion of the development in Block 8 in accord with the standards listed in UDC 11-3G-3E.
  - k. If a dog park is proposed on Lot 1, Block 2, demonstrate compliance with the standards listed in UDC 11-3G-3C.1h.
  - l. Depict a small tot lot on Lot 12, Block 6 rather than a large tot lot, consistent with that shown on the site amenities plan.
  - m. Modify the landscape plan consistent with changes required to the plat above under condition IX.A.2 above.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6, 11-2A-7 and 11-2B-3 for the R-8, R-15 and C-G zoning districts respectively.
  5. Off-street parking is required to be provided for residential uses in accord with the standards listed in [UDC Table 11-3C-6](#) and for commercial uses in accord with the standards listed in 11-3C-6B; bicycle parking is required in commercial districts as set forth in UDC 11-3C-6G per the standards listed in UDC 11-3C-5C. **A revised parking plan shall be submitted prior to or at the Commission hearing for the townhome portion of the development that reflects the changes noted above in condition #A.2f and that provides for adequate guest parking to serve this portion of the development.**
  6. An exhibit shall be submitted with the final plat application(s) that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
  7. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
  8. Common driveways shall be constructed in accord with the standards listed in [UDC 11-6C-3D](#). A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. *This information may be included in a note on the face of the plat rather than in a separate easement.*
  9. The private street and common driveways off the private street as proposed on the preliminary plat in the townhome portion of the development in Block 8 are not approved. Consequently, the alternative compliance request to UDC 11-3F-1 is not approved as the private street isn't approved.
  10. All existing structures shall be removed from the site prior to signature on the final plat by the City Engineer for the phase in which they are located.

11. Pathways shall be constructed in accord with the standards listed in UDC 11-3A-8.
12. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site as required by the Park's Department, prior to signature on the final plat by the City Engineer for the phase in which they are located.
13. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the clubhouse and swimming pool facility, single-family attached, townhome, multi-family and commercial structures. All structures except for single-family detached structures are required to comply with the design standards listed in the Architectural Standards Manual.

## **B. PUBLIC WORKS**

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

- 1.1.1 This proposed development is not currently serviceable by the Meridian City water and sanitary sewer systems. Mainlines designed to service this development are within The Oaks North Subdivision to the south. Until utilities are available to the south boundary of the proposed development, the City of Meridian will not accept an application for final plat.
- 1.1.2 Sewer mainline/manholes are not allowed in common driveways or under sidewalks. Run service lines down common drive but make sure required separation can be met.
- 1.1.3 The planned sewer trunk line will enter this property at N. Rustic Oak Way.
- 1.1.4 The sewer line in N. Rustic Oak Way shall be 10-inch all the way to Chinden Blvd.
- 1.1.5 The applicant shall be required to pay the Oaks Lift Station and Pressure Sewer Reimbursement Fees in the amount of \$265.25 per equivalent residential unit (ERU). The reimbursement fees for the entire residential portion of this subdivision shall be paid prior to city signatures on the first final plat.
- 1.1.6 The applicant shall be required to pay the Oaks Lift Station Pump Upgrades Reimbursement Fees in the amount of \$185.43 per equivalent residential unit (ERU). The reimbursement fees for the entire residential portion of this subdivision shall be paid prior to city signatures on the first final plat.
- 1.1.7 As noted in the Geotechnical Evaluation Report prepared by GeoTek Inc., all artificial fill materials on site must be removed.
- 1.1.8 New 12-inch water main will need to be installed in parts of W Sturgill Peak St, N Jumpspot Ave, W Parachute Dr, N Streamer Way, W Smokejumper St and N Rustic Oak Way.
- 1.1.9 Construct water main in N Streamer Way between W. Parachute Drive and W. Fireline Drive.
- 1.1.10 Water connections to the north need to be facilitated either by extension of a mainline or an easement in common area Lot 19, Block 1, or off the end of the cul-de-sac to the property line. This is dependent on how road connections to the north are designed and developed in the future.
- 1.1.11 Remove the water main proposed in N Serenity Avenue. At the intersection of N Serenity Ave and W Tanker Dr, install a tee at the branch off point with an isolation valve directly attached to it and then cap off the outlet side of the valve. This allows the tap to be installed and pressure tested so if the existing County Subdivision wants to connect in the future they can easily do so.
- 1.1.12 Water & sewer need to flip locations in N Backfire Way. Currently these lines are not in the proper corridor. Water should be located on the east side of the road & sewer on the west.
- 1.1.13 Eliminate stub/dead-end water main at each corner of the townhome section off of W Wildfire Dr of the development. Services are only allowed in these areas just like common drives.

- 1.1.14 A water connection to the east (near N Static Line Ave and/or townhome section off of N Rustic Oak Way) needs to be enabled by either an extension of water mains to the property line or an easement. This is dependent on road connections to the east.
- 1.1.15 Water modeling was completed both as an entire development and at each phase per the phasing plan included in this record. This development was modeled with the 12" mains through the subdivision as required above, and the rest of the mains were modeled as 8". Per this plan there are no pressure issues, but each phase will need to be modeled at Final Plat to verify there aren't any pressure issues.
- 1.1.16 The geotechnical investigative report prepared by SITE Consulting, LLC indicates some very specific construction considerations. The applicant shall be responsible for the strict adherence of these recommendations to help ensure that groundwater does not become a problem within crawlspaces of homes.

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

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 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 existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such

- as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
  - 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
  - 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
  - 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
  - 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
  - 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
  - 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
  - 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
  - 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
  - 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
  - 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
  - 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
  - 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
  - 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
  - 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond.

Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

**C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188367&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188188&dbid=0&repo=MeridianCity>

**E. PARK’S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191860&dbid=0&repo=MeridianCity>

**F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189738&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192646&dbid=0&repo=MeridianCity>

**H. SETTLER’S IRRIGATION DISTRICT (SID)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188429&dbid=0&repo=MeridianCity>

**I. CENTRAL DISTRICT HEALTH DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188183&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188717&dbid=0&repo=MeridianCity>

**K. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188717&dbid=0&repo=MeridianCity>

**X. FINDINGS**

**A. Annexation and/or Rezone (UDC 11-5B-3E):**

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

- 1. The map amendment complies with the applicable provisions of the comprehensive plan;

*Staff finds the proposed zoning map amendment to R-8, R-15 and C-G and proposed development is generally consistent with the MDR and MU-R FLUM designations in the Comprehensive Plan for this property if the Applicant complies with the provisions in Section IX.*

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

*Staff finds the mix of lot sizes and housing types proposed in the residential portion of the development will provide for a range of housing opportunities consistent with the purpose statement of the residential districts and with the Comprehensive Plan.*

*Staff finds the proposed medical offices and hospital along with recommended retail uses will provide much needed services in the northern portion of the City in accord with the purpose statement of the commercial districts and 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. Comments submitted by WASD indicate that existing enrollment numbers are below capacity in area schools that will serve this development.*

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

*Staff finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section IX.*

#### **B. Preliminary Plat Findings (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:

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

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

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

*Staff finds that public services will be provided to the subject property with development. (See 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 IX 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. Private Street Findings (UDC 11-3F-5):**

In order to approve the application, the director shall find the following:

1. The design of the private street meets the requirements of this article;  
*The Director finds that the proposed design of the private street does not meet the requirements in UDC 11-3F-4A.6 as common driveways are proposed off the private street which are prohibited. Further, private streets are not intended for townhome developments other than those that create a common mew through the site design or that propose a limited gated residential development, of which neither are proposed.*
2. Granting approval of the private street would not cause damage, hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and  
*The Director finds granting approval of the private street with the lot layout, density and parking proposed could present a nuisance for area residents without adequate parking for guests and overflow parking and a safety concern for emergency vehicles accessing the site if fire lanes are blocked due to parking in unauthorized areas.*
3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)  
*The Director finds the use and location of the private street do not necessarily directly conflict with the comprehensive plan or the regional transportation plan; however, vehicle and pedestrian connectivity between neighborhoods is desired which is decreased with private streets.*
4. The proposed residential development (if applicable) is a mew or gated development. (Ord. 10-1463, 11-3-2010, eff. 11-8-2010)  
*The Director finds the proposed residential development does not incorporate a mew or gated development in the design.*

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

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

1. Strict adherence or application of the requirements are not feasible; or  
*The Director finds strict adherence to the requirement in UDC 11-3F-1, which require mews or gates to be provided where private streets are proposed in townhome developments, is feasible.*
2. The alternative compliance provides an equal or superior means for meeting the requirements; and

*The Director finds an alternative to the UDC requirement is not proposed, a waiver is simply requested without an alternative means for complying with the intent of the code requirement.*

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

*The Director finds an alternative means of compliance is not proposed.*



## AGENDA ITEM

**ITEM TOPIC:** Public Hearing Continued from September 17, 2020 for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.

A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.

B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.

C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.



# PUBLIC HEARING INFORMATION

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**Staff Contact:** Sonya Allen

**Meeting Date:** October 22, 2020

**Topic:** **Public Hearing Continued from September 17, 2020 for Pura Vida Ridge Ranch (H-2020-0064) by Jay Gibbons, South Beck & Baird, Located 3727 E. Lake Hazel Rd.**

- A. Request: Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts.
  - B. Request: A Preliminary Plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts.
  - C. Request: A Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.
- 

## **Information Resources:**

[Click Here for Application Materials](#)

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



Mayor Robert E Simison  
 City Council Members:  
 Treg Bernt                      Brad Hoaglund  
 Joe Borton                      Jessica Perreault  
 Luke Cavener                      Liz Strader

October 21, 2020

**MEMORANDUM**

TO:                      City Clerk

FROM:                  Sonya Allen, Associate Planner

RE:                      Pura Vida Ridge Ranch – H-2020-0064

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At the Commission hearing for this project on September 17<sup>th</sup>, the Commission continued the project to the October 22<sup>nd</sup> hearing in order for the Applicant to work with Staff on landscape solutions for the hillside, changes to open space resulting in a larger usable area, and fire prevention measures.

[Revised plans](#) were submitted that reflect a large central common open space area where a couple of building lots and a parking area were previously shown resulting in an increase of 0.36 of an acre of qualified open space for the overall development. Additional site amenities were added consisting of a tot lot with children’s play equipment and (4) fitness workout stations located in different spots along the perimeter pathway.

Another [townhome product type](#) featuring a 20’ x 20’ parking pad in front of the units was added for the 24’ wide lots between the hillside and Road 3.

An updated [parking plan](#) was submitted that depicts a decrease in the number of off-street parking spaces from 71 to 20 with 88 on-street spaces still available.

As recommended by Staff, the Applicant submitted [architectural design guidelines](#) for the development to ensure quality of development with the Planned Unit Development.

A [Fire Protection Plan](#) was submitted that the Applicant states illustrates how the proposed development plan will comply with the current Boise City Fire Prevention Code 7-01-69, Chapter 49. Prior to implementation, this plan will be reviewed by personnel who have the authority and jurisdiction concerning the International Wildland-Urban Interface Code (IWUIC).

# STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



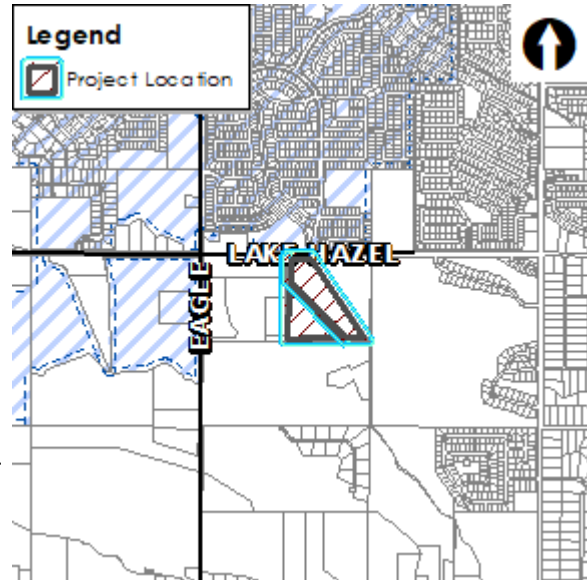
HEARING DATE: October 22, 2020  
 Continued from: August 6, September 3 and 17, 2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0064  
 Pura Vida Ridge Ranch

LOCATION: 3727 E. Lake Hazel Rd., in the NW ¼ of Section 4, T.2N., R.1E  
 Parcels: S1404212550 & S1404212750



## I. PROJECT DESCRIPTION

The Applicant requests approval of the following applications:

- Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts;
- Preliminary plat consisting of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts; and,
- Planned Unit Development with a request for a deviation from the dimensional standards listed in UDC Table 11-2A-7 to allow reduced building setbacks in the R-15 zoning district.

## II. SUMMARY OF REPORT

### A. Project Summary

Description	Details	Page
Acreage	26.34	
Existing/Proposed Zoning	RUT (Rural Urban Transition) in Ada County (existing)/R-15 (Medium High-Density Residential) (proposed)	
Future Land Use Designation	MHDR (Medium High Density Residential)	
Existing Land Use(s)	Rural residential/agricultural	
Proposed Land Use(s)	Single-family residential	
Lots (# and type; bldg./common)	157 buildable lots/35 common lots	
Phasing Plan (# of phases)	4 phases	
Number of Residential Units (type of units)	157 single-family units [30 standard detached, 6 attached and 121 townhomes (68 alley-loaded & 53 standard)]	
Density (gross & net)	5.96 units/acre (gross) and 15.77 units/acre (net) with undevelopable areas – 8.23 units/acre (gross) and 16.48	



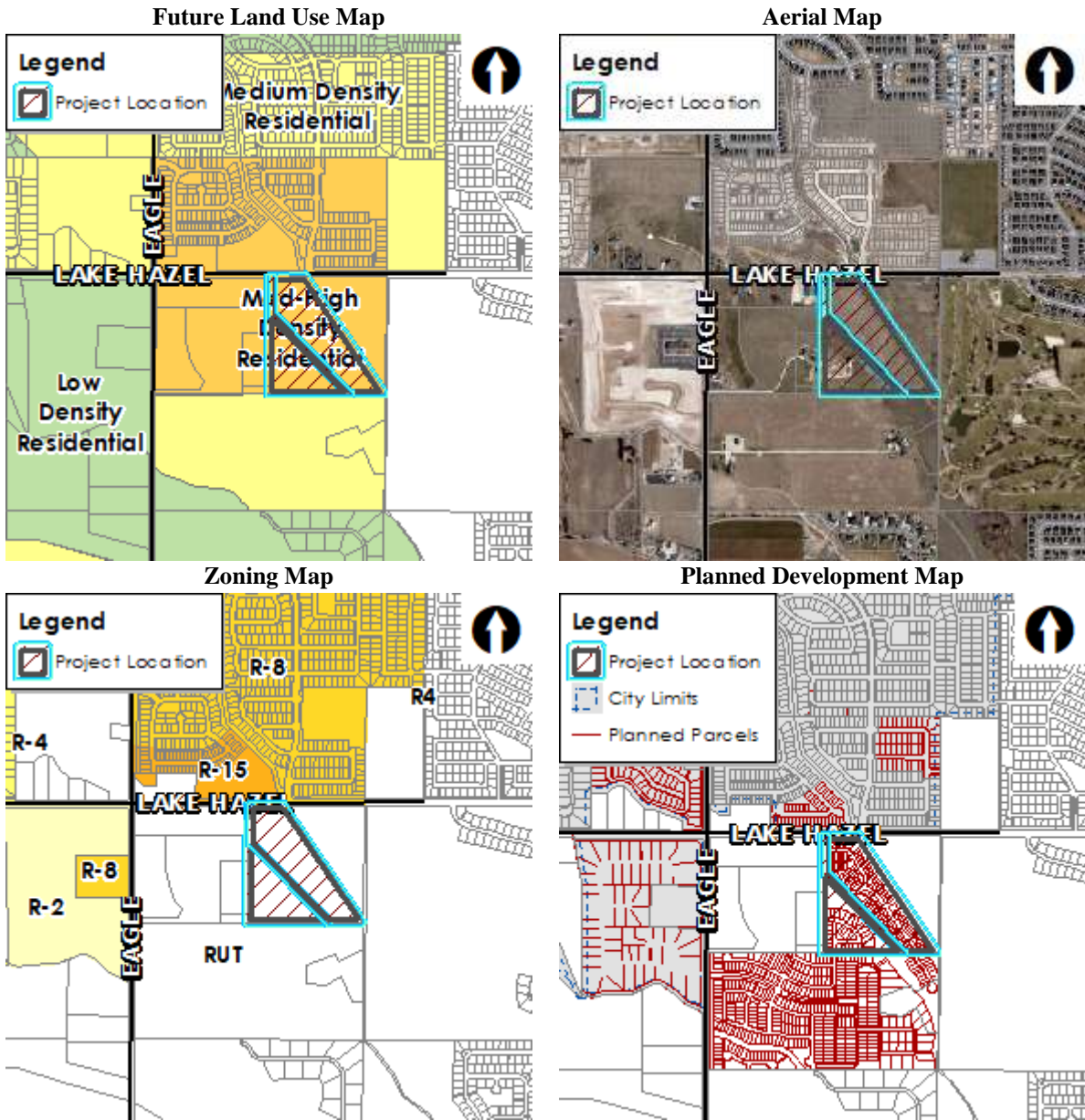
Description	Details	Page
	units/acre (net) <i>without</i> undevelopable areas (i.e. hillside, creek and right-of-way of Lake Hazel Rd.)	
Open Space (acres, total [%]/buffer/qualified)	4.89 acres (or 18.57%) - ½ Lake Hazel Rd. buffer, linear open space (mews), 50' x 100' common open space areas. <i>(10.87 acres or 41.35% with unqualified open space)</i>	
Amenities	A minimum of (1) amenity is required. A 16' x 16' shelter with a picnic table on Lot 10, Block 3; an 8' x 12' arbor with 2 benches on Lot 1, Block 10; an arbor with 2 benches on Lot 8, Block 5; a dirt trail and paved 5' wide pathway on the hillside; and a segment of the City's 10' wide multi-use pathway system along the Ten Mile Creek are proposed.	
Physical Features (waterways, hazards, flood plain, hillside)	Ten Mile Creek runs along east boundary; significant slope/hillside on southwest portion of site	
Neighborhood meeting date; # of attendees:	March 11, 2020; 3 attendees (see sign-in sheet included in application)	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> <li>• Staff report (yes/no)</li> <li>• Requires ACHD Commission Action (yes/no)</li> </ul>	<p>Yes (a Traffic Impact Study was required)</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One full access & one emergency only access is proposed via Lake Hazel Rd., an arterial street	
Traffic Level of Service	Lake Hazel & Eagle Roads: Better than "E" (Acceptable level of service for a 2-lane principal arterial is "E")	
Stub Street/Interconnectivity/ Cross Access	Stub streets are proposed to the west and to the south for extension with future development; a stub street is planned to this site from the east which will require construction of a bridge over the Ten Mile Creek on this site.	
Existing Road Network	Lake Hazel Rd.; no internal streets	
Existing Arterial Sidewalks / Buffers	None	
Proposed Road Improvements	<ul style="list-style-type: none"> <li>• Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Eagle Road to Cloverdale Road in 2024.</li> <li>• Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road in 2023.</li> <li>• The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and reconstructed/signalized in 2023.</li> <li>• Lake Hazel Road is listed in the CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2026 and 2030.</li> <li>• The intersection of Lake Hazel Road and Locust Grove Road is listed in the CIP to be widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg, and signalized between 2026 and 2030.</li> </ul>	
Fire Service		
<ul style="list-style-type: none"> <li>• Distance to Fire Station</li> <li>• Fire Response Time</li> </ul>	<p>2.8 miles from Station #4 (will be 1 mile from future Station #8)</p> <p>Part of this project (northern 1/3+/-) is within 5 minute response time goal, the rest is not</p>	

Description	Details	Page																
<ul style="list-style-type: none"> <li>Resource Reliability</li> <li>Risk Identification</li> </ul>	78% - does <i>not</i> meet the target goal of 80% or greater 2 – current resources would <i>not</i> be adequate to supply service to the proposed project (risk factors include an open waterway & steep hillside with the potential for wildfire if not maintained)																	
<ul style="list-style-type: none"> <li>Accessibility</li> <li>Special/resource needs</li> <li>Water Supply</li> </ul>	Meets all required access, road widths & turnarounds Aerial device not required 1,000 gallons/minute for one hour																	
<b>Police Service</b>																		
<ul style="list-style-type: none"> <li>Distance to Police Station</li> <li>Police Response Time</li> <li>Calls for Service</li> <li>% of calls for service split by priority</li> <li>Crimes</li> <li>Crashes</li> </ul>	5.5 miles 3:42 minutes 13 (in RD ‘M789/A119’) (between 6/1/19 – 5/31/20) <i>Priority 3 (MPD Goal is within 3 to 5 minutes)</i> 3:42 <i>Priority 2 (MPD Goal is within 8 to 10 minutes)</i> 7:16 <i>Priority 1 (MPD Goal is within 15 to 20 minutes)</i> 10:42 1 (in RD ‘M789/A119’) 12 (in RD ‘M789/A119’)																	
<b>West Ada School District</b>																		
<ul style="list-style-type: none"> <li>Distance (elem, ms, hs)</li> <li>Capacity of Schools</li> <li># of Students Enrolled</li> </ul>	<table border="1"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles Dist. to School</th> </tr> </thead> <tbody> <tr> <td>**Silver Sage Elementary**</td> <td>316</td> <td>425</td> <td>4.5 miles</td> </tr> <tr> <td>Victory Middle School</td> <td>999</td> <td>1000</td> <td>5.6 miles</td> </tr> <tr> <td>Mountain View High School</td> <td>2519</td> <td>2175</td> <td>4.8 miles</td> </tr> </tbody> </table> <p>**Enrollment at Hillsdale Elementary is currently capped. Students in this development will be attending Silver Sage Elementary until a new school is built to eliminate overcrowding at Hillsdale Elementary. **</p>		Enrollment	Capacity	Miles Dist. to School	**Silver Sage Elementary**	316	425	4.5 miles	Victory Middle School	999	1000	5.6 miles	Mountain View High School	2519	2175	4.8 miles	
	Enrollment	Capacity	Miles Dist. to School															
**Silver Sage Elementary**	316	425	4.5 miles															
Victory Middle School	999	1000	5.6 miles															
Mountain View High School	2519	2175	4.8 miles															
<b>Wastewater</b>																		
<ul style="list-style-type: none"> <li>Distance to Sewer Services</li> <li>Sewer Shed</li> <li>Estimated Project Sewer ERU’s</li> <li>WRRF Declining Balance</li> <li>Project Consistent with WW Master Plan/Facility Plan</li> <li>Impact/Concerns</li> </ul>	Directly adjacent to site South Black Cat trunkshed See application 13.96 Yes None																	
<b>Water</b>																		
<ul style="list-style-type: none"> <li>Distance to Water Services</li> <li>Pressure Zone</li> <li>Estimated Project Water ERU’s</li> <li>Water Quality</li> <li>Project Consistent with Water Master Plan</li> <li>Impacts/Concerns</li> </ul>	Directly adjacent to site 5 See application None Yes None																	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Jay Gibbons, South Beck & Baird – 2002 S. Vista Ave., Boise, ID 83705

B. Owner:

Justin Griffin, Sunrise Rim, LLC – 4450 W. Saddle Ridge Dr., Nampa, ID 83687

C. Representative:

Same as Applicant

**IV. NOTICING**

	<b>Planning &amp; Zoning Posting Date</b>	<b>City Council Posting Date</b>
Notification published in newspaper	7/17/2020	
Notification mailed to property owners within 300 feet	7/14/2020	
Applicant posted public hearing notice on site	7/23/2020	
Nextdoor posting	7/14/2020	

**V. COMPREHENSIVE PLAN ANALYSIS ([Comprehensive Plan](#))**

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Medium High Density Residential (MHDR).

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

The subject property is proposed to develop with a mix of residential housing types consisting of single-family detached (30), single-family attached (6) and townhome (121) units at a gross density of 5.96 units per acre. The density calculation includes land area (approximately 7.26 acres) that is undevelopable due to the slope/hillside on the southwest portion of the development (approximately 4.27 acres), the Ten Mile Creek which lies entirely on this property along the east boundary (approximately 2.61 acres), and the right-of-way to the centerline of Lake Hazel Rd. (0.38 of an acre). Without this undevelopable area, the gross density is estimated to be 8.23+/- units per acre, which is consistent with the MHDR FLUM designation; the net density is 16.48+/- units/acre. For the purposes of determining consistency with the density desired in this area, Staff is of the opinion excluding the undevelopable areas of the site from the density calculation is appropriate and the resulting density meets the intent of the Plan. Further, because this site is not located near mixed use commercial or employment areas, Staff believes the proposed density, at the lower end of the desired range, is appropriate for this property.

All of the proposed structures except for the single-family detached homes are required to comply with the design standards listed in the Architectural Standards Manual to ensure a high quality architectural design and materials for quality of place. Pedestrian connectivity is proposed throughout the development through sidewalks, pathways, micro-pathways and trails and to adjacent properties for future interconnectivity consistent with the MHDR FLUM designation.

Staff finds the following Comprehensive Plan policies to be applicable to this application and applies to the proposed use of this property (staff analysis in *italics*):

- “Provide for a wide diversity of housing types (single-family, modular, mobile homes and multi-family arrangements) and choices between ownership and rental dwelling units for all income groups in a variety of locations suitable for residential development.” (3.07.03B)  
*The proposed mix of single-family attached and detached homes and townhomes will contribute to the variety of housing types available in the City for ownership and rental choices.*

- “Require open space areas within all development.” (6.01.01A)  
*An open space exhibit is included in Section VIII.D that depicts qualified open space in excess of the minimum UDC standards listed in UDC 11-3G-3. Proposed qualified open space consists of half of the Lake Hazel Rd. street buffer, linear open space (mews) and 50’ x 100’ common open space areas. Additional open space is proposed consisting of unimproved hillside with walking paths and trails that doesn’t count toward qualified open space.*
- “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)  
*The proposed development is contiguous to the City and can be provided with City water and sewer service. Police and Fire can also provide emergency services to this development.*
- “Restrict private curb cuts and access points on collectors and arterial streets.” (3.06.02D)  
*One (1) public street access (Road 1) and one (1) emergency only access is proposed via E. Lake Hazel Rd.*
- “Coordinate with developers, irrigation districts, and drainage entities to implement the proposed pathway network along canals, ditches, creeks, laterals and sloughs.” (3.08.02B)  
*A 10’ wide multi-use pathway is proposed along the Ten Mile Creek which runs along the east boundary of the site.*
- “Encourage new development to include buffered sidewalks, a sidewalk separated from the motor vehicle land by a planter strip, especially on collector and arterial roadways.” (6.01.01J)  
*A 35’ wide landscaped street buffer with a detached sidewalk is required along E. Lake Hazel Rd., an entryway corridor, as proposed.*
- “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 provides usable common open space areas and a segment of the City’s multi-use pathway along the Ten Mile Creek as an amenity for the site that will provide connectivity to adjacent developments and safe pedestrian access to the Hillsdale elementary school and the YMCA to the north.*
- “Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City’s vision and the necessary extension of public services and infrastructure is provided.” (3.03.03)  
*The proposed development plan is consistent with the City’s vision in terms that a mix of residential housing types at a density consistent with the MHDR designation is proposed. Public services and infrastructure are proposed to be provided.*
- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)  
*The proposed residential single-family and townhouse dwellings and site design should be compatible with future development on adjacent properties to the east and west that are also designated for MHDR uses. Medium density residential uses are designated on the FLUM for future development to the south.*
- “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)  
*Three (3) different housing types (i.e. single-family attached, detached and townhomes) on various lot sizes are proposed in this development which will contribute to the variety of housing options in this area.*
- “Require pedestrian access connectors in all new development to link subdivisions together to promote neighborhood connectivity as part of a community pathway system.” (3.03.03B)  
*A segment of the City’s multi-use pathway system is proposed along the project’s east boundary along the Ten Mile Creek which will provide connectivity with adjacent developments. Several micro-path connections are proposed to the multi-use pathway from adjacent mews and several pathways are proposed through internal common areas.*



**VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)**

**A. ANNEXATION & ZONING (AZ)**

Annexation of 26.34 acres of land with R-8 (6.64 acres) and R-15 (19.69 acres) zoning districts is proposed. The area proposed to be zoned R-8 consists of the upper rim area at the southwest corner of the site proposed to develop with single-family detached homes which will provide a transition to future medium density residential development to the south. The area proposed to be zoned R-15 consists of the slope and the lower valley area on the remainder of the site proposed to develop primarily with townhomes with a few single-family attached structures, which should be consistent with future medium high-density residential development to the east and west.

The proposed zoning, uses and density are consistent with the MHDR FLUM designation in the Comprehensive Plan for this property as discussed above in Section V.

A preliminary plat, landscape plan and conceptual building elevations were submitted showing how the property is planned to develop with 157 single-family detached (30), attached (6) and townhome (121) units (see Section VIII).

The proposed annexation area is contiguous to City annexed property to the north across E. Lake Hazel Rd. and is within the Area of City Impact Boundary. A legal description and exhibit map for the annexation area is included in Section VIII.A along with separate legal descriptions and exhibit maps for each zoning district proposed.

The City may require a Development Agreement (DA) in conjunction with an annexation and zoning request 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.**

**B. PRELIMINARY PLAT**

The proposed preliminary plat consists of a total of 157 buildable lots and 35 common lots on 26.34 acres of land in the R-8 and R-15 zoning districts (see Section VIII.B). The proposed dwelling units consist of 30 standard detached, 6 attached and 121 townhome units (68 alley-loaded & 53 standard).

The minimum lot size proposed is 1,400 square feet (s.f.) with an overall average lot size of 2,763 s.f. The average lot size in the R-8 district is 5,991 s.f. and the average lot size in the R-15 district is 2,000 s.f.

**Phasing:** A phasing plan was submitted that depicts four (4) phases of development (see Section VIII.B). The first phase is nearest Lake Hazel Rd. with subsequent phases progressing to the south with the last phase at the southwest corner of the site which requires a public street access to be provided from the south. The Fire Dept. is requiring secondary access to be provided from the east or south (or other means as agreeable by the Fire Dept.) prior to development of Phases 2 or 3.

**Existing Structures/Site Improvements:**

There is an existing home at the southwest corner of the site that is proposed to be removed with development; **this structure should be removed prior to the City Engineer’s signature on the final plat for the phase in which it is located (i.e. Phase 4).**

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

All development should comply with the dimensional standards for the applicable district as follows: UDC Tables 11-2A-6 (R-8 district) and 11-2A-7 (R-15 district).



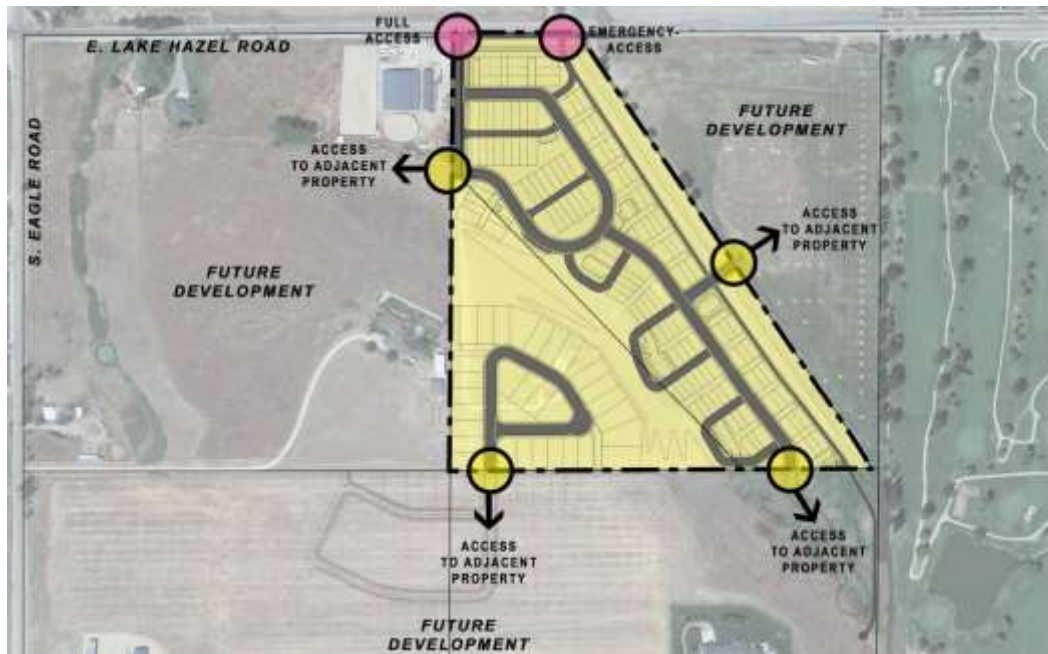
**Design:** All subdivisions are required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3 (i.e. streets, alleys, common driveways, block face, etc.).

Traffic calming is proposed on Road 3, which is greater than 700' in length, by narrowing the street down to 24' between Roads 6 and 7 as approved by ACHD. **As additional traffic calming and an alternative design to parking lots for guests, the Applicant should consider providing on-street parking with bulb-outs on 33' wide street sections for more of a traditional neighborhood design.**

**The stub street (Road 3) proposed to the south will result in a block face and cul-de-sac length in excess of UDC standards at approximately 1,050' when extended in the future with redevelopment of the property to the south. Due to the topography and significant slope in this area along with the location of the Ten Mile Creek, the design options are limited for this area. Therefore, Staff recommends it's approved with the PUD as an exception to the dimensional standards listed in UDC 11-6C-3 (see PUD analysis section below).**

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

Access is proposed on the plat via one public street and one emergency only access via E. Lake Hazel Rd., a residential mobility arterial street; direct access via E. Lake Hazel Rd. is prohibited. One (1) stub street is proposed to the west and two (2) stub streets are proposed to the south for future extension; and one stub street is planned to the east boundary of the site from Poiema Subdivision for interconnectivity as shown below – a bridge is required to be constructed across the Ten Mile Creek to the east on the subject property in this location. Access to the R-8 zoned portion of the site will be from the south via Eagle Rd. when the adjacent property redevelops – access via Eagle Rd. is not available to this site at this time.



Two (2) alleys (i.e. Roads 9 and 10) and (11) common/shared driveways are proposed off internal public streets for access to proposed attached and townhome units. All alleys are required to be constructed in accord with the standards listed in UDC 11-6C-3B and all common/shared driveways are required to be constructed in accord with the standards listed in UDC 11-6C-3D. The alley and common/shared driveway sections depicted on the plat comply with UDC standards.

Emergency access should be provided in accord with the phasing plan approved by the Fire Dept. included in Section VIII.B. **The Applicant should coordinate with Terri Ricks and Fire Dept. for**

**addressing lots accessed by alleys without frontage on a public street. Address signage for wayfinding purposes should be provided in these areas as well as at the public street for homes accessed via common driveways.**

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

A pedestrian connectivity plan was submitted that depicts sidewalks along streets, pathways through internal common open space areas and micro-pathways through mews providing connections to the multi-use pathway along the creek. A 10' wide multi-use pathway is proposed along the east boundary of the site adjacent to the creek in accord with the Pathways Master Plan, a 5' wide concrete pathway is proposed from Road 4 to Road 8 and at the top of the slope in Lot 40, Block 5, and dirt trails are proposed within the unimproved slope area providing connections between the upper ridge and the lower valley lots (see Section IX.G). These walkways provide pedestrian connections to the shelters with picnic tables and benches proposed as amenities within the development.

**The pathway along the creek is required to be located within a 14' wide public use easement; the easement should be submitted to the Planning Division prior to submittal of the final plat for City Engineer signature.**

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

Sidewalks are required to be provided on both sides of all public streets as set forth in UDC 11-3A-17D. A 7-foot wide detached sidewalk is proposed within the street buffer along E. Lake Hazel Rd. **Internal sidewalks are proposed in accord with UDC standards except for adjacent to the 24' wide street sections (i.e. Roads 4, 6 and 7) where sidewalks are only proposed in certain areas as shown on the pedestrian connectivity exhibit in Section VIII.G. The Applicant requests an exception to this standard through the PUD to only provide sidewalks in the areas shown and as required by ACHD (see PUD section below).**

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

As all internal sidewalks are attached to the curb, no parkways are proposed or required.

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

A 35-foot wide street buffer is required along E. Lake Hazel Rd., an arterial street and entryway corridor, per UDC Table 11-2A-7, landscaped per the standards listed in UDC 11-3B-7C as proposed. A berm and an additional 10 trees are proposed above the minimum requirement. **Bushes should be added within the buffer in accord with UDC 11-3B-7C.3, which requires a combination of trees and shrubs along with lawn or other vegetative groundcover.**

Qualified/required open space areas should be landscaped in accord with the standards listed in UDC 11-3G-3E as proposed. An *additional* 40 trees are proposed above the minimum requirement.

Landscaping is required along all pathways in accord with the standards listed in UDC 11-3B-12C; landscaping is proposed in excess of UDC standards (an additional 27 trees are proposed) except for along the concrete walkway in the unimproved hillside/slope area. The Applicant requests an exception to this standard with the PUD (see analysis below under PUD section).

There are two (2) existing trees on the site that are less than 4" caliper in size that are proposed to be removed; because they are below 4" caliper, no mitigation is required per UDC 11-3B-10C.5a.

Landscaping is proposed in off-street parking areas within the development.

**The Applicant is not proposing to landscape or provide irrigation sprinklers on the hillside and proposes to leave the area natural and unimproved. The Applicant states that low growing vegetation currently exists that doesn't require supplemental moisture and installing an irrigation system would cause unnecessary damage to the hillside and that the Homeowner's Association (HOA) will be responsible for reducing fuels on an annual basis at a minimum.**

**Staff and the Fire Dept. is very concerned about the potential danger of wildfires in this area. Therefore, the Fire Dept. is requiring defensible space to be provided – a minimum of 30’ (and possibly more for steep topography) from all structures to the undeveloped, natural open space – plantings within this area should be fire-resistant (see Section IX.C for more information). A wildfire safety plan is required to be approved by the Fire Dept. prior to approval of the first final plat. A copy of the approved plan should be included in the CC&R’s for the subdivision.**

**Qualified Open Space (UDC [11-3G](#)):**

A minimum of 10% of the land area of the development is required to be provided in qualified open space as set forth in UDC 11-3G-3B. Based on the 26.34 acre site, a minimum of 2.63 acres is required to be provided; a total of 4.9 acres (or 18.57%) is proposed, which *exceeds* the minimum standards. Qualified open space consists of half of the street buffer along E. Lake Hazel Rd., an arterial street; linear open space (i.e. mews); and open grassy areas of at least 50’ x 100’ in area. *This calculation does not include the hillside where pathways/trails are located as that area is proposed to remain natural and not be landscaped per the standards listed in UDC 11-3G-3E.2. With this area there is approximately 10.87 acres (or 41.35%) open space.*

**Qualified Site Amenities (UDC [11-3G](#)):**

A minimum of one (1) qualified site amenity is required for each 20 acres of development area. Based on the 26.34 acre site, a minimum of one (1) qualified site amenity is required. A 10-foot wide 1,631+/- foot long segment of the City’s multi-use pathway system is proposed along the east boundary of the site adjacent to the Ten Mile Creek. Additional amenities, in *excess* of UDC standards, are proposed as follows: a 16’ x 16’ shelter with a picnic table on Lot 10, Block 3; an 8’ x 12’ arbor with 2 benches on Lot 1, Block 10; an arbor with 2 benches on Lot 8, Block 5; and a dirt trail and paved 5’ wide pathway on the hillside on Lot 8, Block 5.

**Parking (UDC [11-3C-6](#))**

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for residential uses, which requires parking pads to be provided in addition to garage parking spaces based on the number of bedrooms per unit (i.e. 1-2 bedroom units require 2 spaces per unit with at least one of those being in an enclosed garage, the other space may be enclosed or a minimum 10’ x 20’ parking pad; 3-4 bedroom units require 4 spaces per unit with at least two of those being in an enclosed garage, the other spaces may be enclosed or a minimum 10’ x 20’ parking pad).

A total of (96) 2-bedroom units and a total of (31) 3- to 4-bedroom units are proposed in the single-family attached & townhome portion of the development which requires a total of 316 off-street parking spaces (158 covered spaces & 158 uncovered spaces). A parking exhibit was submitted for the proposed development that depicts a total of 254 garage spaces and 62 driveway parking spaces for a total of 316 spaces in accord with the standards listed in UDC Table 11-3C-6 (see Section IX.F). A total of 71 off-street parking spaces are proposed for guests in mini parking lots dispersed throughout the development; and an additional 88+/- parking spaces can be accommodated on-street for a total of 157+/- extra spaces for guests. *These calculations exclude the single-family detached portion of the site which will provide off-street parking in accord with UDC standards; on-street parking will also be available for guests.*

**The Applicant is proposing 20’ long x 18’ wide parking pads, which are 2’ less in width than required. The parking pads should be revised to be 20’ x 20’ in accord with UDC Table 11-3C-6.**

**On-street parking is allowed with 33’ wide street sections but not with 24’ street sections (i.e. Roads 4, 6 and 7); therefore, “No Parking” signs shall be erected along these streets.**

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

The Ten Mile Creek runs along the east boundary of this site. As a natural waterway, it’s required to remain open as a natural amenity and not be piped or covered and should be improved and protected with development of the subdivision.

Per UDC 11-3A-6C, fencing along natural waterways shall not prevent access to the waterway; no fencing is proposed or desired by the Applicant adjacent to the creek. In limited circumstances and in the interest of public safety, larger open water systems may require fencing as determined by the City Council, Director and/or Public Works Director.

**The Applicant states water flows year ‘round in the creek and is shallow and slow flowing at an approximate depth of 18 to 24 inches. The depth of the waterway in relation to the surrounding land is approximately 6’ from the top of bank to the bottom of the channel and the width is approximately 15’ to 20’. Fencing the creek would likely impede the irrigation district’s ability to maintain the drain. Because this is not a large open water system with deep, fast flowing current, Staff is not *overly* concerned; however, any waterway may present a hazard to young children. For this reason and because Staff has not received a determination from the Director or the Public Work’s Director on this matter, Staff recommends fencing is installed along the creek to restrict access, unless otherwise waived by City Council.**

All irrigation ditches crossing the site are required to be piped with development unless used as a water amenity or linear open space as defined in UDC 11-1A-1.

**Floodplain:**

A portion of this site is currently located within the floodplain. The Applicant’s narrative states that once the improvements on Lake Hazel Rd. are complete which will include a larger culvert, the projected floodplain will be within the banks of the creek. **A floodplain development permit is required to be obtained for any development within the floodplain prior to construction.**

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. No fencing is proposed on the landscape plan. **The Developer is required to construct fencing abutting pathways and common open space lots to distinguish common from private areas per the standards listed in UDC 11-3A-7A.7. Fencing in accord with this standard should be depicted on a revised landscape plan.**

**As discussed above under “waterways”, Staff recommends fencing is installed along the Ten Mile creek in accord with the standards listed in UDC 11-3A-6C, unless otherwise waived by City Council.**

**Utilities ([UDC 11-3A-21](#)):**

Utilities shall be installed with development in accord with the standards listed in UDC 11-3A-21.

**Building Elevations/Perspectives:** Conceptual building elevations were submitted for the 2-story single-family detached units and townhome (3+ attached) structures as shown in Section VIII.H; concept elevations were not submitted for the 2-attached units.

Building materials for the single-family detached homes and townhomes consist of a variety of vertical and horizontal siding, stucco, brick/stone veneer accents with wood/timber design elements with gable style shingled roofs with metal accent roofing on some elevations. The 2-attached units will be the two end units of the 3+ unit townhomes put together back to back – the end units have a kick out on the front corner as shown on Elevation 4.

**To ensure quality of development within the PUD, Staff recommends design guidelines are submitted for the overall development to be included in the Development Agreement that promote innovative design that creates visually pleasing and cohesive patterns of development in accord with UDC 11-7-1. To ensure compliance with these guidelines and the design standards in the Architectural Standards Manual, Staff recommends all structures, including single-family detached, are subject to design review. A Design Review application is required to be submitted to the Planning Division and approved prior to submittal of building permit applications for these structures.**

Perspectives of the built-out development and of the entry of the development are included in Section VIII.H.

**C. PLANNED UNIT DEVELOPMENT (PUD)**

A PUD is proposed to enable the development of a mix of single-family detached, attached and townhome units on the site at a gross density of 8.23 units/acre (excluding undevelopable areas) while preserving the natural topography of the property and the Ten Mile Creek. This property has significant topography which prevents development of over 25% of the property for buildable lots. The Applicant states there is a 28' height difference between the valley floor and the rim with an average slope of approximately 40%.

**Analysis of Compliance with PUD Standards (UDC 11-7-4):**

A phasing plan and site amenity plan were submitted as required and are included in Section VIII.B & E.

Concurrent review of the preliminary plat is requested in accord with UDC 11-7-3C.

All of attached and townhome units are subject to the design standards listed in the Architectural Standards Manual (ASM) to ensure quality of design. *Staff also recommends design guidelines are submitted for the overall development to ensure consistency and that promote innovative design that creates visually pleasing and cohesive patterns on development in the PUD in accord with UDC 11-7-1.*

The uses within the PUD area are interconnected through a system of roadways and pathways.

Buildings are clustered to preserve scenic and environmentally sensitive areas in the natural state (i.e. hillside and creek).

Eighty (80) square feet of private, usable open space is proposed to be provided for each unit in the form of a front stoop or porch.

A variety of housing types is proposed consisting of single-family detached and attached, and townhome units.





The proposed gross density is 8.23 units/acre, excluding undevelopable areas (i.e. hillside, creek and ROW of Lake Hazel Rd. to centerline).

**Deviations from UDC Standards:**

As part of the PUD, the Applicant requests deviations from the following standards:

- UDC Table 11-2A-7 for the R-15 district - certain dimensional standards as follows (see exhibit in Section VIII.I):

**R-15 SETBACKS**

LOT TYPE	ALL LOTS HAVE 2-CAR GARAGES IN REAR	FRONT	GARAGE	SIDE	STREET SIDE	REAR
	SINGLE FAMILY ATTACHED GARAGE ACCESS ON 24' STREET	2'-0" (MEW)	3'-0"	0'-0" INT 3'-0" END BLDG	10'-0"	3'-0"
	SINGLE FAMILY ATTACHED GARAGE ACCESS ON ALLEY + 20'x20' PAD	10'-0"	20'-0"	0'-0" INT 3'-0" END BLDG	10'-0"	20'-0"
	SINGLE FAMILY ATTACHED GARAGE ACCESS ON SHARED DRIVEWAY	2'-0" (MEW)	5'-0"	0'-0" INT 3'-0" END BLDG	10'-0"	5'-0"
	R-8 LOTS - STANDARD R-8 SETBACKS APPLY					



No deviations to the setbacks are requested or approved to the setbacks along the periphery of the planned development in accord with UDC 11-7-4A.1.

The Applicant's justification for the reduced setbacks is that the front of the homes face a mew and the common lots provide pedestrian access to the front of each residence. The rear setback varies by the type of access to the garage – 33' street, 24' street, 20' alley or 20' common/shared driveway. No reductions are requested to side setback (zero side setbacks are allowed for attached units) or to living area from the street. The reduced rear setback for attached units accessed by 24' wide streets and common/shared driveways provides for a utility easement and precludes parking across the garage access on each residence [parking pads are not required for these units as the two (2) required spaces for each unit will be provided in the garage]. The proposed utility easements effectively become setbacks (see note #7 on the plat). The minimum home size will be in excess of 2,000 s.f., including the 2-car garage. *Staff is amendable to this request.*

***Note: All lots in the R-8 district comply with the required dimensional standards as proposed.***

- UDC 11-3A-17D - Sidewalks are required to be provided on both sides of all public streets. Sidewalks are only proposed to be provided along the east sides of the 24' wide street sections (i.e. Roads 4, 6 and 7) adjacent to the parking areas as depicted on the Pedestrian Connectivity Plan in Section VIII.G. ACHD is requiring the sidewalks be extended on the east sides of Roads 4 and 6 along the entire common lot/parking area.

The Applicant's justification for the request is that their housing product type is not a street facing design and the narrow streets are not intended to be pedestrian zones and will create a safety hazard to pedestrians with vehicles backing out of garages. Pathways are provided through mews for pedestrian access to the front doors. *Staff is amendable to this request and believes it preserves public safety.*

- UDC 11-3B-12C - Landscaping is required along both sides of all pathways. Landscaping is not proposed along the concrete pathway in the unimproved hillside/slope area.

The Applicant's justification for not providing landscaping along the pathway in this area is that the hillside is not proposed to have irrigation due to plant material requirements and erosion concerns. Many trees (27 extra along pathways alone) are proposed in excess of UDC standards in common areas within this development. *Staff is amendable to this request.*

- UDC 11-6C-3B.4 (cul-de-sacs) and 11-6C-3F (block face) – No streets that end in a cul-de-sac or a dead-end shall be longer than 500' unless approved by Council in the case where there is a physical barrier such as a steep slope, railroad tracks or a large waterway that prevents extension; and where a pedestrian connection is provided from the street to an adjacent existing or planned pedestrian facility. The cul-de-sac measured from Road 7 exceeds 500' at approximately 510'.

In residential districts, no block face shall be more than 750' in length without an intersecting street or alley unless a pedestrian connection is provided in which case it can extend to 1,000'. Council may approve a block face up to 1,200' in length where block design is constrained by site conditions such as an abutting arterial street or highway, a limited access street, railroad tracks, steep slopes in excess of 10%, an abutting urban project with no adjoining alley or street connections, a public or private education facility or park, a large waterway and/or a large irrigation facility. The face of Block 8 on the east side Road 3, when extended in the future with redevelopment of the property to the south will measure approximately 1,050' in length without a pedestrian connection.

Due to the topography and significant slope in this area along with the location of the Ten Mile Creek, the design options are limited for this area. Therefore, Staff recommends the proposed design is approved with the PUD as an exception to the dimensional standards listed in UDC 11-6C-3.



In approving the planned development, the Council may prescribe appropriate conditions, additional conditions, bonds, and safeguards in conformity with this title that:

1. Minimize adverse impact of the use on other property.
2. Control the sequence and timing of the use.
3. Control the duration of the use.
4. Assure that the use and the property in which the use is located is maintained properly.
5. Designate the exact location and nature of the use and the property development.
6. Require the provision for on site or off site public facilities or services.
7. Require more restrictive standards than those generally required in this title.
8. Require mitigation of adverse impacts of the proposed development upon service delivery by any political subdivision, including school districts, which provides services within the city.

## VII. DECISION

- A. Staff: Staff recommends approval of the proposed Annexation, Preliminary Plat and Planned Unit Development applications with the provisions in Section IX per the Findings in Section X.
- B. The Meridian Planning & Zoning Commission heard these items on (continued from August 6<sup>th</sup> and September 3<sup>rd</sup>) September 17, 2020. At the public hearing on September 17<sup>th</sup>, the Commission moved to continue the project to October 22<sup>nd</sup> in order for the Applicant to make revisions to the plans and address several concerns/questions noted by the Commission listed below in #VII.B.3.
  1. Summary of Commission public hearing:
    - a. In favor: Jay Gibbons, Applicant's Representative
    - b. In opposition: Annette Alonso
    - c. Commenting: None
    - d. Written testimony: Jennifer Loveday
    - e. Staff presenting application: Sonya Allen
    - f. Other Staff commenting on application: None
  2. Key issue(s) of public testimony:
    - a. Opinion that existing roadway in this area cannot support additional traffic without improvements & the schools can't support the influx of children this (along with other) developments approved in this area will bring;
    - b. Concern pertaining to the density proposed (i.e. too high) and lack of a buffer to adjacent rural property where a horse facility is located.
    - c. Preference for more/larger open spaces to be provided.
  3. Key issue(s) of discussion by Commission:
    - a. The plan for wildfire prevention on the unimproved hillside area;
    - b. Timing for development of the R-8 portion at the southwest corner of the site;
    - c. The desire for fencing to be provided along the creek for public safety;
    - d. The capacity of existing area schools to handle additional children and the new schools planned in this area;
    - e. The desire for more/larger usable common open spaces to be provided, the upper & lower portions of the development to better integrated, and would like to see a better plan for the hillside.
  4. Commission change(s) to Staff recommendation:
    - a. None
  5. Outstanding issue(s) for City Council:

a. None

**VIII. EXHIBITS**

**A. Legal Description & Exhibit Map for Annexation**




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Pure Vida Ranch Subdivision  
 Date: 04/10/2020  
 Job No.: 6619

**PURE VIDA RANCH SUBDIVISION  
 ANNEXATION DESCRIPTION**

The following Describes a Parcel of Land being a portion of Government Lot 3 of Section 4, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County Idaho, and more particularly described as follows:

**COMMENCING** at a found Aluminum Cap Marking the Northwest Corner of said Section 4; From which, the North 1/4 Corner of said Section 4 bears, North 89°43'34" East, 2661.67 feet which is being Monumented with a found "Illegible" Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 4, North 89°43'34" East, 1325.81 feet to the Northwest Corner of said Government Lot 3, the **POINT OF BEGINNING**:

Thence continuing along said Northerly Boundary Line, North 89°43'34" East, 382.86 feet to a found 1/2" Iron Pine w/"Illegible Cap";

Thence leaving said Northerly Boundary Line, South 34°16'26" East, 1548.37 feet to a found 5/8" Iron Pin "PLS 780";

Thence, South 29°05'10" East, 83.15 feet to a point on the Southerly Boundary Line of said Government Lot 3;

Thence along the Southerly Boundary Line of said Government Lot 3, South 89°43'59" West, 1300.06 feet to the Southwest Corner of said Government Lot 3 which is being Monumented with a found 5/8" Iron Pin "PLS 645" as Shown on Record of Survey No.1485, Records of Ada County, Idaho;

Thence leaving said Southerly Boundary, and along the Westerly Boundary Line of said Government Lot 3, North 00°12'11" East, 1356.40 feet to the **POINT OF BEGINNING**:

The above Described Parcel of Land contains 26.34 Acres, more or less.

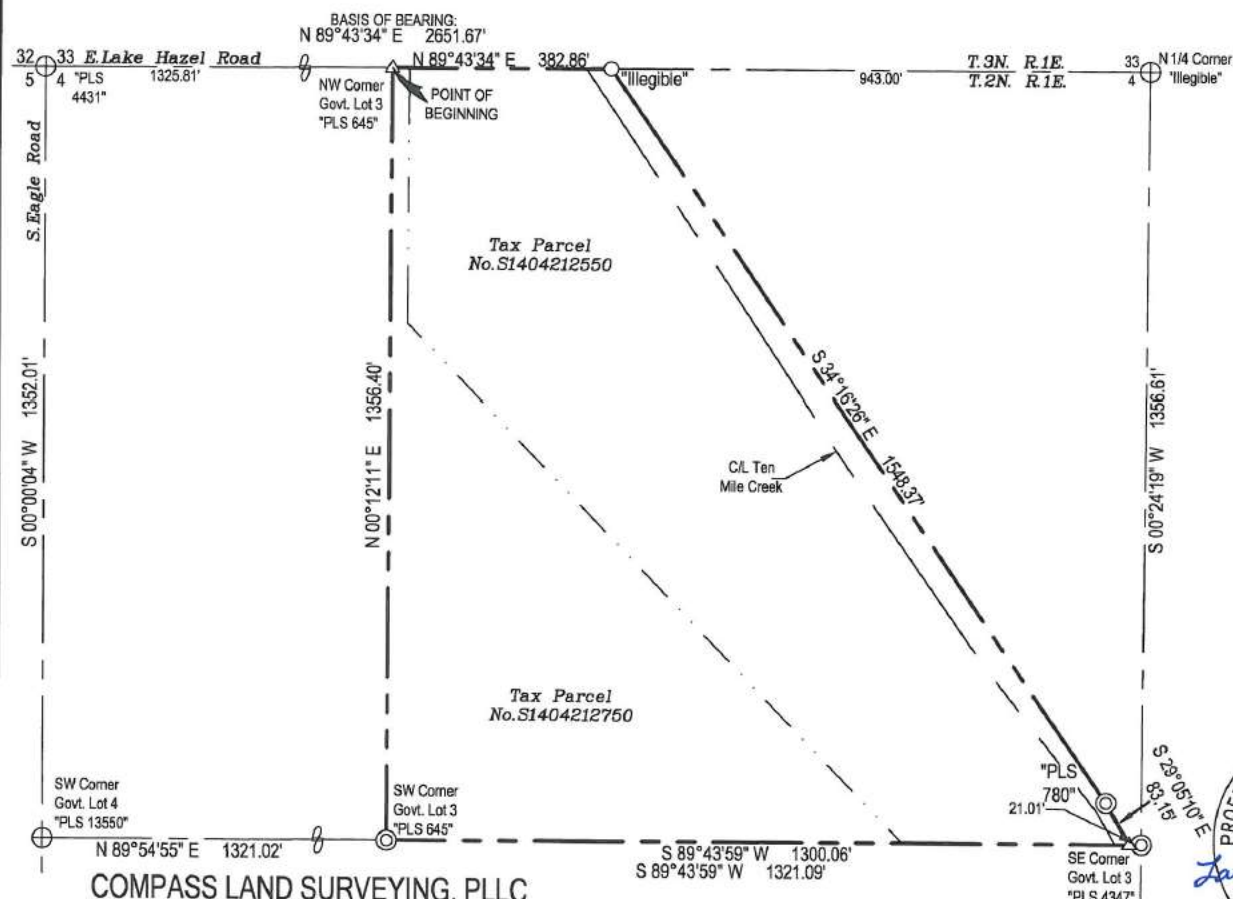



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623 11th Ave. South, Nampa, ID 83651 • T. (208) 442-0115 • C. (208) 608-2510 • rgray.cls@gmail.com

### ANNEXATION EXHIBIT "B"

A PORTION OF GOVERNMENT LOT 3 OF SECTION 4,  
TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO  
2020



COMPASS LAND SURVEYING, PLLC  
623 11th Avenue South Nampa, ID 83651  
Office: (208) 442-0115 Fax: (208) 327-2106  
JN 6619



Pure Vida Ranch Subdivision  
 Date: 04/10/2020  
 Job No.: 6619

**R-8 ANNEXATION AREA  
 DESCRIPTION**

The following Describes a Parcel of Land being a portion of Government Lot 3 of Section 4, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County Idaho, and being Tax Parcel No. S1404212750, more particularly described as follows:

**COMMENCING** at a found Aluminum Cap Marking the Northwest Corner of said Section 4; From which, the North 1/4 Corner of said Section 4 bears, North 89°43'34" East, 2661.67 feet which is being Monumented with a found "Illegible" Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 4, North 89°43'34" East, 1325.81 feet to the Northwest Corner of said Government Lot 3; Thence leaving said Northerly Boundary Line, and along the Westerly Boundary Line of said Government Lot 3, South 00°12'11" West, 803.83 feet to the **POINT OF BEGINNING**:

Thence leaving said Westerly Boundary Line, North 90°00'00" East, 227.21 feet to a point;

Thence, South 60°35'33" East, 280.04 feet to a point;

Thence, South 32°19'11" East, 299.15 feet to a point;

Thence, South 00°11'50" East, 159.31 feet to a point on the Southerly Boundary Line of said Government Lot 3;

Thence along the Southerly Boundary Line of said Government Lot 3, South 89°43'59" West, 633.61 feet to the Southwest Corner of said Government Lot 3 which is being Monumented with a found 5/8" Iron Pin "PLS 645" as Shown on Record of Survey No.1485, Records of Ada County, Idaho;

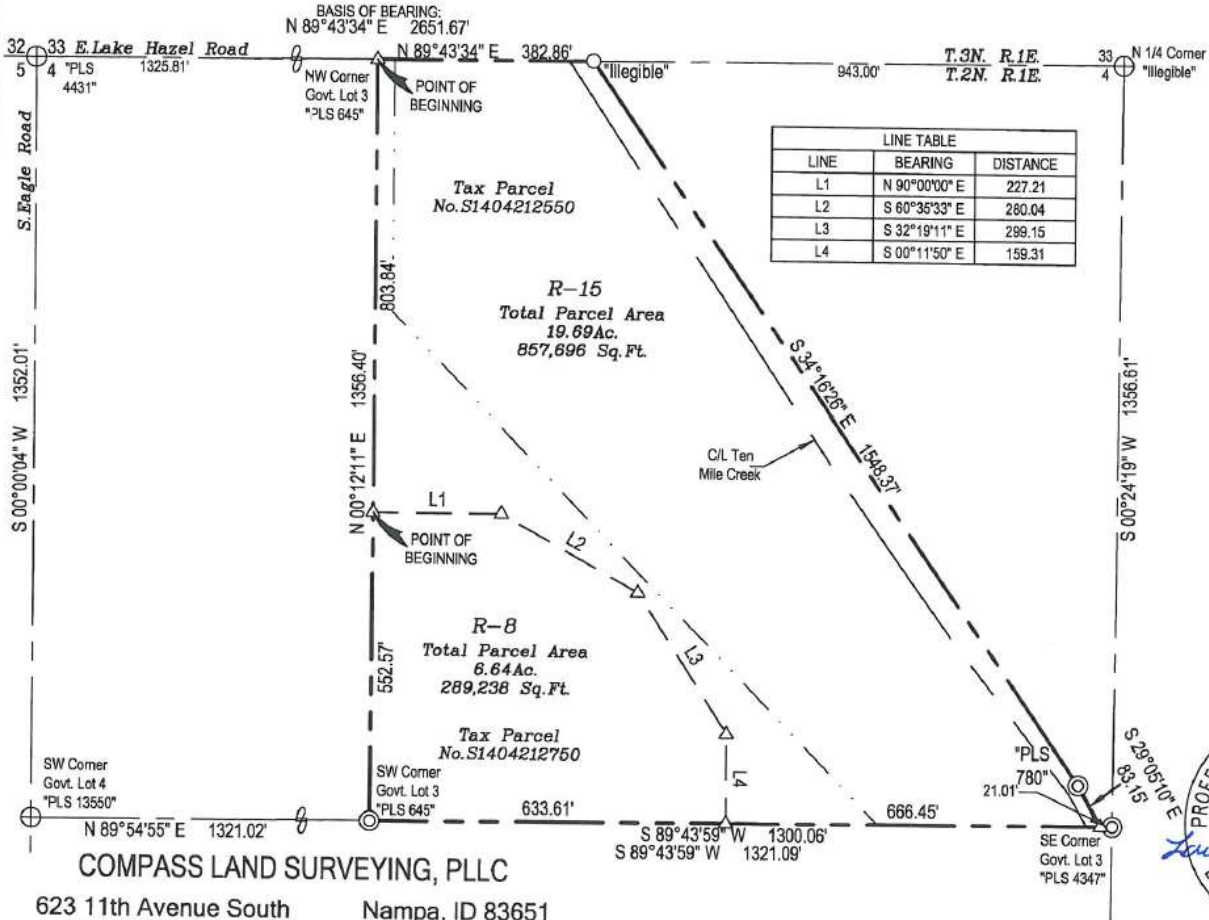
Thence leaving said Southerly Boundary Line, and along the Westerly Boundary Line of said Government Lot 3, North 00°12'11" East, 552.57 feet to the **POINT OF BEGINNING**:

The above Described Parcel of Land contains 6.64 Acres, more or less.



# REZONE & ANNEXATION EXHIBIT "B"

A PORTION OF GOVERNMENT LOT 3 OF SECTION 4,  
TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO  
2020



COMPASS LAND SURVEYING, PLLC  
623 11th Avenue South Nampa, ID 83651  
Office: (208) 442-0115 Fax: (208) 327-2106





Pure Vida Ranch Subdivision  
 Date: 04/10/2020  
 Job No.: 6619

**R-15 ANNEXATION AREA  
 DESCRIPTION**

The following Describes a Parcel of Land being a portion of Government Lot 3 of Section 4, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County Idaho, and being Tax Parcel No. S1404212550, and a portion of Tax Parcel No. S1404212750, more particularly described as follows:

**COMMENCING** at a found Aluminum Cap Marking the Northwest Corner of said Section 4; From which, the North 1/4 Corner of said Section 4 bears, North 89°43'34" East, 2661.67 feet which is being Monumented with a found "Illegible" Aluminum Cap; Thence along the Northerly Boundary Line of the NW 1/4 of said Section 4, North 89°43'34" East, 1325.81 feet to the Northwest Corner of said Government Lot 3, the **POINT OF BEGINNING**:

Thence continuing along said Northerly Boundary Line, North 89°43'34" East, 382.86 feet to a found 1/2" Iron Pine w/"Illegible Cap";

Thence leaving said Northerly Boundary Line, South 34°16'26" East, 1548.37 feet to a found 5/8" Iron Pin "PLS 780";

Thence, South 29°05'10" East, 83.15 feet to a point on the Southerly Boundary Line of said Government Lot 3;

Thence along the Southerly Boundary Line of said Government Lot 3, South 89°43'59" West, 666.45 feet to the Southwest Corner of said Government Lot 3 which is being Monumented with a found 5/8" Iron Pin "PLS 645" as Shown on Record of Survey No.1485, Records of Ada County, Idaho;

Thence leaving said Southerly Boundary, North 00°11'50" West, 159.32 feet to a point;

Thence, North 32°19'11" West, 299.15 feet to a point;

Thence, North 60°35'33" West, 280.04 feet to a point;

Thence, South 90°00'00" West, 227.21 feet to a point on the Westerly Boundary Line of said Government Lot 3;

Thence along the Westerly Boundary Line of said Government Lot 3, North 00°12'11" East, 803.83 feet to the **POINT OF BEGINNING**:

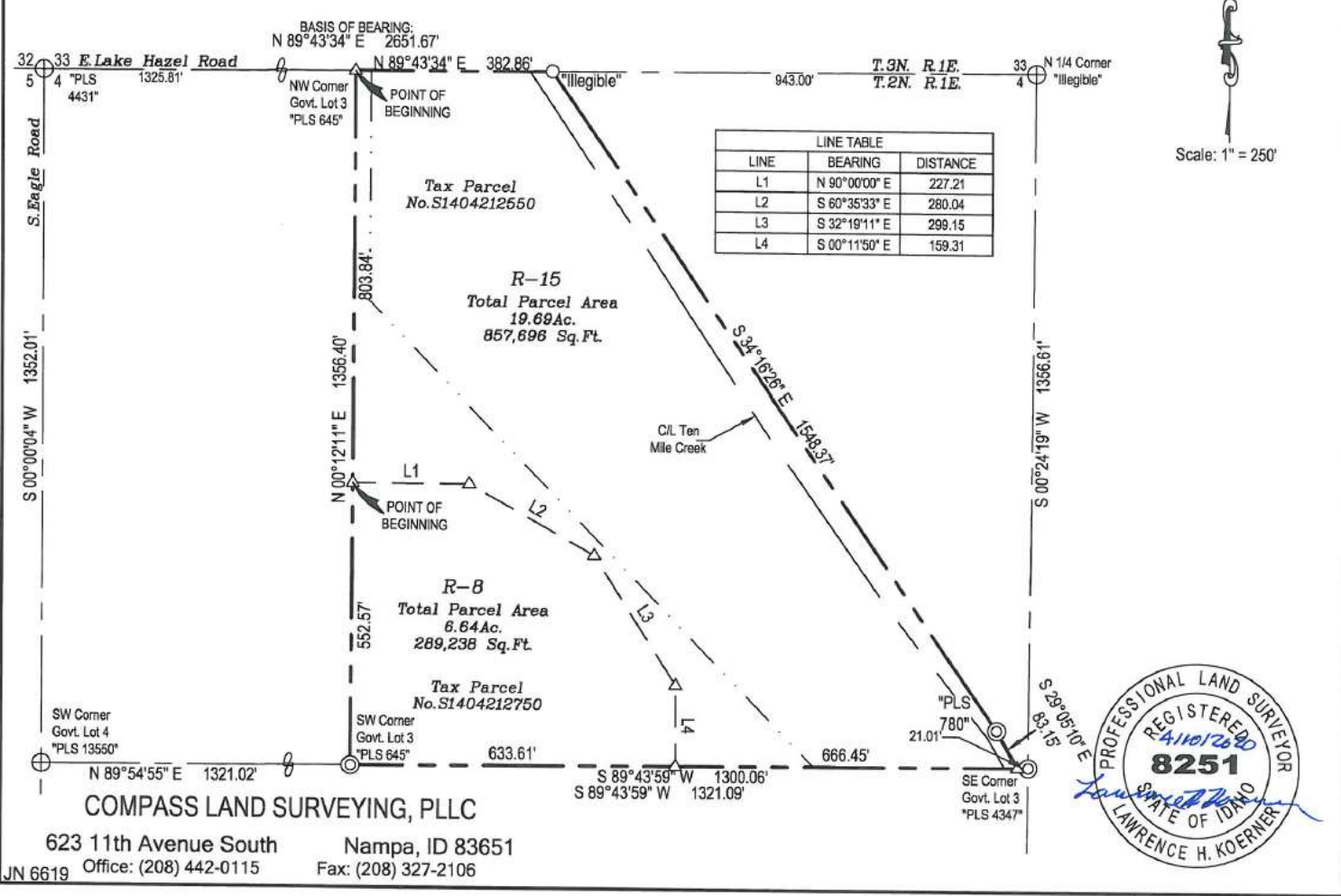
The above Described Parcel of Land contains 19.69 Acres, more or less.





# REZONE & ANNEXATION EXHIBIT "B"

A PORTION OF GOVERNMENT LOT 3 OF SECTION 4,  
TOWNSHIP 2 NORTH, RANGE 1 EAST, BOISE MERIDIAN, ADA COUNTY, IDAHO  
2020

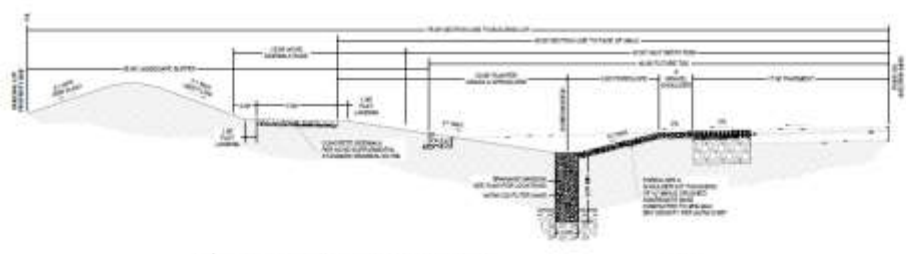


COMPASS LAND SURVEYING, PLLC

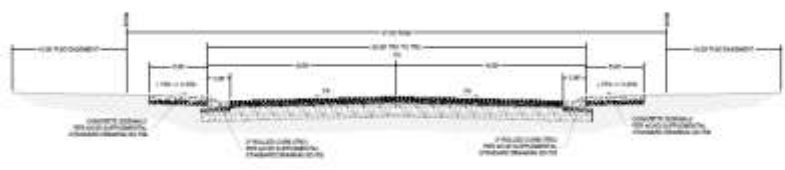
623 11th Avenue South Nampa, ID 83651

JN 6619 Office: (208) 442-0115 Fax: (208) 327-2106





17/48 E. LAKE HAZEL ROAD WIDENING



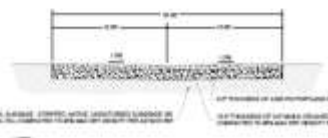
33/47 STANDARD LOCAL STREET



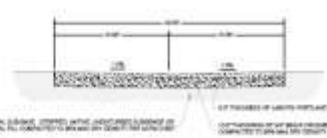
24/28 MINOR URBAN LOCAL STREET (NO SIDEWALK)



24/28 MINOR URBAN LOCAL STREET (SIDEWALK ONE SIDE)



ALLEY

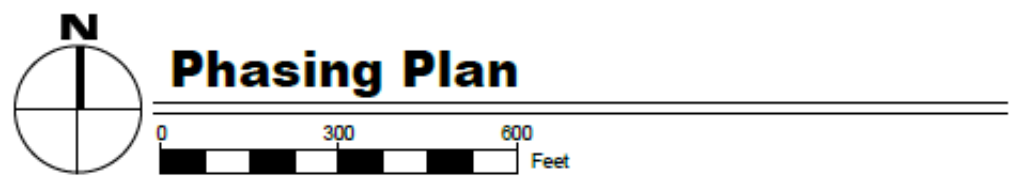
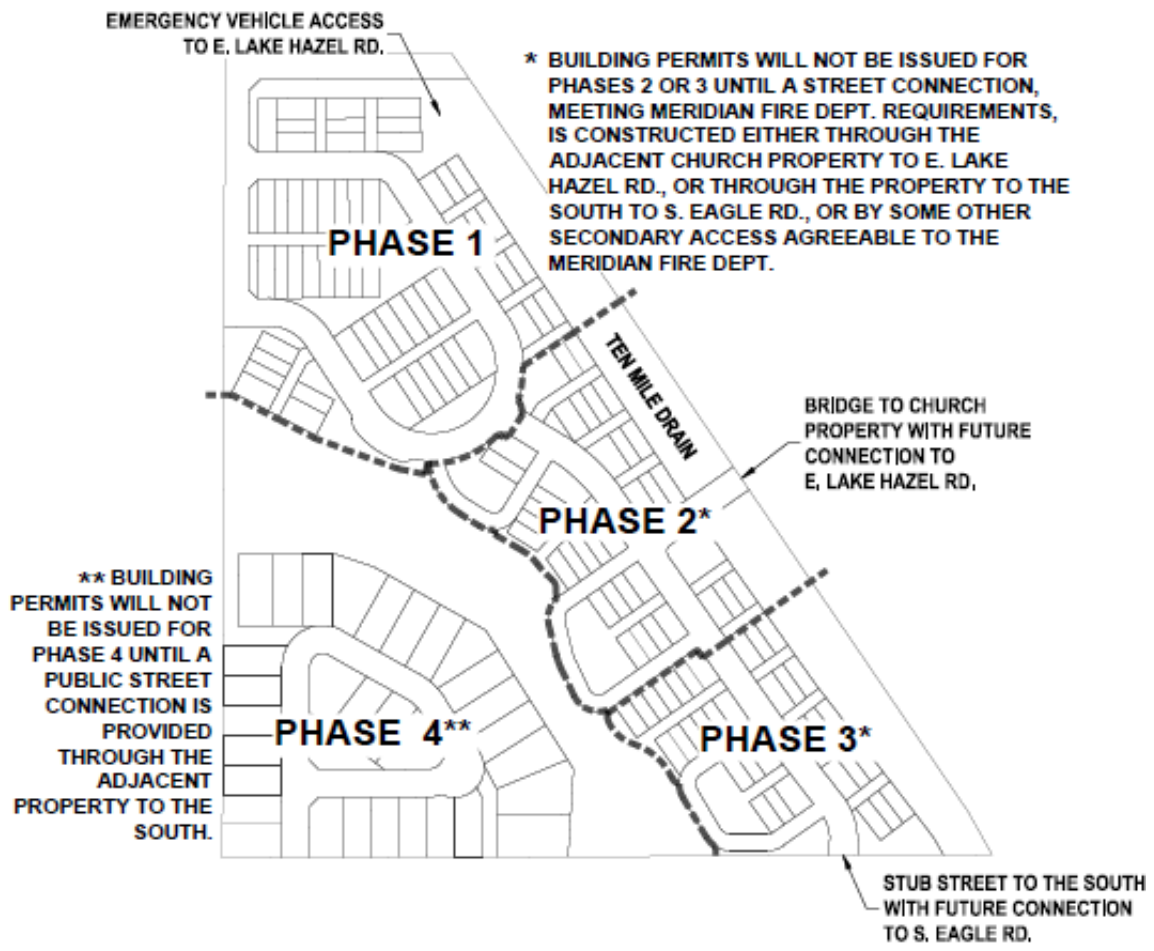


SHAPED DRIVEWAY

811  
CONTACT DIGGING  
INFORMATION  
800-485-5849

PREPARED BY: [Name]  
DATE: [Date]

10013050  
PP.2





C. Landscape Plan for Subdivision (date: 4/30/2020)

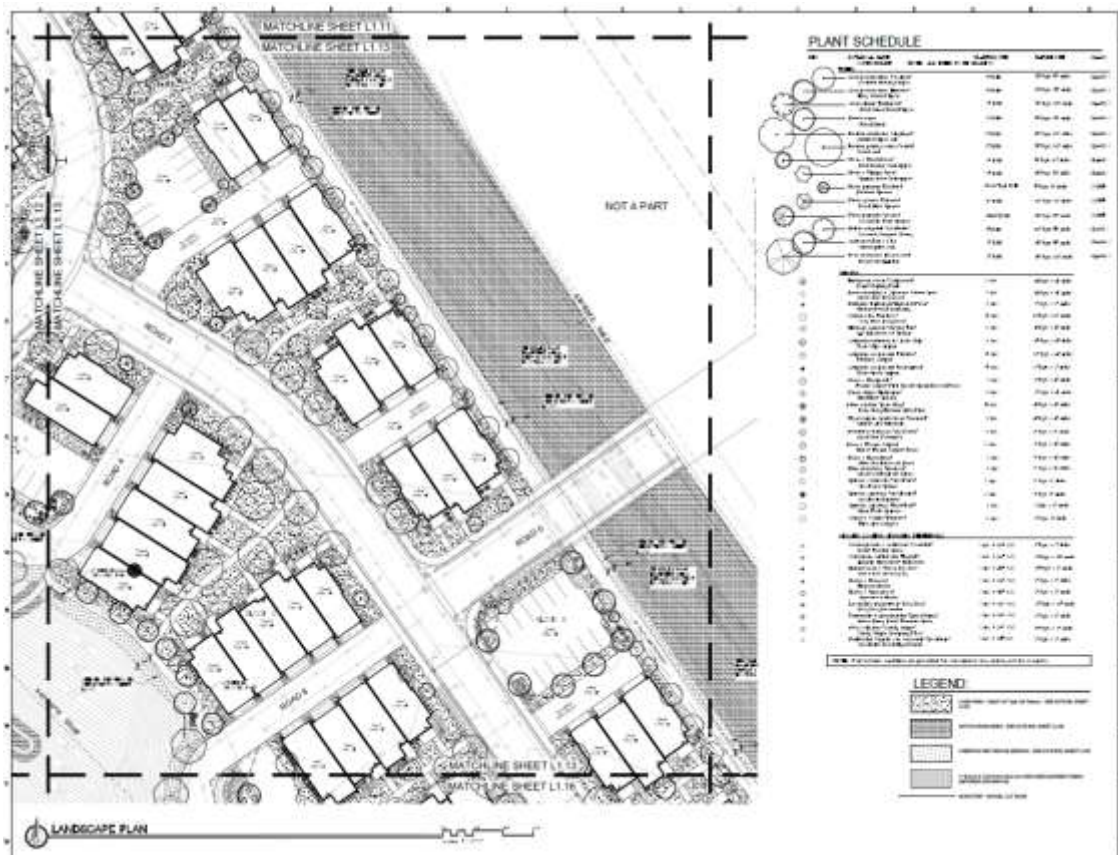


*Pura Vida Ridge Ranch Subdivision*



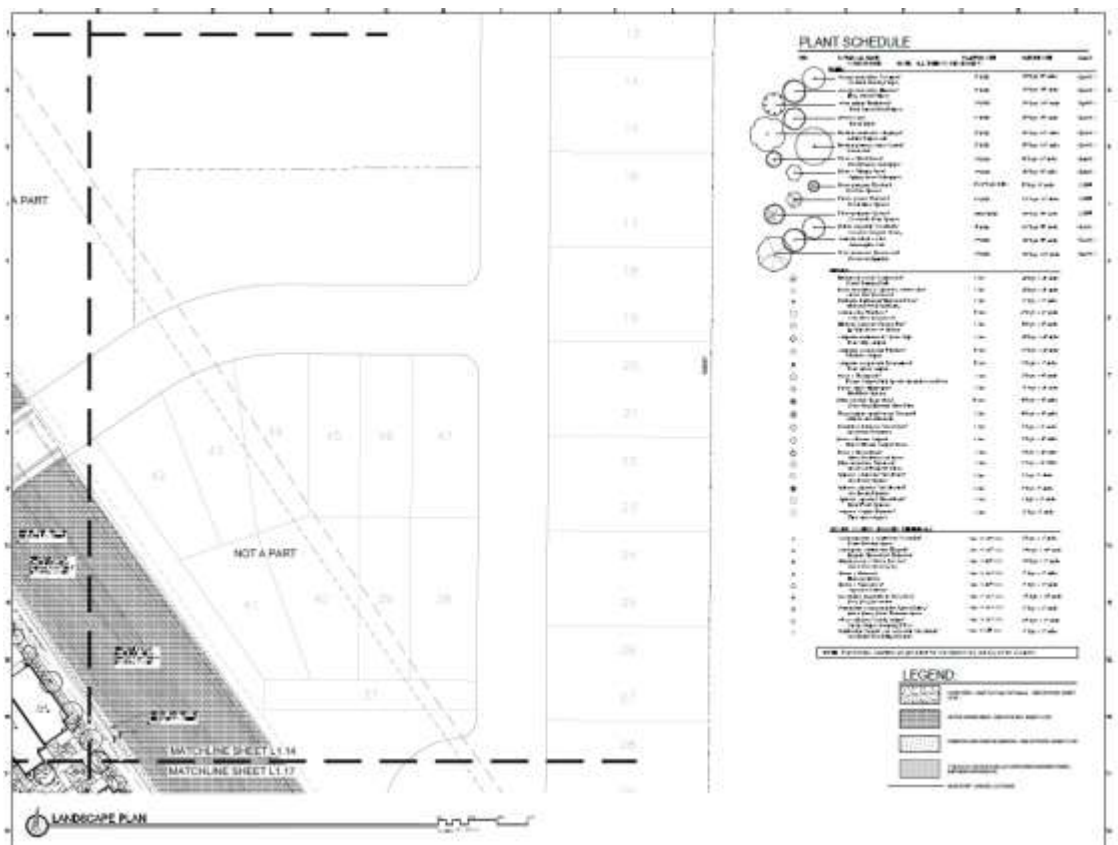






**LANDSCAPE PLAN**  
 Pass Via Ridge Road, Middlesex, MA  
 8700 N. Lake Street, Middlesex, MA

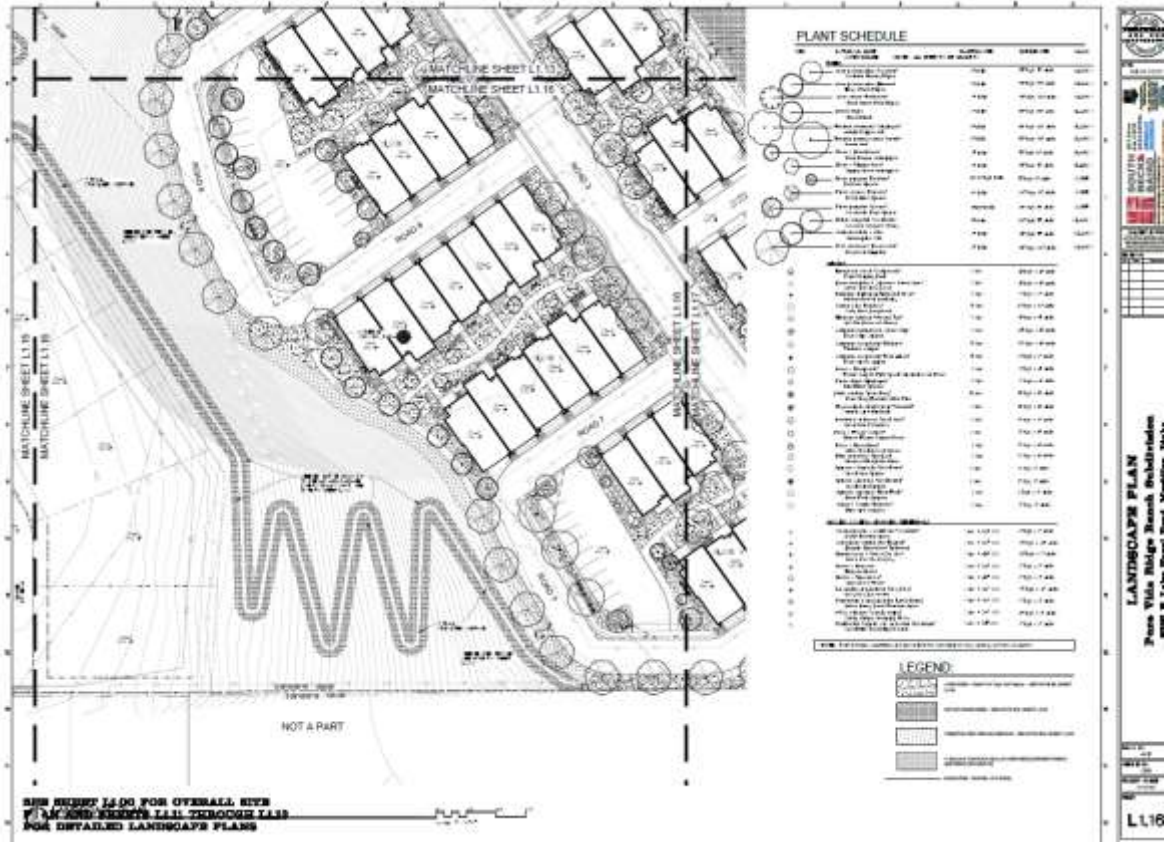
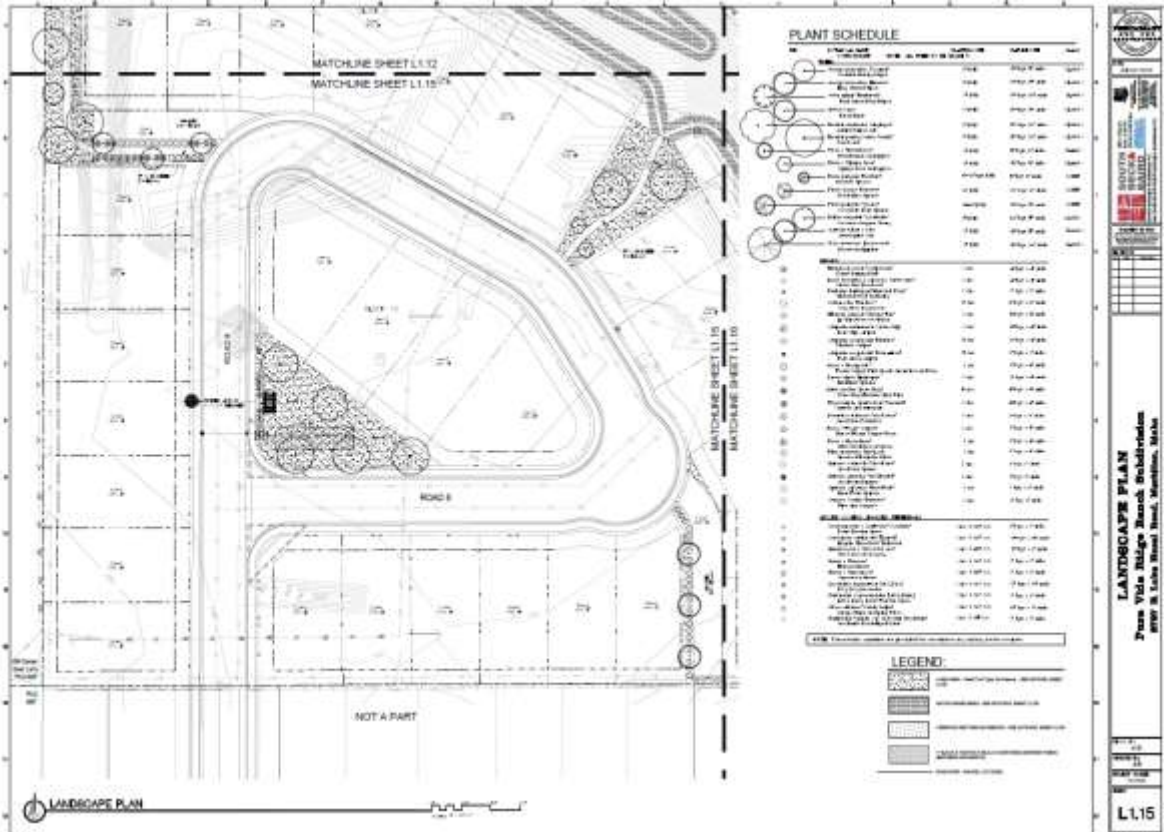
L1.13



**LANDSCAPE PLAN**  
 Pass Via Ridge Road, Middlesex, MA  
 8700 N. Lake Street, Middlesex, MA

L1.11









**D. Qualified Open Space Exhibit**



**OPEN SPACE CALCULATIONS**

**COMMON LOTS & BUFFERS**

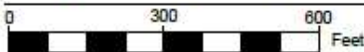
	ACTUAL AREA (SF)	QUALIFIED OPEN SPACE CREDIT	QUALIFIED OPEN SPACE AREA (SF)
HALF OF 35-FOOT E. LAKE HAZEL RD. BUFFER (11-3G-3.B.4)	6,386	100%	6,386
20-FOOT LINEAR MEWS (11-3G-3.B.1.E)	50,098	100%	56,273
OPEN SPACE (50' X 100' MIN.) (11-3G-3.B.1.A)	150,323	100%	150,323
OPEN SPACE RIDGE FACE - NON QUALIFIED	170,610	0%	-
OPEN SPACE - OTHER NON QUALIFIED	65,450	0%	-
SHARED DRIVEWAYS	28,867	0%	-
<b>TOTAL OPEN SPACE</b>	<b>471,734 SF</b>		<b>212,982 SF</b>

<b>QUALIFIED OPEN SPACE PROVIDED:</b>	<b>212,982 SF</b>
	<b>18.57%</b>

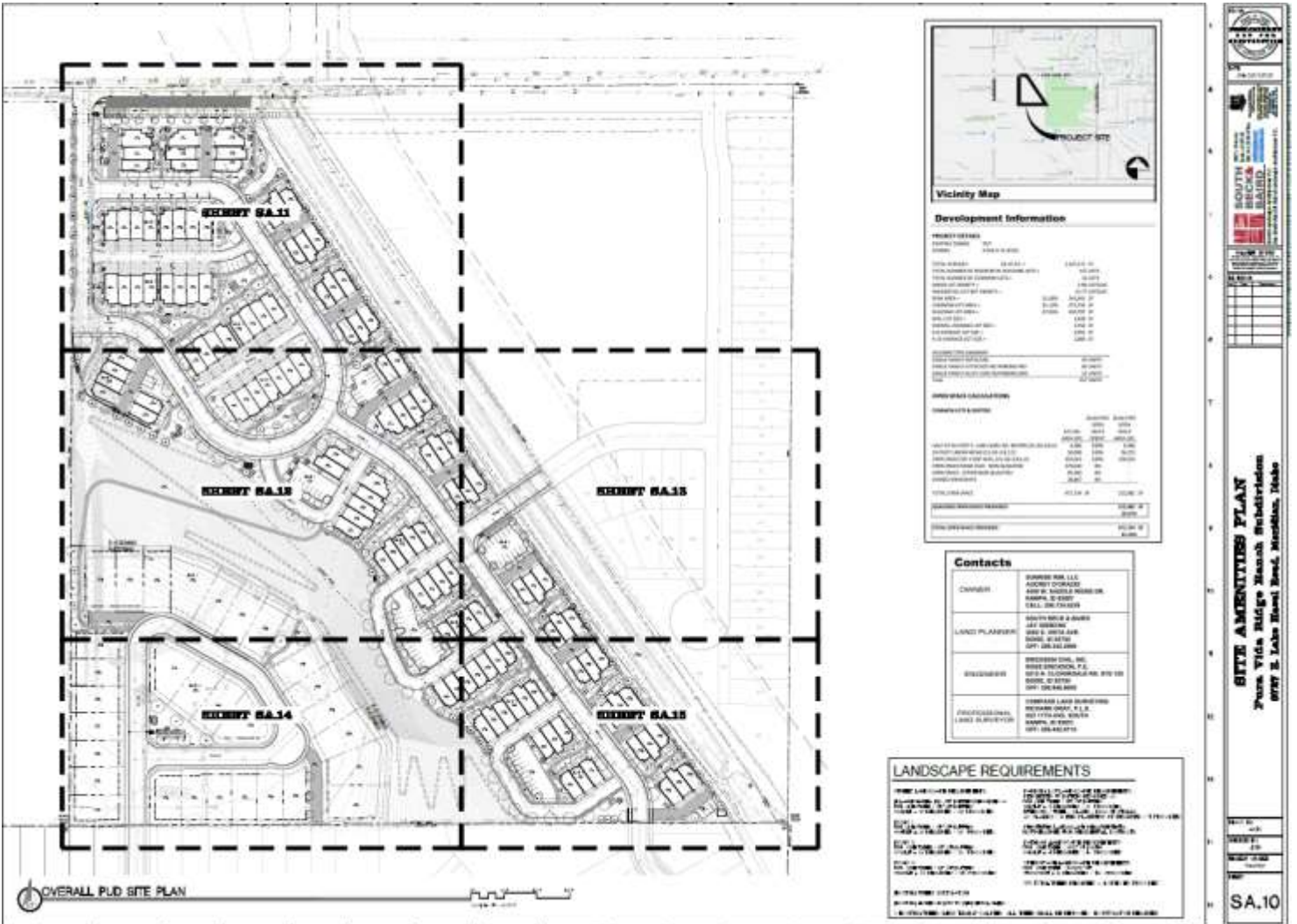
<b>TOTAL OPEN SPACE PROVIDED:</b>	<b>471,734 SF</b>
	<b>41.12%</b>



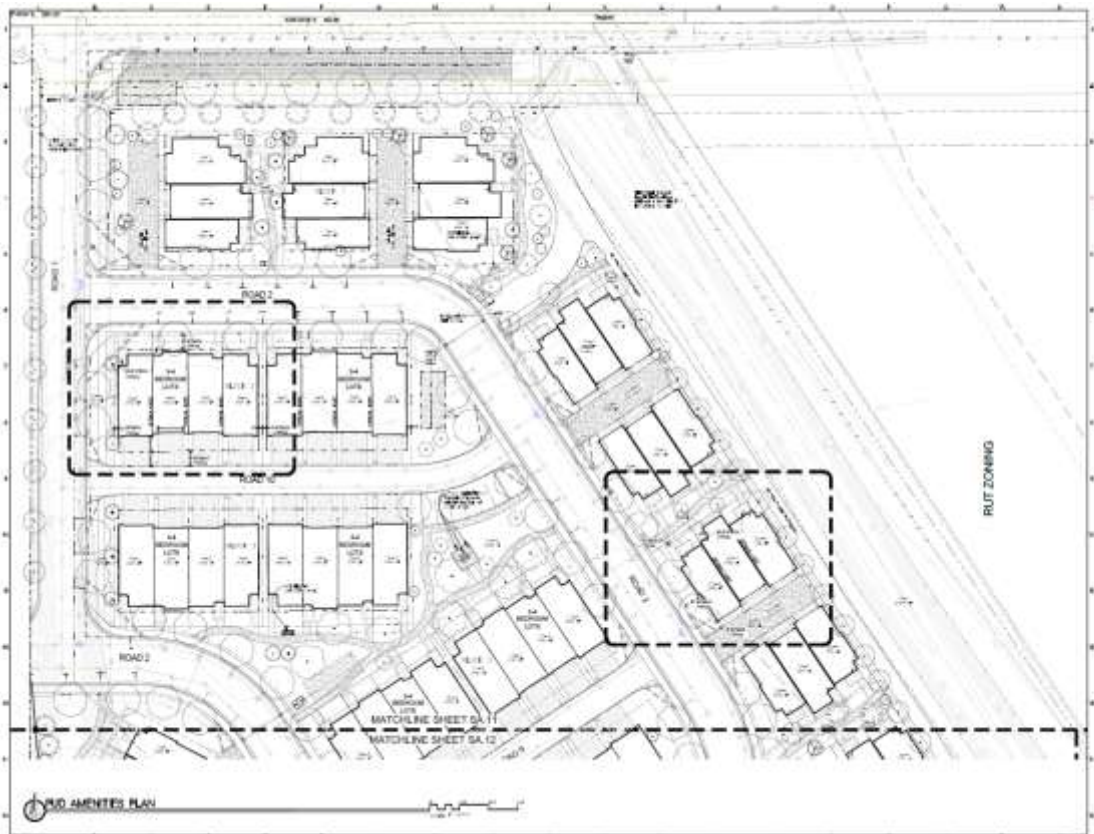
**Open Space & Site Coverage Plan**



### E. Planned Unit Development Site Amenities Plan (date: 4/30/2020)







**SITE AMENITIES PLAN**  
 Penn Vista Ridge Ranch Subdivision  
 4000 E. Lake Street Blvd., Washburn, Idaho

SA.11



**SITE AMENITIES PLAN**  
 Penn Vista Ridge Ranch Subdivision  
 4000 E. Lake Street Blvd., Washburn, Idaho

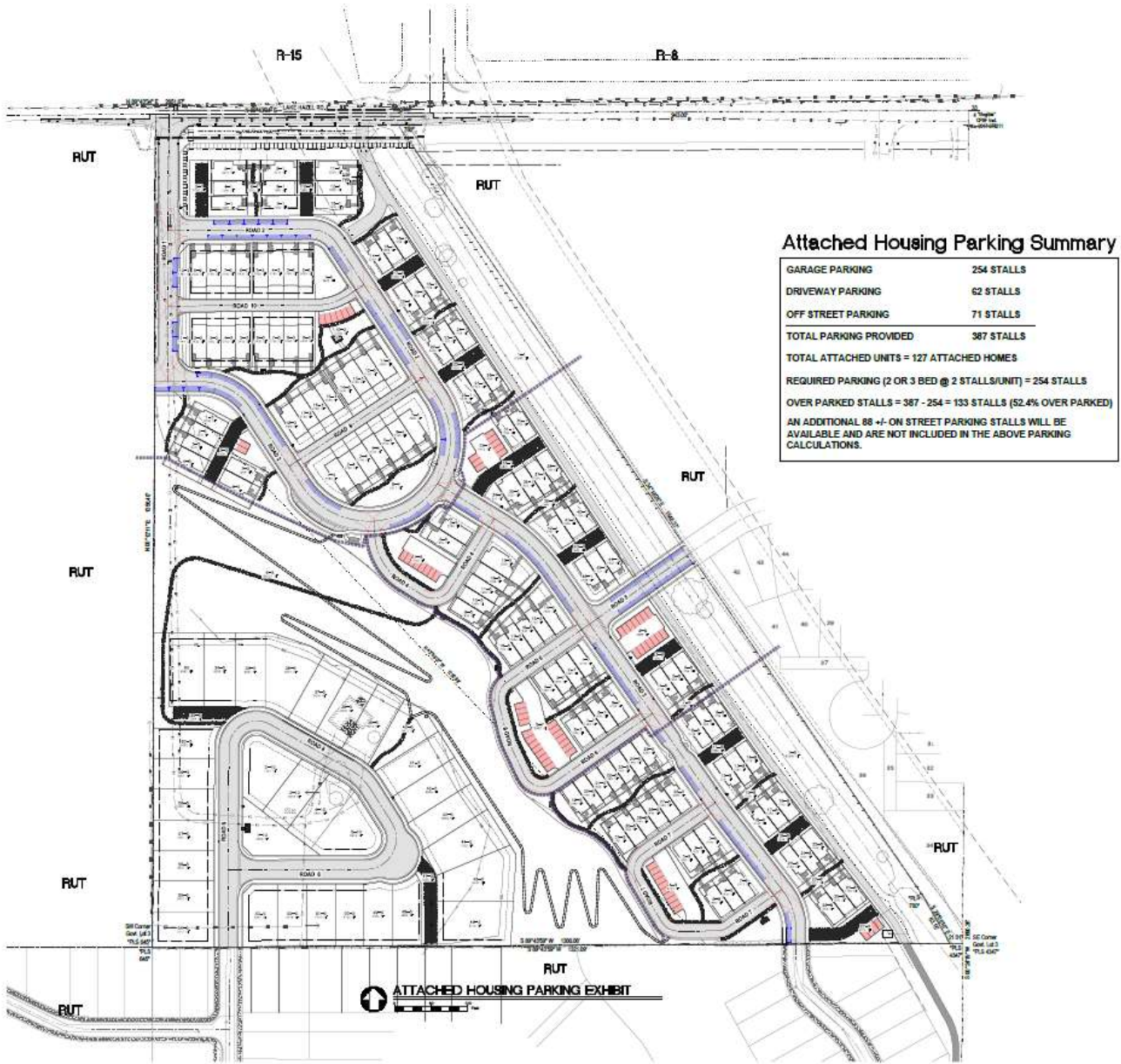
SA.12







### F. Parking Exhibit



811  
 4040 WEST CHERRY  
 48-10123  
 800-855-8888  
 2-000-000-0000

SEANISSE TPA, LLC  
 48-10123  
 1000 WEST CHERRY  
 48-10123

10813

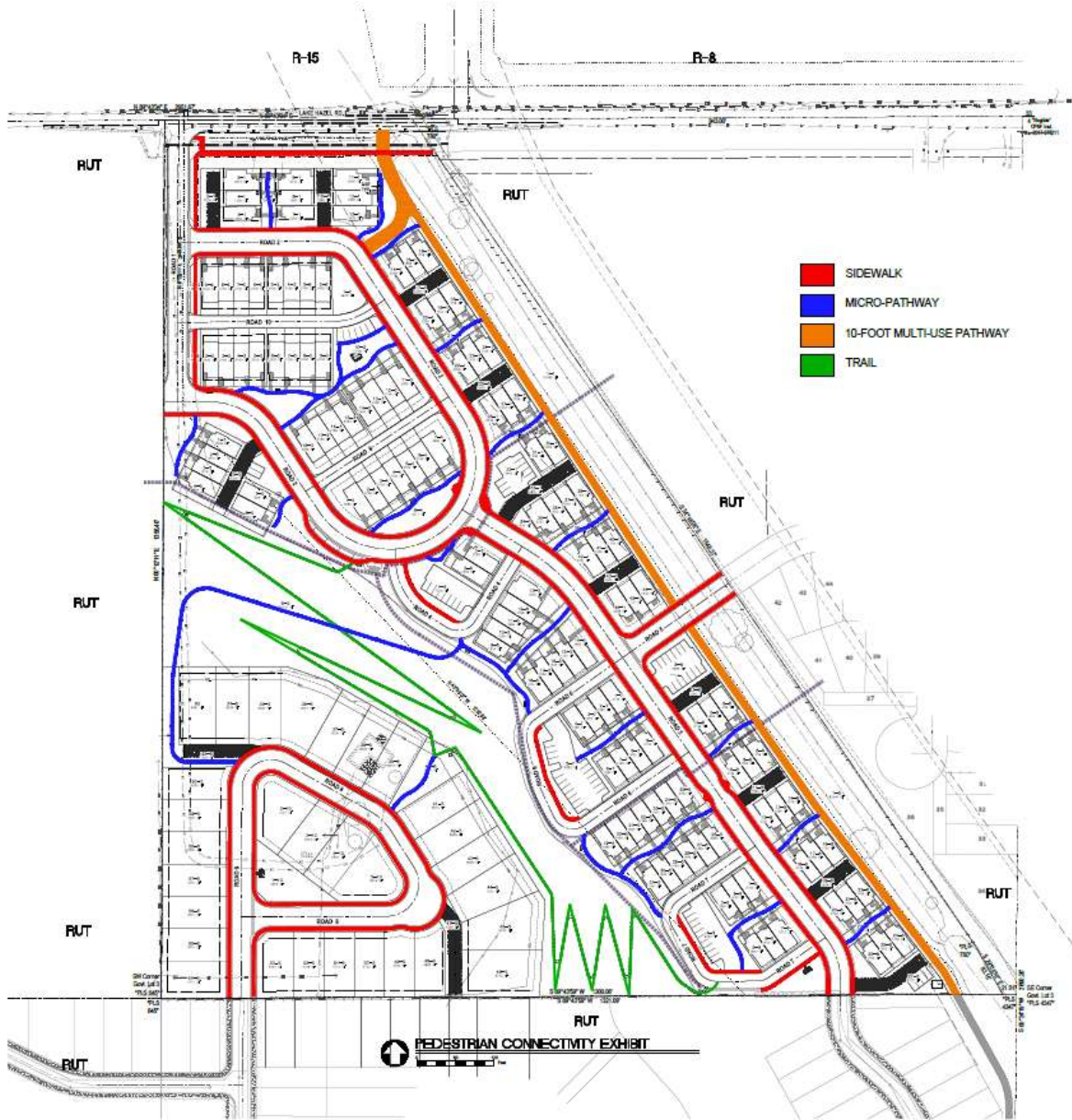
ATTACHED HOUSING PARKING EXHIBIT

IDB 190556

**P.1**



### G. Pedestrian Connectivity Plan



811  
 CONTACT CENTER  
 24-HOUR  
 SERVICE CENTER  
 1-800-455-8111

STATE OF OHIO  
 DEPARTMENT OF TRANSPORTATION  
 DIVISION OF HIGHWAY LOCATION & DESIGN

10813

PROJECT: PEDESTRIAN CONNECTIVITY EXHIBIT  
 SHEET: P.2

DATE: 10/13/13  
 DRAWN BY: [Name]  
 CHECKED BY: [Name]  
 IN CHARGE: [Name]

### H. Building Elevations (date: 4/30/2020) & Perspective Views

Perspective view of development:

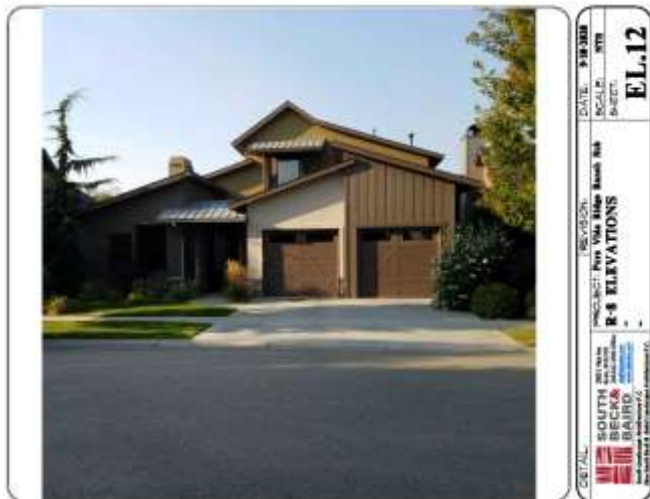


Perspective View of Entrance:





Single-family detached units:



Townhome units:







DATE: 4-30-2020  
 SCALE: NTS  
 SHEET: EL.07  
 PROJECT: Park Vista Ridge Ranch Sub  
 ELEVATIONS  
 SOUTH BECK & BAIRD  
 1000 S. 10th Street, Suite 100, Lincoln, NE 68502  
 TEL: 402.476.1234 FAX: 402.476.1235  
 WWW.SOUTHBECKANDBAIRD.COM



DATE: 4-30-2020  
 SCALE: NTS  
 SHEET: EL.08  
 PROJECT: Park Vista Ridge Ranch Sub  
 ELEVATIONS  
 SOUTH BECK & BAIRD  
 1000 S. 10th Street, Suite 100, Lincoln, NE 68502  
 TEL: 402.476.1234 FAX: 402.476.1235  
 WWW.SOUTHBECKANDBAIRD.COM



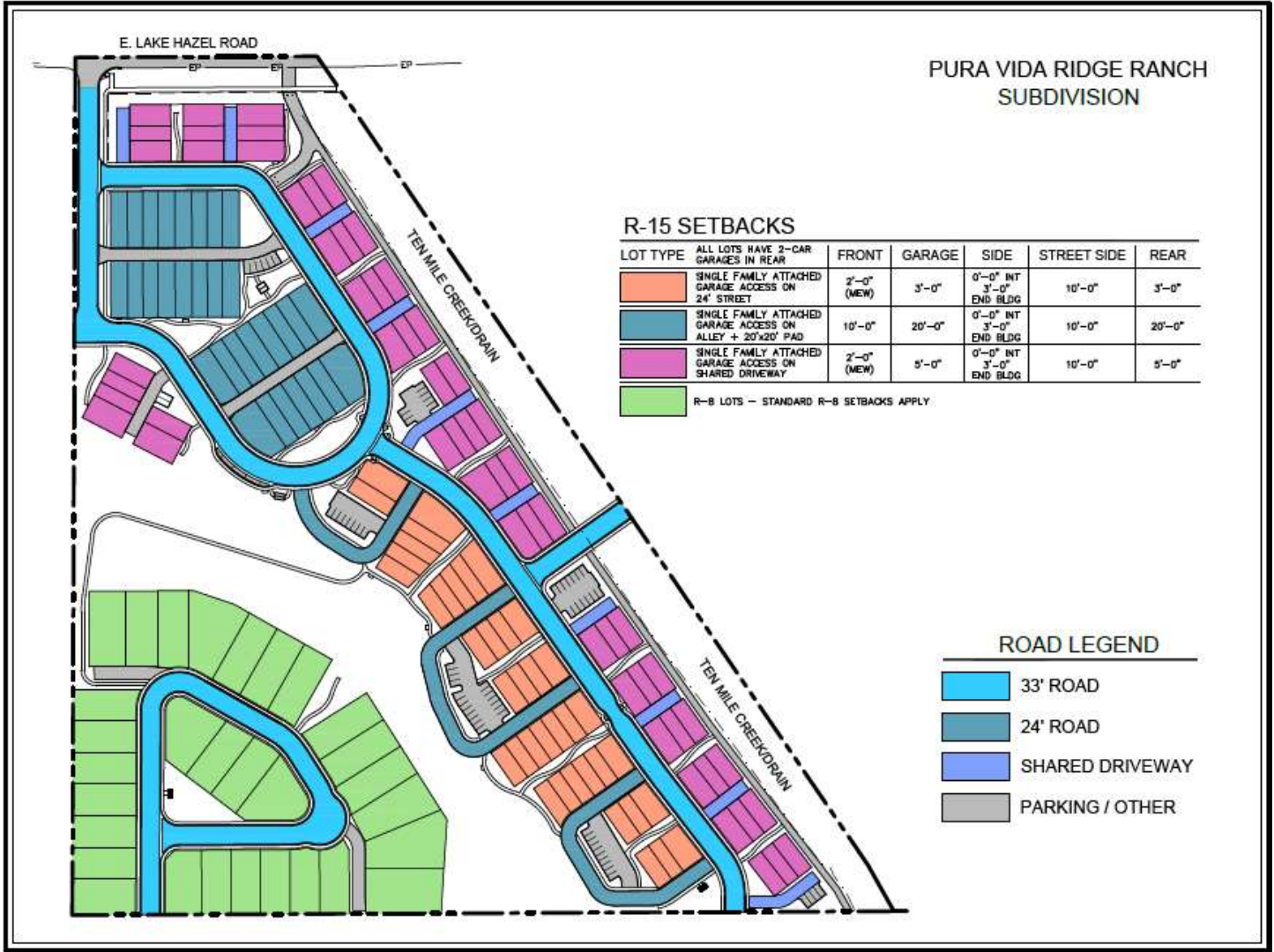
DATE: 4-30-2020  
 SCALE: NTS  
 SHEET: EL.09  
 PROJECT: Park Vista Ridge Ranch Sub  
 ELEVATIONS  
 SOUTH BECK & BAIRD  
 1000 S. 10th Street, Suite 100, Lincoln, NE 68502  
 TEL: 402.476.1234 FAX: 402.476.1235  
 WWW.SOUTHBECKANDBAIRD.COM



DATE: 4-30-2020  
 SCALE: NTS  
 SHEET: EL.010  
 PROJECT: Park Vista Ridge Ranch Sub  
 ELEVATIONS  
 SOUTH BECK & BAIRD  
 1000 S. 10th Street, Suite 100, Lincoln, NE 68502  
 TEL: 402.476.1234 FAX: 402.476.1235  
 WWW.SOUTHBECKANDBAIRD.COM

Note: No elevations were submitted for the single-family 2-attached units – the Applicant states they will look like two end units of the 3+ unit attached buildings put together back to back. The end units have a kick out on the front corner as shown on townhome elevation #4.

I. Reductions to Dimensional Standards in UDC Table 11-2A-7 for the R-15 District



**IX. CITY/AGENCY COMMENTS & CONDITIONS**

**A. PLANNING DIVISION**

**To ensure quality of development within the PUD, Staff recommends design guidelines are submitted for the overall development to be included in the Development Agreement that promote innovative design that creates visually pleasing and cohesive patterns on development in accord with UDC 11-7-1; these guidelines shall be submitted at least 10 days prior to the City Council hearing.**

**Annexation & Zoning:**

- 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, site plan, qualified open space exhibit, site amenity exhibit and conceptual building elevations included in Section VIII and the provisions contained herein.
- b. The design of all structures in the subdivision shall comply with the design standards listed in the Architectural Standards Manual (ASM). An application for Design Review shall be submitted and approved prior to submittal of building permit applications.
- c. The Ten Mile Creek shall remain open as a natural amenity and shall be improved and protected with development of the subdivision in accord with UDC 11-3A-6.
- d. A wildfire safety plan shall be submitted and approved by the Fire Department prior to approval of the first final plat for the subdivision. A copy of the approved plan shall be included in the Covenants, Conditions and Restrictions for the subdivision.

**Preliminary Plat:**

- 2. The preliminary plat included in Section VIII.B, dated August 24, 2020, is approved as submitted.
- 3. The landscape plan included in Section VIII.C, dated April 30, 2020, shall be revised as follows:
  - a. Depict bushes within the buffer along E. Lake Hazel Rd. in accord with UDC 11-3B-7C.3.
  - b. Depict fencing abutting pathways and common open space lots to distinguish common from private areas per the standards listed in UDC 11-3A-7A.7; include a detail of the proposed fence.
  - c. Depict a minimum 30-foot wide (may be increased to account for steep topography) defensible space extending out from any part of adjacent structures to the hillside in accord with Fire Dept. comments in Section IX.C. Hazardous and fire-prone vegetation shall be prohibited in this area and only fire resistant plants should be utilized for landscaping in this area.
  - d. Depict fencing along the Ten Mile creek to prevent access and preserve public safety in accord with the standards listed in UDC 11-3A-6C, unless otherwise waived by City Council.
- 4. The existing home shall be removed prior to the City Engineer’s signature on the final plat for the phase in which it is located (i.e. Phase 4).



5. Submit a 14-foot wide public pedestrian easement for the multi-use pathway along the east boundary of the site adjacent to the Ten Mile Creek to the Planning Division prior to submittal of the final plat for City Engineer signature as required by the Park's Department.
6. For lots accessed via common/shared driveways, an exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope and orientation of the lots and structures. Driveways for abutting properties that aren't taking access from the common driveway(s) shall be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.
7. A perpetual ingress/egress easement for the common driveway(s) is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the easement shall be submitted to the Planning Division prior to signature on the final plat. *This easement(s) may be depicted on the final plat with a note rather than as a separate recorded easement.*
8. All common driveways shall comply with the standards listed in UDC 11-6C-3D.
9. All alleys shall comply with the standards listed in UDC 11-6C-3B.5.
10. The Applicant shall coordinate with Terri Ricks, Land Development, and Joe Bongiorno, Fire Dept., for addressing lots accessed by alleys and common driveways without frontage on a public street. Address signage for wayfinding purposes shall be provided at the public street for homes accessed by alleys and common driveways.
11. A floodplain development permit shall be obtained prior to construction for any development within the floodplain.
12. "No Parking" signs shall be erected on both sides of the 24-foot wide street sections (i.e. Roads 4, 6 and 7) and at the alley/street intersections (i.e. Roads 9 and 10).
13. A recorded copy of the Covenants, Conditions and Restrictions that includes a copy of the wildfire safety plan approved by the Fire Dept. shall be submitted with the first final plat application; a note referencing such shall be included on each final plat.

**Planned Unit Development (PUD):**

14. The dimensional standards in the R-15 zoned portion of the development shall be consistent with the exhibit in Section VIII.I.
15. A minimum of 80 square feet of private, usable open space shall be provided for each dwelling unit; this requirement can be satisfied through porches, patios, decks and enclosed yards as set forth in UDC 11-7-4B.
16. The parking pads for individual lots shall be revised to be 20' x 20' in accord with UDC Table 11-3C-6.
17. An exception was approved to UDC 11-3A-17D, which requires sidewalks to be constructed on both sides of all public streets, to only require sidewalks along the east sides of the 24' wide street sections (i.e. Roads 4, 6 and 7) adjacent to the parking areas as depicted on the Pedestrian Connectivity Plan in Section VIII.G *and* as required by ACHD (i.e. extend the sidewalks on the east sides of Roads 4 and 6 along the entire common lot/parking area).
18. An exception was approved to UDC 11-3B-12C, which requires landscaping to be provided along both sides of all pathways, to *not* require landscaping along the concrete pathway in the unimproved hillside/slope area on Lot 8, Block 5.

19. An exception was approved to UDC 11-6C-3B.4 (cul-de-sacs) and 11-6C-3F (block face), to allow the face of Block 8 and the cul-de-sac (Road 3) to exceed the maximum length standards as proposed.

## **B. PUBLIC WORKS**

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

- 1.1 Sanitary sewer and water mainlines are not allowed in the common driveways serving three or fewer lots. In these cases, service lines shall be extended from the mainlines in the adjacent public roadway. If the common driveway serves four or more lots, a sewer mainline will be allowed in the driveway, however it shall be private and will be the responsibility of the HOA to maintain. A manhole will be required at the common drive property boundary with the word "Private" on the lid.
- 1.2 Remove services located along "Road 7" and add sewer main.
- 1.3 Do not extend the sewer main to the west property boundary, as parcel S1404223251 is in a different sewer service area.
- 1.4 The water mainline at the southwest corner must be connected at the bottom of the hill to the rest of the subdivision.
- 1.5 The secondary water connection must be completed in phase two, either through the adjacent church property to E. Lake Hazel Rd, OR through the property to the south to S Eagle Rd. This condition reflects MFD's requirement stated on the phasing plan submitted with this record
- 1.6 Manholes cannot be located in landscaped areas unless they are located within an access road per City standards are provided.
- 1.7 A Floodplain Development Permit is required to be in place for this development. A flood study has previously been completed. Culvert at Lake Hazel must be replaced as designed before building on lots in floodplain. Structures will require floodplain permits until LOMR is effective.
- 1.8 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards.
- 1.9 The geotechnical investigative report prepared by MTI (Materials Testing & Inspection) dated July 16, 2019, and updated April 1, 2020, indicates some fairly shallow groundwater and soils concerns, and specific construction considerations and recommendations. Groundwater monitoring of the Northeastern (lower) portion of the site indicates that the groundwater levels fluctuate due to influence of Ten Mile Creek. For these reasons, homes constructed in the northeastern (lower) portion of the site shall be slab on grade construction. The applicant shall be responsible for the strict adherence of the MTI considerations and recommendations to help ensure that homes are constructed upon suitable bearing soils, and that groundwater does not become a problem for the new homes.
- 1.10 Due to the elevation differentials in this development, the applicant shall be required to submit an engineered master grading and drainage plan for approval by the Community Development Department prior to development plan approval. This plan shall establish, at a minimum; the finish floor elevation for each building lot, the finish grade elevations of the rear lot corners, the drainage patterns away from each building pad, the drainage patterns of the overall blocks, and any special swales or subsurface drainage features necessary to control and maintain storm water drainage. Applicant's engineer shall consult the 2012 International Residential Code when establishing the finish floor elevations and drainage patterns away from the building pads.

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

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 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 existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.

- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at [http://www.meridiancity.org/public\\_works.aspx?id=272](http://www.meridiancity.org/public_works.aspx?id=272).
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

#### **C. FIRE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=194384&dbid=0&repo=MeridianCity>

**D. POLICE DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191277&dbid=0&repo=MeridianCity>

**E. PARK'S DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=194261&dbid=0&repo=MeridianCity>

**F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192101&dbid=0&repo=MeridianCity>

**G. NAMPA & MERIDIAN IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192042&dbid=0&repo=MeridianCity>

**H. BOISE PROJECT BOARD OF CONTROL**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191332&dbid=0&repo=MeridianCity>

**I. NEW YORK IRRIGATION DISTRICT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190971&dbid=0&repo=MeridianCity>

**J. CENTRAL DISTRICT HEALTH DEPARTMENT**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191387&dbid=0&repo=MeridianCity>

**K. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)**

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191392&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=194214&dbid=0&repo=MeridianCity>

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=194048&dbid=0&repo=MeridianCity>

**X. FINDINGS**

**A. Annexation & Zoning (UDC 11-5B-3E)**

Required Findings: Upon recommendation from the commission, the council shall make a full investigation and shall, at the public hearing, review the application. In order to grant an annexation and/or rezone, the council shall make the following findings:

1. The map amendment complies with the applicable provisions of the comprehensive plan;

*Staff finds the proposed annexation with R-8 and R-15 zoning and proposed development is generally consistent with the MHDR FLUM designation in the Comprehensive Plan. (See section V above for more information.)*

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



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

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

*Staff finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed medium density residential uses should be compatible with adjacent existing rural residential and future medium and medium-high density residential uses.*

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

*Staff finds City services are available to be provided to this development. The school district submitted comments stating that the enrollment capacity at the middle and high schools is currently at and over capacity respectively; elementary school students can be accommodated at Silver Sage until a new school is built to eliminate overcrowding at Hillsdale.*

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 Findings:**

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

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

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

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

*Staff finds that public services will be provided to the subject property upon 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 IX 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 finds the proposed development preserves the natural topography (i.e. hillside) and Ten Mile Creek on this property.*

### **C. PLANNED UNIT DEVELOPMENT (UDC 11-7-5):**

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 a planned development request, the Council shall make the following findings:

1. The planned unit development demonstrates exceptional high quality in site design through the provision of cohesive, continuous, visually related and functionally linked patterns of development, street and pathway layout, and building design.

*Staff finds the proposed PUD demonstrates a high quality of design through cohesive design elements and design guidelines for the development and the many pathways and roadways link the development together.*

2. The planned unit development preserves the significant natural, scenic and/or historic features.

*Staff finds the proposed PUD preserves the natural topography (i.e. hillside) and the Ten Mile Creek on this property.*

3. The arrangement of uses and/or structures in the development does not cause damage, hazard, or nuisance to persons or property in the vicinity.

*Staff finds the proposed use and development of this property will not cause damage, hazard or nuisance to persons or property in the vicinity.*

4. The internal street, bike and pedestrian circulation system is designed for the efficient and safe flow of vehicles, bicyclists and pedestrians without having a disruptive influence upon the activities and functions contained within the development, nor place an undue burden upon existing transportation and other public services in the surrounding area.

*Staff finds the internal local streets should provide for safe internal access to homes within the development and proposed pathway network will provide a safe bicycle and pedestrian route to adjacent residential developments and the Hillsdale elementary school and YMCA to the north.*

5. Community facilities, such as a park, recreational, and dedicated open space areas are functionally related and accessible to all dwelling units via pedestrian and/or bicycle pathways.

*Staff finds the proposed common areas and multi-use pathway amenity along the creek are functionally related to the site design and accessible to all residents through the many pathways and sidewalks provided within the development.*

6. The proposal complies with the density and use standards requirements in accord with [chapter 2](#), "District Regulations", of this title.

*Staff finds the proposed residential uses and density complies with the guidelines for PUD's and the MHDR FLUM designation for this site.*

7. The amenities provided are appropriate in number and scale to the proposed development.

*Staff finds the proposed pedestrian amenities as well as the shade structures, tables and benches are appropriate for this development and will facilitate an active lifestyle for area residents.*

8. The planned unit development is in conformance with the comprehensive plan.  
*Staff finds the proposed PUD is in general conformance with the Comprehensive Plan.*