



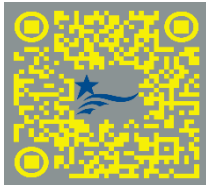
PLANNING AND ZONING COMMISSION MEETING

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

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Agenda

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



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

VIRTUAL MEETING INSTRUCTIONS

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

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

Webinar ID: 891 5392 1862

ROLL-CALL ATTENDANCE

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

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the September 15, 2022 Planning and Zoning Commission Meeting](#)
2. [Findings of Fact, Conclusions of Law for Brightstar Overland \(H-2022-0061\) by Hatch Design Architecture, located at 2940 E. Overland Rd.](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

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

Applicant Requires an Extension

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

- 4. Public Hearing** for Creek View Park (H-2022-0022) by HLE Engineering, Inc., located at 942 S. Wells Street and 2920 E. Freeway Drive, approximately a quarter mile west of Eagle Rd. directly north of the I84 Interstate on-ramp from Eagle Rd.

Application Withdrawn

- A. Request: Annexation and Zoning of approximately 10.35 acres of land from RUT to the requested C-G zoning district.
- B. Request: Rezone of approximately 6 acres from the L-O zoning district to the C-G zoning district.
- C. Request: Conditional Use Permit for a multi-family project consisting of 28 units on approximately 2.85 acres of land within the 6 acre parcel in the existing L-O zoning districts.

- 5. Public Hearing** for Slatestone Subdivision (H-2022-0039) by T-O Engineers, located at 2707 S. Stoddard Rd.

Application Materials: <https://bit.ly/H-2022-0039>

- A. Request: Annexation and Zoning of 5.04 acres of land with a request for the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 15 single-family building lots and 4 common lots on 4.85 acres in the requested R-8 zoning district.

- 6. Public Hearing** for AMI Tower at Well 29 (H-2022-0052) by City of Meridian, located at 6355 W. Quintale Dr., directly west of Oaks West Subdivision No. 1

Application Materials: <https://bit.ly/H-2022-0052>

- A. Request: Conditional Use Permit for a 100-foot lattice designed communication tower for the City of Meridian Water Department on an existing City of Meridian Well site on approximately 0.45 acres of land in the R-8 zoning district.

- 7. Public Hearing** for Allure Subdivision (H-2022-0050) by Schultz Development, LLC., located at 5385 S. Meridian Rd., directly north of the half-mile mark on the west side of Meridian Rd. between E. Amity and E. Lake Hazel Rds.

Application Materials: <https://bit.ly/H-2022-0050>

A. Request: Rezone 39.39 acres of land from the R-4 to the TN-R zoning district.

B. Request: Preliminary Plat consisting of 226 single-family building lots and 36 common lots on 37.34 acres in the requested TN-R zoning district.

C. Request: Development Agreement Modification to terminate the existing agreement (Inst. #2016-007091) for the purpose of entering into a new agreement consistent with the proposed project and plat.

8. **Public Hearing** for Sessions Parkway (H-2022-0046) by KM Engineering, LLP. located at 2700 N. Eagle Rd.

Application Materials: <https://bit.ly/H-2022-0046Sessions>

A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project.

B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the September 15, 2022 Planning and Zoning Commission Meeting

Meridian Planning and Zoning Meeting

September 15, 2022.

Meeting of the Meridian Planning and Zoning Commission of September 15, 2022, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Patrick Grace, Commissioner Maria Lorcher, and Commissioner Mandi Stoddard.

Members Absent: Commissioner Steven Yearsley and Commissioner Nate Wheeler.

Others Present: Chris Johnson, Joy Hall, Kurt Starman, Bill Parsons, and Dean Willis.

ROLL-CALL ATTENDANCE

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

Seal: Good evening. Welcome to the Planning and Zoning Commission meeting for September 1st, 2020 -- sorry. September 15th. Copy and paste got me again. September 15th, 2022. At this time I would like to call the meeting to order. The Commissioners who are present for this evening's meeting are at City Hall and on Zoom. We also have staff from the City Attorney and Clerk's offices, as well as the City Planning Department. If you are joining us on Zoom this evening we can see that you are here. You may observe the meeting. However, your ability to be seen on -- to be seen on screen and talk will be muted. During the public testimony portion of the meeting you will be unmuted and, then, be able to comment. Please note that we cannot take questions until the public testimony portion. If you have a process question during the meeting, please, e-mail cityclerk@meridianty.org and they will reply as quickly as possible. If you simply want to watch the meeting we encourage you to watch the streaming on the city's YouTube channel. You can access that at meridianty.org/live. With that let's begin with the roll call. Madam Clerk.

ADOPTION OF AGENDA

Seal: Thank you very much. Okay. The first item on the agenda is the adoption of the agenda. For reference Cobalt Point Apartments, file number H-2022-0042; Slatestone Subdivision, file number H-2022-0039, and Kingstown Subdivision, file number H-2022-0045, will be open for the sole purpose of continuing to a regularly scheduled meeting. They will open only for that purpose. So, if there is anybody here tonight to testify for these applications we will not be taking testimony on them. Can I get a motion to adopt the agenda?

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to adopt the agenda. All in favor, please, say aye. None opposed, so motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

CONSENT AGENDA [Action Item]

1. Approve Minutes of the September 1, 2022 Planning and Zoning Commission Meeting

Seal: Next item on the agenda is the Consent -- the Consent Agenda and we have one item on the Consent Agenda, which is the minutes of the September 1st, 2022, Planning and Zoning Commission meeting. Can I get a motion to accept the Consent Agenda as presented?

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to adopt the Consent Agenda. All in favor say aye. No opposed. Motion carries.

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

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Seal: All right. So, we will move forward with the public hearing process. At this time I would like to briefly explain the public hearing process. We will open each item individually and begin with the staff report. Staff will report their findings on how the item adheres to the Comprehensive Plan and Unified Development Code. After staff has made their presentation the applicant will come forward to present their case and respond to staff comments. They will have 15 minutes to do so. After the applicant is finished we will open the floor to public testimony. Each person will be called on only once during public testimony. The Clerk will call the names individually of those who have signed up on our website in advance to testify. You will, then, be unmuted in Zoom or you can come forward in Chambers to the microphones and you will need to state your name and address for the record and you will have three minutes to address the Commission. If you have previously sent pictures or a presentation for the meeting, it will be displayed on the screen -- the screen and you can run the presentation or the Clerk can run the presentation. If you have established that you are speaking on behalf of a larger group, like an HOA, where others from that group will allow you to speak on their behalf, you will have up to ten minutes. After all those who signed up in advance have spoken, we will

invite any others to testify. If you wish to speak on the topic you can come forward in Chambers, press the raise hand button in the Zoom app. If you are listening on the phone press star nine and wait for your name to be called. If you are listening on multiple devices, such as a computer and a phone, please, be sure to mute those extra devices, so we do not experience feedback and we can hear you clearly. When you are finished, if the Commission does not have questions for you you will return to your seat in Chambers or be muted on Zoom. You will no longer have the ability to speak. And, please, remember we will not call on you a second time. After all testimony has been heard the applicant will be given another ten minutes to come back and respond. When the applicant is finished responding to questions and concerns we will close the public hearing and the Commissioners will have the opportunity to discuss and hopefully be able to make final decisions or recommend -- recommendations to the City Council as needed.

ACTION ITEMS

- 2. Findings of Facts, Conclusions of Law for Denial of Bridgetower Multi-Family (H-2022-0047) by Alpha Development Group, located at S0427438410 on the north side of W. McMillan Rd. between N San Vito Way and N. Vicenza Way, near the northwest corner of N. Ten Mile Rd. and W. McMillan Rd.**

Seal: So, with that said, at this time I would like to open -- well, actually, I would like to vote on the Findings of Facts and Denial for Bridge -- of the denial for Bridgetower Multi-family, conditional use permit, file number H-2022-0047. We have had -- some of us were able to vote on this as it came through the regularly scheduled meeting. Now, if -- Commissioner Grace, if you have reviewed the process and are ready to vote you can or you can also abstain.

Grace: Mr. Chairman, can I get a clarification on what we voted for previous -- previously at this meeting? We voted on the agenda; correct?

Seal: We voted --

Grace: We did not vote on the minutes from the September 1st meeting; is that accurate?

Seal: Sorry. Can you repeat that? Are you asking about this file specifically or are you asking about what we already covered?

Grace: I'm asking what we already covered under the Consent Agenda. Did we vote for the agenda or did we vote for adoption of the minutes from September 1st?

Seal: Adoption -- adoption of the minutes from the -- from the 1st.

Grace: Okay. And I asked the question, because -- perhaps I misheard you. I am prepared for this agenda item to abstain, because I have not reviewed those minutes and so it hardly seems logical that I would vote to approve the minutes in the earlier vote if I'm

abstaining from this one. So, I feel like maybe I was confused. It was my fault. I didn't know we were voting on the minutes. I thought we were voting on the agenda.

Seal: Understood.

Starman: So, Mr. Chairman, I think with the consent of the Chair and the Commission, we can have the clerk record your vote as an abstention relative to the minutes, if that's your desire and if your Commission -- fellow Commissioners are amenable to that -- is that okay? So, we will reflect Commissioner Grace's vote on the consent calendar as an abstention and so it passes three zero with one abstention.

Grace: Right. I just -- for clarification I just want to make sure, because I am prepared to abstain on this particular item, because I have not had a chance to look at the minutes. So, it hardly seems right that I would have approved the minutes of -- I mean I guess I could approve them based on, you know, administrative accuracy. I just haven't reviewed them.

Seal: Understood.

Starman: Mr. Chairman and Commissioner Grace, I guess my recommendation, particularly with your comment that you have not yet had an opportunity to review them, I think an abstention would be appropriate. So, I think that's -- that would be a -- a wise way to approach it.

Grace: I agree and that's my intent.

Starman: And, Mr. Chairman, perhaps just with a -- a minute or two more context for Item 2, which is before the Commission currently. So, this -- this is somewhat perfunctory in the sense that this would -- typically findings of this nature would typically be on your consent calendar with no discussion at all and just for clarity, this is not a public hearing this evening. No public testimony is permitted. This is really just an action item up or down vote for the Commission. The reason it is on the regular calendar, instead of the Consent Agenda, however, is because at the September 1st, 2022, meeting Chairman Seal abstained from voting on this particular item and so we thought that he may or may not want to do that again this evening and so by having it on the regular agenda that gives Commissioner -- or Chairman Seal the opportunity to do so and, then, exactly the issue we talked about a moment ago, we were mindful that we would have likely one or more Commissioners present tonight that were not present on September 1st and so to the extent any of those Commissioners wanted to vote on this item, we just wanted to make sure that the record showed that that Commissioner had reviewed the minutes and was prepared to vote. At that -- that point is academic at this time, because the only Commissioner that fits that description is Commissioner Grace and he's indicated he does intend to abstain. So, really, my recommendation for the -- to the board -- or to the Commission tonight would be -- I would ask for a motion to approve the findings as presented and I would just ask for a simple yes or no vote on that.

Seal: Okay. Thank you much. And with that we will -- just a vote? I was going to say that -- what's that? Right. And so we need a motion to approve the Findings of Facts for the denial of the Bridgetower Multi-family CUP, H-2022-0047. And, Madam Clerk, do you want to call the roll for this one?

Starman: Oh, before we do that -- maybe I missed it. Did we -- did we have a motion?

Seal: Oh. Sorry. We do not have a motion.

Grace: Well, I had a question.

Seal: Go ahead.

Grace: I apologize for all the questions. And maybe it's to -- to you, Kurt. Am I voting just simply to approve the adoption of them? I'm not voting substantively on the -- the -- the merits of the proposal that was two weeks ago; right? Or should I abstain is what my question is.

Starman: Thank you. Mr. Chairman, Commissioner Grace, I think it's the latter in the sense that this really is -- to actually read the full title of the item before the -- before the Commission, this is Findings of Fact, which came from the hearing last time, Conclusions of Law, but also importantly Order and Decision. So, this is a substantive topic and I would say it's more than just sort of saying, yeah, you are voting yes for the sake of voting yes. So, I -- I would say if you had not read the minutes from -- have not read the minutes from the September 1st meeting, I would recommend that you do abstain, because it is substantive in the sense that it -- this is the Commission's final decision and it becomes subject to appeal after you take action this evening.

Grace: Thank you.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I motion the Facts and Findings, Conclusions of Law for denial for Bridgetower Multi-family, H-2022-0047 --

Starman: That's sufficient.

Lorcher: I already said it again. So, denial for multi-family 2022-0047. Sorry.

Stoddard: Second.

Seal: It has been moved and seconded -- this is confusing. It's been moved and seconded to accept the Findings of Facts for the denial of the Bridgetower Multi-family CUP, H-2022-0047.

Starman: Correct. And I think -- Mr. Chairman, I think you had an excellent idea of a minute ago, which is because we may have some abstentions I think a roll call vote would be helpful in this instance.

Seal: Madam Chair?

Roll call: Lorcher, yea; Seal, abstain; Grace, abstain; Stoddard, yea; Yearsley, absent; Wheeler, absent.

Seal: So, the vote of two to zero, with two abstentions, that passes through.

Starman: Correct. That's sufficient to pass the motion. Thank you, Commissioners.

Seal: Thank you.

MOTION CARRIED: TWO AYES. TWO ABSTAIN. TWO ABSENT.

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

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

Seal: All right. Now, then -- so, at this time I would like to open the public hearing for Item No. H-2022-0042, Cobalt -- Cobalt Point Apartments for continuance to October 20th, 2022. Can I get a motion?

Lorcher: So moved.

Stoddard: Second.

Seal: It has been moved and seconded to continue File No. H-2022-0042 for Cobalt Point Apartments to October 20th, 2022. All in favor say aye. No opposed, so motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

4. Public Hearing for Slatestone Subdivision (H-2022-0039) by T-O Engineers, Located at 2707 S. Stoddard Rd.

- A. Request: Annexation and Zoning of 5.04 acres of land with a request for the R-8 zoning district.

- B. Request: Preliminary Plat consisting of 15 single-family building lots and 4 common lots on 4.85 acres in the requested R-8 zoning district

Seal: I will now open up file number H-2022-0039, Slatestone Subdivision, for a continuance to October 6. Can I get a motion?

Stoddard: So moved.

Grace: Second.

Seal: It's been moved and seconded to continue File No. H-2022-0039, Slatestone Subdivision, to October 6, 2022. All in favor say aye. No opposed, motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

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

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

Seal: Now, I will need a motion for File No. H-2022-0045 to continue -- or for Kingstown Subdivision for a continuance to October 20th.

Stoddard: So moved.

Grace: Second.

Seal: It's been moved and seconded to continue file H-2022-0045 for Kingstown Subdivision to October 20th, 2022. All in favor say aye. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

6. Public Hearing for Brightstar Overland (H-2022-0061) by Hatch Design Architecture, located at 2940 E. Overland Rd.

- A. Request: Conditional Use Permit for a residential care facility on 0.59 acres of land in the C-G zoning district.

Seal: All right. Now, that we are done with the auctioneer voice, I would like to open File Number H-2022-0061, for Brightstar Overland and we will begin with the staff report.

Parsons: Mr. Chair, we are still having -- we are having some technical difficulties getting this up, so I'm asking -- Chris, if you are out there if you could come in the Council Chambers. Appreciate it.

Seal: Thank you, Chris.

Parsons: Get IT here.

Seal: That's right. Playing the role of our IT person tonight will be Chris.

Parsons: Thank you, Mr. Chair, Members of the Commission. Appreciate the patience this evening. Same thing happened to us last hearing if I don't -- if I recall -- if memory serves me right. So, next item on the agenda is the Brightstar Overland CUP. This site consists of 0.59 acres of land currently zoned C-G in the city and is located at 2940 East Overland Road. So, this is a vacant commercial lot in the El Dorado Subdivision. In 2005 this property was annexed and zoned as part of that El Dorado Subdivision. It is adjacent to an existing commercial lot that's also C-G and developed with a multi-tenant building. Cross-access has been provided for -- from that property to this property as part of that subdivision process. I would mention to the Commission that a DA modification was recently approved by the City Council on this particular property to allow the allowed use -- the proposed use tonight. That agreement has not been executed yet, so as part of this development -- or this project tonight we have placed a condition of approval that the applicant execute and record that development agreement prior to submitting any additional applications for this particular project. So, the applicant here -- is here tonight to discuss developing the site with a 7,800 square foot 12 bed residential care facility. It will also have dining, entertainment and laundry and storage for the residents of the facility and there is also indoor and you can see here there is an outdoor patio area for all the residents to use as well. Compliance with the specific use standards in Chapter 4 is required. I think Sonya did a great job of doing some of that analysis. So, this site does comply with those requirements. This type of facility does require a little less parking than you see with other commercial developments, so the code only requires six parking spaces. The site plan before you this evening has eight. So, this is two above what the minimum code requirements are. The other thing that we brought to your attention in the staff report is the landscape buffer along the northern boundary. Typically when we have commercial zoning up against residential developments we require a 25 foot landscape buffer. That issue was somewhat discussed in the development agreement and the PUD that this process -- this project went through back in 2005. So, essentially, staff has looked at both of those documents and determined that alternative compliance will be required when they submit their certificate of zoning compliance if and when the CUP gets approved tonight. The applicant did provide some conceptual elevations. These are pretty similar to what you guys acted on in north Meridian there adjacent from Settlers Park and that little office development. Same -- same applicant, same structure, so it's -- it's been done once before. They are looking for these little in-fill sites, as they testified last time, and -- and this seems to be a good fit. Staff is recommending approval. We did get agreement from the applicant with the conditions in the staff report. We are recommending approval and I will stand for any questions you may have.

Seal: All right. Thanks, Bill, very much. Would the applicant like to come forward. Good evening. If you will just state your name and address for the record and the floor is yours.

Hatch: Jeff Hatch with Hatch Design Architecture. Our address is 200 West 36th Street, Boise, Idaho. 83714. Good evening, Chairman Seal and Commissioners. Thank you for your consideration of our conditional use application this evening.

Parsons: You should be able to drive.

Hatch: It's not showing up here.

Parsons: Interesting. Share it in just a second.

Hatch: Thank you. The subject property is on the northeast corner of Loder and Overland in a business complex and what we found with some of these assisted living centers -- we are really trying to develop a different product that is more residential in nature, but it is tucked into business complexes we found -- we call it a resi-mercial but in many of these built-out business complexes they tend to have parking constraints, so we tend to work with them for overparking our sites, which is complementary to our fellow commercial neighbors and, then, create a buffer between the commercial use and the residential uses adjacent to us and that would be the case in this particular instance. From the staff report there were a couple items that Sonya came up with that I wanted to speak to that have a slightly updated site plan and landscaping plan. First was there was a comment to extend a sidewalk southward to Overland and that is reflected on our exhibits, which we will provide to staff and that will get reviewed more formally through the CZC and design review process subject to your consideration of the conditional use permit. There is also the consideration that Sonya wanted us to clarify that this property is not hard up against Loder. That was some of the concerns for her for some of the adjacent neighbors. There is an HOA landscape buffer that is fairly substantial, which is now reflected on the landscaping plan and with that there were several street trees that were originally required, but they were actually placed in a ten foot utility easement and so to resolve that we did have to remove the trees from the utility easement, but the existing HOA street trees suffice for that and so we did reflect that in order to be in compliance. As far as the development agreement and the consideration of -- of being less than 25 feet on the northern side, we do have an increased alternative design in this proposed layout for that landscaping as well. So, in particular, speaking to those two comments as far as the utilities, we removed the trees from that utility easement and, then, are utilizing the -- the existing HOA trees and, then, as far as the alternative compliance, we currently have 19 shrubs and four flowering ornamental trees along the northern side. To increase that for an alternative compliance we are proposing an additional 44 evergreens for the total and an additional five ornamental trees, bringing the total to nine. So, basically, doubling and in -- in the case of shrubs tripling the amount of plantings on that northern buffer. The updated site plan also reflects the same courtyard configuration as the landscaping plan for consistency and reflects the consideration for the sidewalk to the south. The additional comments from Sonya was about trash enclosure and in many of these developments the trash enclosure is brought curbside.

We have followed up with Republic storage and they are fine with that, although they did request that we reach out to the adjacent neighbor, who has an existing trash enclosure and see if we can negotiate a shared access for increased usage of that trash enclosure. So, we have engaged that as well, but we do have a solution if that is not an option, so -- and with that I will stand for any questions.

Seal: Thank you very much, Jeff. Do we have questions from the Commissions of staff or the applicant? None? All right thank you very much. Appreciate it. See if -- Madam Clerk, do you have anybody signed up?

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

Seal: All right. Anybody -- there is nobody online. Anybody in Chambers that would like to testify? Seeing none, would the applicant like to add anything?

Hatch: Thank you again for your consideration. I would just like to thank Sonya and her diligence and consideration for making a development that -- you know, a lot of these remnant parcels in business complexes can go for years, if not decades without a appropriate use. We feel that this is a need in our community that also fits a need for these public spaces. So, really -- really excited about this project. Thank you.

Seal: Thank you very much. Okay. With that can I get a motion to close the public hearing on File No. H-2022-0061?

Grace: So moved.

Stoddard: Second.

Seal: It's been moved and seconded and close the public hearing for File No. H-2022-0061. All in favor please say aye. No opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: With that we can have discussion or a motion. Either way. Commissioner Grace?

Grace: Make a motion.

Seal: Go right ahead.

Grace: Mr. Chairman, I would move -- after considering all staff, applicant, and public testimony to approve file number H-2022-0061 as presented in the staff report for the hearing date of September 5th, 2022.

Lorcher: Second.

Seal: Okay. It's been moved and seconded to approve File No. H-2022-0061 as presented in the staff report. All those in favor, please, say aye. None opposed. Motion carries. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

7. Public Hearing for Matador Estates Subdivision (H-2022-0043) by Quantum LTD, Inc., located at 1235 E. McMillan Rd.

- A. Request: Annexation of 5.09 acres of land with an R-4 zoning district.
- B. Request: Preliminary Plat consisting of 14 building lots and 2 common lots on 4.84 acres of land in the R-4 zoning district.

Seal: Okay. At this time I would like to open File No. H-2022-0043 for Matador Estates Subdivision and we will begin with the -- with the staff report as well.

Parsons: Thank you, Mr. Chair, Members of the Commission. Next item on the agenda is the Matador Estates Subdivision. The request before you this evening is for annexation and a preliminary plat approval. The site consists of 4.84 acres of land currently zoned RUT in Ada county and it's located at 1235 East McMillan Road. The Comprehensive Plan land use designation for this property that you can see here in the center map is low density residential with -- in which we anticipate densities between -- not between -- three or less dwelling units to the acre in that land use designation. The plat before you this evening comes in at 2.89 dwelling units to the acre, which is consistent with this future land use map. Also wanted to let you know that I had a chance to speak with the applicant and he did confirm tonight that it is a subdivision of 14 lots. So, one of the homes will stay on -- one of the lots with 13 new residences for a total of 14. So, I just wanted to go on the record and clarify that based on some of the discrepancies in the plans. So, again, here is the pre-plat. So, annexation boundary is a little bit larger, because it goes to the center line of McMillan, but the plat itself is 4.84 acres. Applicant is requesting an R-4 zoning district, which is an 8,000 square foot lot. You can see here in the upper left-hand corner the existing home is to remain with the 13 other lots surrounding it. Open space is pretty minimal for this development. Technically, if it was five acres or more we would look at requiring the full 12 percent. This -- in this particular case it's close and because there is an annexation request staff felt it appropriate to require the 12 percent and the main reason for that is we are concerned that there is additional five acre lots in this area and if we just continue to piecemeal the five acre -- the lots that come in a little bit under that five acres development standard you don't get usable open space in these in-fill pieces. So, again, in tonight's presentation we are recommending that the applicant provide 12 percent open space and provide some amenities in accordance with 11-3-G3. We have met with the applicant. If you could look at the landscape plan here, the open space will be in the form of the street landscape buffer, a micro path lot that ties into that street buffer and ties into the internal street system and, then, there is also a 7,200 square foot open space lot that will have a sitting area. Staff has recommended a covered picnic area to go in that area as well to enhance that amenity package for this development.

You can see here there is an existing stub street along the -- the west boundary of the site that will be extended as part of the development and also stubbed to the east for future connectivity and, then, a cul-de-sac that serves some of the other lots farther to the north. So, as you see the plat tonight there is one lot that doesn't meet the lot frontage requirements of the R-4 district. The applicant's been required to comply with that of 30 feet and as we go through that final plat process they will have to meet those street frontage requirements at 30 feet for this particular lot here in the upper right-hand corner. The applicant did provide sample elevations for you this evening. You can see a mix of building materials consistent to what is currently developing in the area. I would also mention to you that a lot of this area is developed with single family homes. So, again, this is compatible with the surrounding land uses in the area. The applicant did submit written testimony in agreement with the staff report and all conditions and, then, if you had a chance to look at the public record we did receive some testimony from a Neil Wilson, who lives along the southern boundary of this particular property. He had noted that he had put in some substantial solar investment on his property and wanted to make sure that this was actually a single family development and the homes would be single to two-story homes, which as you can see here in the elevations tonight there are single story and two-story homes proposed for this development. Again, staff is recommending approval with a development agreement and with that I will conclude my presentation stand for any questions you may have.

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

Camberlango: Marty Camberlango. 1110 North Five Mile, Road, Boise. 83713. And Mr. Parsons did an excellent job of presenting the project. It's not complicated. It's just a small really 13 lot -- homes to be built on 13 lots. So, I don't want to belabor the -- the fact that it's a pretty simple plat. We have four point -- 4.84 of an acre here, which comply -- and we -- the number of lots comply with the R-4 zoning and so do the size of the lots and size of the structures that will go in there, the new homes. I really would just refer the Commission to ask any questions that you might have.

Seal: All right. Commissioners, do we have any questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, as I'm looking at this how do these 14 homes access this subdivision? Are they coming directly off of McMillan or are they coming --

Camberlango: Can you see that little street called Territory?

Lorcher: Yes.

Camberlango: That is a stub street from the Silver Spring Subdivision. That will -- that stubs into it and that is the way the traffic will go is out Territory, down into Silver Springs and out to McMillan. The current access off of McMillan to the existing home will be deleted, because the existing home will be required to exit out on that cul-de-sac that you can see there. In addition to the fact that the home that's staying will also be required to hook into city sewer and water.

Lorcher: So, the lot -- the parcel to the east of you is a current homeowner and that's for future development; correct? But you have subdivisions to the west of you and that's where the cul-de-sac and Territory would access; correct?

Camberlango: Yeah. The Silver Spring Subdivision is west and there is another five acre lot east that it will -- our street will stub into that for connectivity in the future. Yeah.

Lorcher: Okay. Thank you.

Seal: Commissioner Grace, go ahead.

Lorcher: Mr. Chairman. Marty, does the subdivision to the west -- is that -- does that lead out to McMillan?

Camberlango: Yes. Uh-huh. That's a Todd Campbell project there. It does go out to McMillan.

Grace: Okay.

Camberlango: ACHD, as you well know, they don't want -- they want to eliminate as many accesses to an arterial street as possible, so they have routed this through this existing subdivision. They are actually thrilled that you have to delete a driveway that's going out to McMillan, so they like it.

Seal: Commissioner Lorcher, go ahead.

Lorcher: Is there a light at that particular --

Camberlango: No, there is no light there.

Lorcher: So, if I want to go east I just turn right, but if I want to go west there is a center divider I take it? I don't -- I don't live over there, so I'm --

Camberlango: No, I don't believe there is a center divider there, but about a block west is the light that goes into Saguaro Canyon --

Lorcher: Okay.

Camberlango: -- and over into Copperfield think they call it. So, right there where -- once the traffic light goes red, then, they will have a chance to pull out and go left or go west. Yeah.

Lorcher: Okay. Thank you.

Camberlango: Uh-huh.

Seal: Any further questions? All right. Thank you very much, sir.

Camberlango: Thank you.

Seal: Madam Clerk, do we have anybody signed up to testify?

Hall: There is no one signed up online, but we do have an Aaron Davis signed up in house. Aaron Davis? That is it.

Seal: That is it. If anybody else in Chambers would like to testify -- sir, come on up. Good evening. Please give us your name and address for the record and speak right into the microphone and the floor is all yours.

Spiewak: Randy Spiewak. 1458 East Loyalty Street, Meridian. I saw this on the agenda and I thought I might just mention something you all may want to have the applicant respond to. I'm the volunteer ditch manager for the Parkins-Nourse North No. 14 irrigation lateral that feeds all the way from Eagle Road at the Community Church by Lowe's all the way down through the next square mile across Locust Grove, splits and covers all of those properties, including Silver Springs, on McMillan and the other direction Heritage Commons and a couple other smaller subdivisions. The problem they are going to be facing -- and it will come later -- is that that currently is now a landscape company of some kind and they have plants on it and they do field flooding one day every 12. That's the only access they get to water. It was all field flooding for years when that was farmland or small ranches. When you put a subdivision in homeowners aren't going to be happy about only having water one day every 12. So, whether they store water or whether they work out some arrangement with Silver Springs, who has faced that and they store a lot of water on the days that it is part of their 12. They may want to address this. Otherwise they are using potable city water for irrigating grass and plants in a residential subdivision that Public Works usually isn't pretty happy about. So, on the corner opposite -- in fact, a number of those parcels have -- have been converted to residential and we have worked out the process, but I have had no response from that developer or no -- no contact by that developer as to how we would deal with that and as the -- the irrigation lateral manager I haven't been asked to sign off by anything -- by anyone from the city to make sure that that does comply with the easements and the requirements that far predate any use of that property -- go back to 1800s. So, questions?

Seal: Yeah. Can you -- do you have any detail on how the other subdivisions do store water?

Spiewak: Silver Springs, which is comprised of I think four five acre parcels, less a little bit on the corner on the west -- northwest corner that was a large residential property and they are -- they are receiving pressurized water from Silver Springs, but as that gravity fed 24 inch pipe from the Parkins-Nourse at the south edge of that parcel and all the other five acre parcels along there, as it flows by gravity it's manually blocked off with a weir gate and, then, it flooded their property. Well, what Silver Springs had to do with the four five acre parcels is they had to find a way to store water and they didn't want to lose a lot of lots in making a big pond of some kind. My suggestion to them -- and their engineers agreed -- was to do an underground lateral storage -- not vertical, but horizontal. Taking a -- I think they ended up using a 24 inch or 36 inch concrete pipe and as that line came down from east to west and made that north turn down their property, that became underground storage of water laterally -- or horizontally rather than vertically and so far it's worked. They are at the end of that branch of the lateral, so they are storing every bit of water that people upstream from them don't use. They store it and when that pipe gets full it overflows under McMillan into the north slough. This property butts up against that. I believe. If I'm looking at it correctly. They may want to contact Silver Springs and see if they can get access to pressurized water, give their day of -- of -- of field flooding to Silver Springs and let Silver Springs give them seven by 24 access. That's what we have been doing with other parcels is getting these HOAs to work together. There will eventually be an HOA for these 12, 14 homes, so no reason not to do that. I'm doing another one right now with Caldera Canyon that was built two years ago and nobody thought about irrigation water. So, we are getting that fixed as we speak.

Seal: Okay.

Spiewak: It can be done.

Seal: Is there an easement --

Spiewak: Oh, yeah.

Seal: -- where this is at?

Spiewak: It goes back dozens and dozens of years.

Seal: Okay. Well, I mean is there an easement where the underground water storage is within the subdivision?

Spiewak: No. Just where the pipe runs.

Seal: Okay.

Spiewak: They would -- they would have their own storage where ever they would plan for putting it. It could run under homes. It could do whatever they want. It's only the -- the pipe that runs to the east-west at the south end of their property that would be protected from -- you can sell the property, you just can't build over it.

Seal: Interesting. Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Based on this picture that you see up here -- so, where is your easement in regard to that? So, the bottom street is Territory and, then, you have got the four homes at the bottom and, then, they got the cul-de-sac going to the top and, then, McMillan is at the top. Where is --

Spiewak: It would be right through their park.

Lorcher: Go through that little park right there?

Spiewak: And the one house at the -- it's -- oh, no. It would be across the bottom of those five houses -- five lots at the -- the five houses at the bottom that our -- our line goes right through their backyards.

Seal: Okay.

Spiewak: So, you can have a backyard over it, you just can't have a house, you can't have a pool, you can't have concrete, because if the pipe breaks or there is a problem, the homeowner has got to tear down whatever is there and they have to fix it and, then, put it back. It's the property owner who is held responsible in Idaho for maintaining the irrigation, not the irrigation lateral association.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, currently where those four houses are at the bottom of Territory, you are saying that's where the lateral is. Is it open right now?

Spiewak: Is it underground pipe.

Lorcher: It is underground pipe.

Spiewak: Yeah. I think it's a -- that one I believe is -- is 24 inch.

Lorcher: Okay.

Spiewak: It could be 12, but I think it's --

Lorcher: And you are suggesting to kind of stub it going north just to hold the water, so that they -- the houses can tap in for pressurized irrigation as it's stored.

Spiewak: Or they could have a parallel storage lateral pipe still running through those backyards if they wish or they could go perpendicular to it, where ever their pump station is, if they don't work out a -- a joint arrangement with Silver Springs on -- on one side. We know there is only two five acre parcels left that are still commercial and I have been waiting to see what happens. I just happened to notice it on the agenda.

Seal: Interesting.

Lorcher: One more question, Mr. Chair.

Seal: Absolutely.

Lorcher: So, the existing parcel that's already at the top that's the big one, number one, how do they get their water? Top left-hand corner. Right there. Do they have septic and --

Spiewak: They would have to put a pressurized irrigation system in. Normally a four or six inch pressurized pipe. It would go from their pump to each of the homes and to the common areas.

Lorcher: Right. But what I'm saying is that that's the existing homestead that's there on the five acre parcel that's current. So, he has his own -- he has his own access to pressurized irrigation I would assume already; correct?

Spiewak: It's -- he has -- he floods the back part of that property, I believe, where he has trees that he is a -- a tree farm of some kind or something in there. How he gets water up to the front -- I don't know if he has storage or may have an old well from many, many years ago. Some of those farmers did.

Lorcher: Okay. Thank you.

Seal: Commissioners, anymore questions? All right. Thank you very much. I appreciate that.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Question for staff. So, has -- has this come up in the application process as far as talking with the lateral and the ditch diggers -- or the ditch managers?

Parsons: Mr. Chairman, Members of the Commission, it's -- there is so many different ditch riders out there that we can't capture all of them. So, I'm -- I do appreciate this gentleman being here, because they actually get their water from a larger irrigation district, like a Settlers or Nampa-Meridian, and so that's who we transmit our information to and get feedback on these types of situations. What I can tell you is our code requires

a pressurized irrigation system as part of the development. So, the fact that this gentleman's here sharing his requirements with us, the applicant's aware of it, now they can go -- go to the drawing board, come up with a solution. A lot of times in these particular situations if it is problematic to deliver water, they will build a pond on site to store that water, as this gentleman mentioned, or they may connect into an existing system and have to work out those details with the developer to make sure everyone's getting water. But we will certainly have that figured out prior to them getting any sign-off or developing anything on this -- this site. It's -- it's a requirement as part of their construction drawings.

Seal: Okay. Good?

Lorcher: I'm good.

Seal: Okay. Thank you very much. Commissioner Grace, go right ahead. See you reaching for the --

Grace: I don't have a question for staff or the applicant, but a question for our deliberations maybe. I mean what was just described something, then, that we would leave as conditional or can we -- or should we not proceed with it at this time?

Seal: I'm not sure that we can condition anything, because as Bill said, it is a requirement to have pressurized irrigation. So, it is -- it is their -- it is a requirement of the applicant in order to provide that. So, they will have to comply with that.

Grace: Okay. And as we sit today it's not complied with; right?

Seal: It is to be determined at this point. I -- it will have to be complied with in order for them to put a shovel in the ground, as it -- is one way to put it. So, before it passes through City Council it will have to be complied with.

Parsons: Well, that's -- yeah. Mr. Chair, Members of the -- that's -- that's part of the development review process. So, annexation plat comes in, this is just a pre-plat. The next step is they do a final plat, which has a lot of those details figured out with engineered drawings. So, you don't get to that level at -- with a pre-plat stage. It usually happens later on down the road. So, right now they are requesting to annex -- this is a pretty common topic discussion for subdivisions. We get this all the time with people asking -- making sure that they have adequate water and there are subdivisions in Meridian where they just don't have adequate water -- surface water rights and they had to use city water. But in this particular case I think there is a -- a workable solution here, as long as there is communication happening.

Grace: Okay. Thank you.

Seal: Any further questions? All right. Would the applicant like to come back up? Go ahead and give us your closing remarks and you just need to give us your name and address again, please.

Camberlango: Maybe just address that irrigation a little bit. Appreciate the --

Seal: Do you want to give us your name and address one more time, please?

Camberlango: Oh, address again -- name and address?

Seal: Yes, sir. Thank you.

Camberlango: Marty Camberlango. 1110 North Five Mile Road. And on your staff report under Public Works number 2.4 addresses that the City of Meridian requires that pressurized irrigation systems be supplied by year around surface -- basically irrigation water. Now, this piece of property is owned by Diamond Lawns. They are a landscape company and they have a lot of water and we have had some conversations with Silver Springs about tapping into their system or recently I did a subdivision in Boise where we couldn't work anything out with the homeowners association, so we retained our own water. We don't like to do a pond, because they are ugly. So, we -- we build kind of a little concrete structure below ground, kind of like a seepage bed, so you can't see it. There is a pump on it and it fills up and when it fills up it shuts off and, then, people can draw upon that for their pressurized water. And sometimes if there is not enough water -- if there seems like there is not enough water, we will put people on a schedule, like they might have Monday, Wednesday, Friday from 3:00 o'clock to 6:00 o'clock or whatever and this subject always comes up and we -- we can resolve it. It's like Bill said, there are solutions for these things and we just -- we don't -- at the preliminary plat stage we don't engineer everything, because if for some reason we are turned down by the city, we don't want to have to pay all those engineering fees for something that has to be engineered, but isn't engineered yet, but we will be working on that. And I think that's all I have to say.

Seal: Okay.

Camberlango: Thank you.

Seal: Commissioners, do we have any questions for the applicant? If not, thank you very much, sir. Appreciate that. And I will take a motion to close the public hearing for File No. H-2022-0043, Matador Estates.

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to close File No. H-2022-0043. All in favor please say aye. None opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Any discussion?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: I have been on record to deny applications on McMillan Road because of traffic, but because this is not a new access to McMillan Road, they are actually going to be moved around the existing subdivision and if each parcel has two cars, you are looking at 28 cars moving, you know, maybe 20 or 30 times a day or less. I think that the way the street is managed at that point at McMillan, especially going through the subdivision, should be able to handle this particular subdivision. So, I would be in support of this parcel.

Seal: Okay. Anything else? Commissioner Grace, go ahead.

Grace: Mr. Chairman, I -- that was the first thing that came to my mind, too, was the traffic and that's why I followed up with Commissioner Lorcher's question about access. It's still a concern, but I -- I think ultimately I'm -- I'm able to approve as well.

Seal: Okay. Yeah. And I will -- I mean that's -- McMillan is ugly, so it's been talked about a lot. We have had some applications come in where we have recommended denial or denied applications coming through because of the traffic on it, so considering this is -- I mean this main stretch of this is on a cul-de-sac, I saw the elevations in there with, you know, possible RV parking garages and things like that, a little tight to squeeze them in there, but, you know, I think if this is a product out there that the applicant thinks will sell, then, I think they will figure all that out, so --

Grace: Do we know the future of McMillan Road?

Seal: McMillan Road is set to develop in 2031 through 2036, I believe, or 2035. I'm fairly certain of that. Bill is shaking his head, so I must be right.

Parsons: Mr. Chair, Members of the Commission, I don't have the exact date for you, but as you know, anything heading west from Locust Grove is going to be a constrained corridor because of the -- the ditches and the -- and the Idaho Power poles. So, it's a three lane road. So, it's two lane with a center turn lane from -- from that point on, so --

Seal: But the good news is we have plenty of water and power.

Lorcher: Chairman Seal, I actually wrote it down.

Seal: Go ahead.

Lorcher Locust Grove, ACHD, 2036 to 2040 and McMillan 2031 to 2035. So, you are spot on.

Seal: I do have a memory. That's good. Okay. With that anymore discussion or I will take a motion if anybody wants to throw one my way.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: After considering all staff, applicant, and public testimony, I moved to recommend approval to City Council to File No. H-2022-0043 as presented in the staff report for the hearing date of September 15th, 2022, with no modifications.

Grace: I will second.

Seal: Okay. It's been moved and seconded to approve File No. H-2022-0043, Matador Estates Subdivision, with no modifications. All in favor please say aye. None opposed. Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Thank you very much. And with that I will take one more motion.

Lorcher: Commissioner Seal?

Seal: Commissioner Lorcher, go right ahead.

Lorcher: Motion that we adjourn.

Grace: Second.

Seal: It's been moved and seconded that we adjourn. All in favor, please, say aye. None opposed. Motion carries. We are adjourned. Thank you very much.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

MEETING ADJOURNED AT 6:55 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

ATTEST:

CHRIS JOHNSON - CITY CLERK

_____|_____|_____
DATE APPROVED



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Brightstar Overland (H-2022-0061) by Hatch Design Architecture, located at 2940 E. Overland Rd.

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



In the Matter of the Request for Conditional Use Permit for a Residential Care Facility on 0.59 Acre of Land in the C-G Zoning District for Brightstar Overland, Located at 2940 E. Overland Rd., by Hatch Design Architecture.

Case No(s). H-2022-0061

For the Planning & Zoning Commission Hearing Date of: September 15, 2022 (Findings on October 6, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of September 15, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of September 15, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of September 15, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of September 15, 2022, incorporated by reference)

B. Conclusions of Law

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

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

7. That this approval is subject to the conditions of approval in the attached staff report for the hearing date of September 15, 2022, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant's request for conditional use permit is hereby approved in accord with the conditions of approval in the staff report for the hearing date of September 15, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Two (2) Year Conditional Use Permit Duration

Please take notice that the conditional use permit, when granted, shall be valid for a maximum period of two (2) years unless otherwise approved by the City in accord with UDC 11-5B-6F.1. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground. For conditional use permits that also require platting, the final plat must be signed by the City Engineer within this two (2) year period in accord with UDC 11-5B-6F.2.

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

E. Judicial Review

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

F. Notice of Right to Regulatory Takings Analysis

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

G. Attached: Staff Report for the hearing date of September 15, 2022

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

COMMISSIONER ANDREW SEAL, CHAIRMAN VOTED_____

COMMISSIONER MARIA LORCHER, VICE CHAIRMAN VOTED_____

COMMISSIONER NATE WHEELER VOTED_____

COMMISSIONER STEVEN YEARSLEY VOTED_____

COMMISSIONER PATRICK GRACE VOTED_____

COMMISSIONER MANDI STODDARD VOTED_____

COMMISSIONER NICK GROVE VOTED_____

Andrew Seal, Chairman

Attest:

Chris Johnson, City Clerk

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

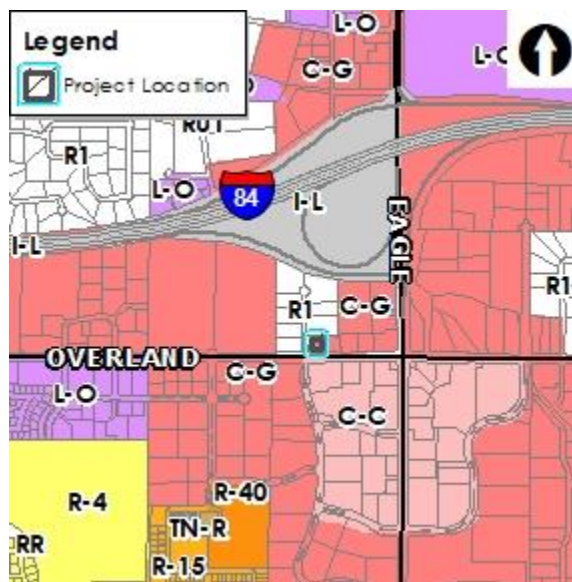
By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: September 15, 2022
 TO: Planning & Zoning Commission
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0061
 Brightstar Overland
 LOCATION: 2940 E. Overland Rd., in the SE 1/4 of Section 17, T.3N., R.1E.



I. PROJECT DESCRIPTION

Conditional use permit for a residential care facility on 0.59 acre of land in the C-G zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.59-acre	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use	Vacant/undeveloped land	
Proposed Land Use(s)	Residential care facility	
Current Zoning	General Retail and Service Commercial District (C-G)	
Physical Features (waterways, hazards, flood plain, hillside)	NA	
Neighborhood meeting date	6/6/22	
History (previous approvals)	AZ-05-019 Dorado Subdivision (DA Inst. 105127512); H-2016-0131 (1 st Addendum to DA – Inst. 2017-007434); H-2022-0044 (2 nd Addendum to DA – not yet recorded)	

III. APPLICANT/OWNER INFORMATION

A. Applicant:

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

B. Owner:

Devin Morris, Alturas Capital Partners – 500 E. Shore Dr., Ste. 120, Eagle, ID 83616

EXHIBIT A

C. Representative:

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

IV. NOTICING

	Planning & Zoning Commission Posting Date
Notification published in newspaper	8/31/2022
Notification mailed to property owners within 300 feet	8/25/2022
Applicant posted public hearing notice on site	8/31/2022
Nextdoor posting	8/25/2022

V. COMPREHENSIVE PLAN ANALYSIS

Land Use: This property is designated Mixed Use – Regional (MU-R) on the Future Land Use Map (FLUM) contained in the Comprehensive Plan.

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).

This site is part of a much larger mixed-use designated area that contains a wide variety and mix of uses as desired in MU-R designated areas. Although the proposed residential care facility use is considered commercial, it is residential in nature as folks reside there. The proposed use provides a good transition between more intense commercial/retail uses and low-density residential uses to the west and north in Overland Way subdivision.

Transportation: There are no collector streets designated on the Master Street Map (MSM) for this site. This project will be accessed from the east through the adjacent property via E. Overland Rd., a mobility corridor; direct lot access is not proposed or allowed via S. Loder Pl. or E. Overland Rd. This site is in close proximity to the Overland/Eagle Rd. intersection, a major arterial intersection, on the south side of the I-84 off-ramp. Transit services are available to serve this site via Route 42.

COMPREHENSIVE PLAN POLICIES (<https://www.meridiancity.org/compplan>):

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

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

The proposed residential care facility will contribute to the variety of housing types in the City by offering care for the elderly.

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

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

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

The entry of the proposed residential care facility is proposed to face east, away from abutting residential properties. Landscaping is proposed within buffers along the west and north boundaries of the site and a 6-foot tall fence is required for screening along the north boundary. The proposed structures is a single-story, which should be compatible with adjacent residential homes and properties.

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

The proposed residential care facility should be compatible with existing rural residential uses to the north and with the commercial multi-tenant retail/restaurant uses to the east.

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

This site and the residential subdivision to the north (Overland Way) is an enclave surrounded by City annexed land. Development of this site will result in a more efficient provision of public services.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS

History: The existing Development Agreement (DA) [AZ-05-019 Dorado Subdivision – Inst. #[105127512](#); 1st amendment H-2016-0131 (Inst. #[2017-007434](#)); and 2nd amendment H-2022-0044 (yet to be recorded)] was recently approved by City Council to be amended to include residential care facilities as an allowed use on the site (Lot 1, Block 1, Dorado Subdivision). **The amended DA must be signed, approved by City Council and recorded prior to submittal of a Certificate of Zoning Compliance for the proposed use.**

Existing Use: The property currently consists of vacant, undeveloped land.

Request: A Conditional Use Permit (CUP) is requested for a 7,800 square foot single-story residential care facility on 0.59 acre of land in the C-G zoning district as required by UDC [Table 11-2B-2](#). The facility will provide care for the elderly and features 12 bedrooms for residents and an office for staff. Dining, entertainment, laundry and storage will be provided on-site for residents. An enclosed courtyard is proposed internally and a covered patio is proposed at the entry.

Specific Use Standards: The proposed use is subject to the specific use standards listed in UDC [11-4-3-29](#) Nursing or Residential Care Facilities, as follows:

A. General standards.

1. If the use results in more than ten (10) persons occupying a dwelling at any one time, the applicant or owner shall concurrently apply for a change of occupancy as required by the building code in accord with [Title 10](#) of this Code.
2. The owner and/or operator of the facility shall secure and maintain a license from the

EXHIBIT A

State of Idaho Department of Health and Welfare, facility standards division.

- B. Additional standards for uses providing care to children and juveniles under the age of eighteen (18) years:
1. All outdoor play areas shall be completely enclosed by a minimum six-foot non-scalable fence to secure against exit/entry by small children and to screen abutting properties. The fencing material shall meet the swimming pool fence requirements of the building code in accord with [title 10](#) of this Code.
 2. Outdoor play equipment over six (6) feet high shall not be located in a front yard or within any required yard.
 3. Outdoor play areas in residential districts or uses adjacent to an existing residence shall not be used after dusk.
- C. Additional standards for uses providing care to patients who suffer from Alzheimer's disease, dementia or other similar disability that may cause disorientation. A barrier with a minimum height of six (6) feet, along the perimeter of any portion of the site that is accessible to these patients shall be provided. The fencing material shall meet the swimming pool fence requirements of the building code in accord with [title 10](#) of this Code.

Access: Access is proposed from the east via an existing driveway on the adjacent property from E. Overland Rd. A perpetual vehicular cross-access easement is dedicated on the plat for Dorado Subdivision to all lots within the subdivision. Direct lot access via S. Loder Pl. & E. Overland Rd. is prohibited.

Parking: The UDC ([Table 11-3C-6](#)) requires a minimum of 0.5 off-street parking spaces per bed. Based on 12 beds, a minimum of six (6) spaces are required. A total of eight (8) spaces are proposed, including one (1) ADA space. The UDC (11-3C-6G) requires a minimum of one (1) bicycle parking space to be provided; two (2) are proposed. Therefore, the proposed parking meets and exceeds the minimum standards.

Pathways/Sidewalks: A 7-foot wide attached sidewalk exists within the right-of-way along E. Overland Rd. adjacent to this site and was constructed with the road widening project for Overland Rd. The UDC (11-3A-17) requires detached sidewalks along arterial streets but because the sidewalk is in good condition and is attached in all locations along this corridor, Staff does not recommend it's reconstructed as a detached walkway.

A minimum 5-foot wide walkway is required to be provided from the perimeter sidewalk along Overland Rd. to the main building entrance per UDC [11-3A-19B.4a](#).

Landscaping: A 35-foot wide landscaped street buffer was constructed on this site along E. Overland Rd. with development of Dorado Subdivision in accord with UDC standards.

The [DA](#) (provision #5.1.9) requires an additional 5-feet of landscaping to be added to the existing 20-foot wide buffer owned by the Overland Way HOA along S. Loder Pl. along the west boundary of the site. A 10-foot wide buffer is depicted on the plans encompassed by a 10-foot wide public utility easement. The Applicant should verify if trees are allowed within this easement; if not, they should be removed from the plan.

The [DA](#) (provision #5.1.3) allows a reduced landscape buffer width from 25-feet to 5-feet along the north boundary of the site to the residential uses to the north provided a 6-foot tall fence is provided along with added landscaping within the buffer as alternative compliance. A 15-foot wide buffer is depicted on the plans along the north boundary. **An application for Alternative Compliance to the buffer requirements to residential uses in UDC Table 11-2B-3 should be submitted with the Certificate of Zoning Compliance and Design Review applications in accord with the previous**

EXHIBIT A

PUD ([CUP-05-031](#)) and Development Agreement (Inst. #[105127512](#)) approval.

Parking lot landscaping is required per the standards listed in UDC [11-3B-8C](#), as proposed.

Trash Enclosure: Trash bins are depicted on the plans on the south side of the building. A trash enclosure is depicted on the plans on the adjacent property to the east. **If the Applicant plans to utilize this dumpster, permission should be obtained from the adjacent property owner and/or business owners. Otherwise, the Applicant should coordinate with Republic Services on trash pick-up.**

Building Elevations: Conceptual building elevations were submitted for the proposed structures as shown in Section VIII.C. Building materials consist mainly of stucco with cultured stone veneer accents and vinyl railing with decorative arches and wagon wheel trim with asphalt roof shingles. The proposed elevations are *not* approved; the final building design is required to comply with the design standards in the [Architectural Standards Manual](#).

VII. DECISION

A. Staff:

Staff recommends approval of the conditional use permit with the conditions noted above in Section IX.

B. The Meridian Planning & Zoning Commission heard this item on September 15, 2022. At the public hearing, the Commission moved to approve the subject CUP request.

1. Summary of the Commission public hearing:
 - a. In favor: Jeff Hatch
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Steve Thiessen
 - e. Staff presenting application: Bill Parsons
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. None
3. Key issue(s) of discussion by Commission:
 - a. None
4. Commission change(s) to Staff recommendation:
 - a. None

EXHIBIT A

VIII. EXHIBITS

A. Site Plan (July 2022)

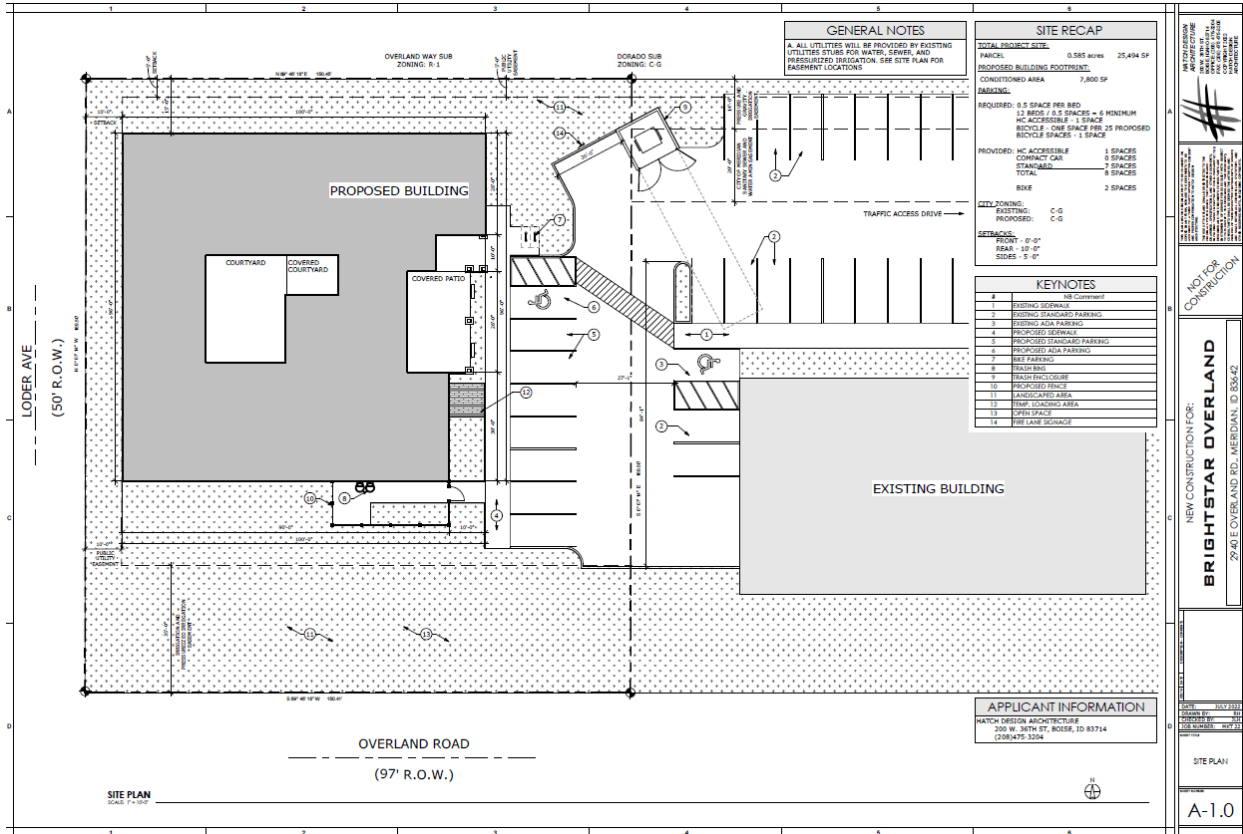
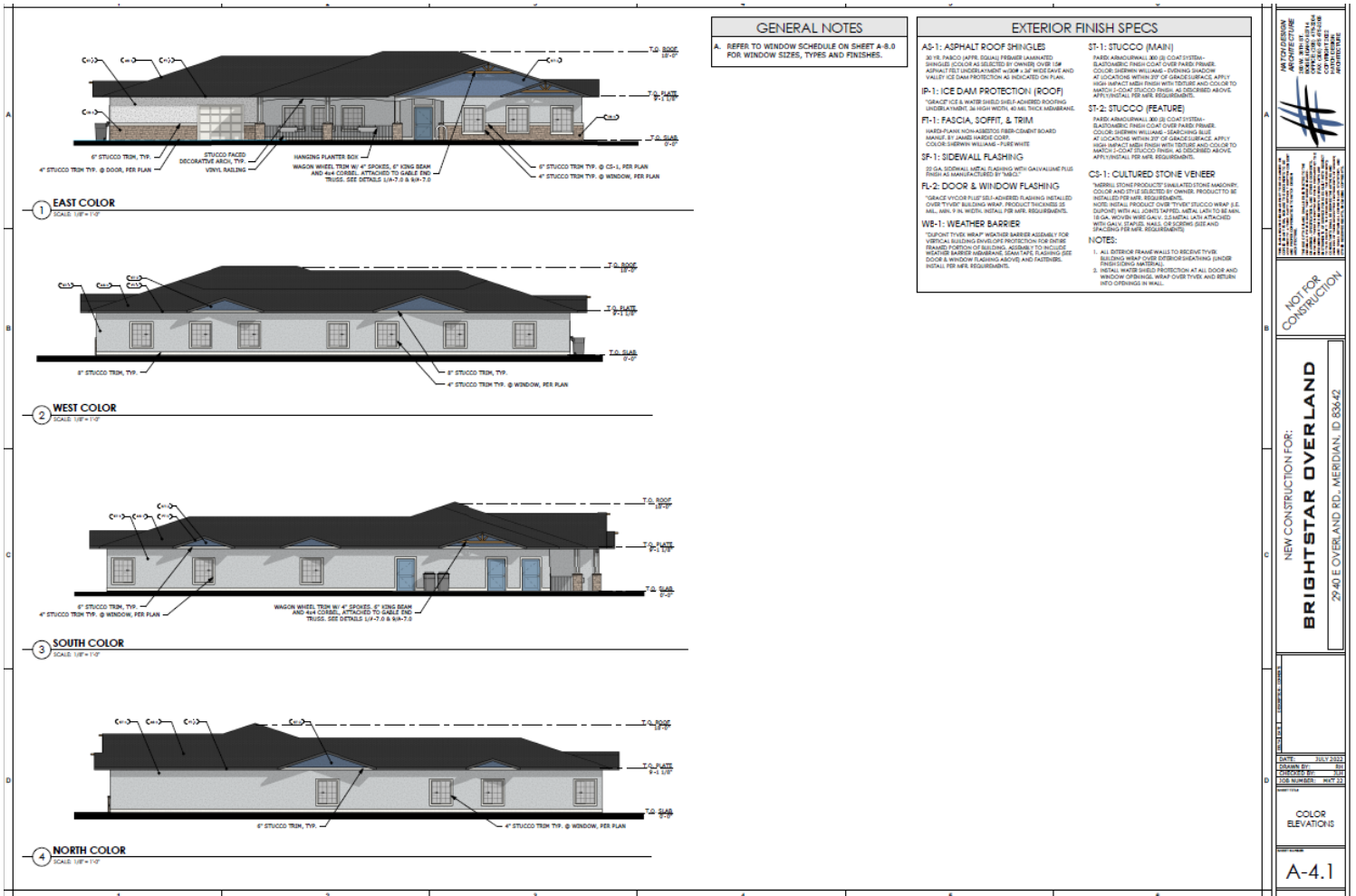


EXHIBIT A

C. Building Elevations (dated: July 2022) – NOT APPROVED



IX. CITY/AGENCY COMMENTS & CONDITIONS

1. PLANNING

1. Future development of this site shall comply with the previous conditions of approval and terms of the existing Development Agreement and the conditions contained herein [AZ-05-019 Dorado Subdivision (DA Inst. 105127512); H-2016-0131 (Dorado 1st Addendum to DA – Inst. 2017-007434); H-2022-0044 (Brightstar Overland 2nd Addendum to DA – not yet recorded)].
2. The amended Development Agreement associated with [H-2022-0044](#) shall be signed, approved by City Council and recorded prior to submittal of the Certificate of Zoning Compliance application for the proposed use.
3. The site plan and landscape plan submitted with the Certificate of Zoning Compliance application shall be revised as follows:
 - a. Depict a minimum 5-foot wide walkway from the perimeter sidewalk along Overland Rd. to the main building entrance as set forth in UDC [11-3A-19B.4a](#).
 - b. If the 10-foot wide public utility easement along the west boundary of the site prohibits trees, they should be removed from the plan. *The Applicant should verify what type of*

EXHIBIT A

utilities are within this easement and if trees are allowed. The Applicant stated their locate did not show any utilities within the easement.

- c. Depict a 6-foot tall fence along the northern property boundary and additional trees within the buffer to residential uses along the northern boundary of the site in accord with the standards listed in UDC [11-3B-9C](#) per the development agreement (provision #5.1.3) as alternative compliance for a reduced buffer width.
 - d. Depict 19-foot wide parking stalls as set forth in UDC [Table 11-3C-5](#).
 - e. Depict the common lot owned by the Overland Way HOA along the west boundary in between the right-of-way for S. Loder Pl. and the west boundary of the site.
4. Submit an application for Alternative Compliance to UDC Table 11-2B-3 for a reduced buffer width to the residential use to the north with the Certificate of Zoning Compliance application in accord with the previous PUD ([CUP-05-031](#)) and Development Agreement (Inst. #[105127512](#)) approval.
 5. Compliance with the standards listed in UDC [11-4-3-29](#) – Nursing or Residential Care Facilities is required.
 6. Direct access via E. Overland Rd. and S. Loder Pl. is prohibited.
 7. The business hours of operation are restricted to 6:00 am to 11:00 pm in the C-G zoning district per UDC [11-2B-3B](#).
 8. A Certificate of Zoning Compliance and Design Review application shall be submitted and approved for the proposed use prior to submittal of a building permit application. The design of the site and structure shall comply with the standards listed in UDC [11-3A-19](#); the design standards listed in the [Architectural Standards Manual](#) and with the Development Agreement.
 9. The conditional use permit is valid for a maximum period of two (2) years unless otherwise approved by the City. During this time, the Applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground as set forth in UDC [11-5B-6](#). A time extension may be requested as set forth in UDC 11-5B-6F.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. The existing 8” water main in Loder Place to be extended to north end of the property boundary.
2. Ensure no sewer services pass through infiltration trenches.

General Conditions of Approval

3. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

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4. 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.
5. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD.
6. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
7. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
8. 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.
9. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
10. 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.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The 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

EXHIBIT A

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.

18. 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.
19. 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.
20. 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. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=270757&dbid=0&repo=MeridianCity>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=271592&dbid=0&repo=MeridianCity>

X. FINDINGS

Conditional Use (UDC 11-5B-6)

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

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

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

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

The Commission finds the proposed residential care facility will be harmonious with the Comprehensive Plan and is consistent with applicable UDC standards with the conditions noted in Section IX of this report.

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

EXHIBIT A

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

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity.

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

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The Commission finds the proposed use will be served by essential public facilities and services as required.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

The Commission finds the proposed use will not create additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

The Commission finds the proposed use will not be detrimental to any persons, property or the general welfare by the reasons noted above.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

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

9. Additional findings for the alteration or extension of a nonconforming use:

- a. That the proposed nonconforming use does not encourage or set a precedent for additional nonconforming uses within the area; and,

This finding is not applicable.

- b. That the proposed nonconforming use is developed to a similar or greater level of conformity with the development standards as set forth in this title as compared to the level of development of the surrounding properties.

This finding is not applicable.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Slatestone Subdivision (H-2022-0039) by T-O Engineers, located at 2707 S. Stoddard Rd.

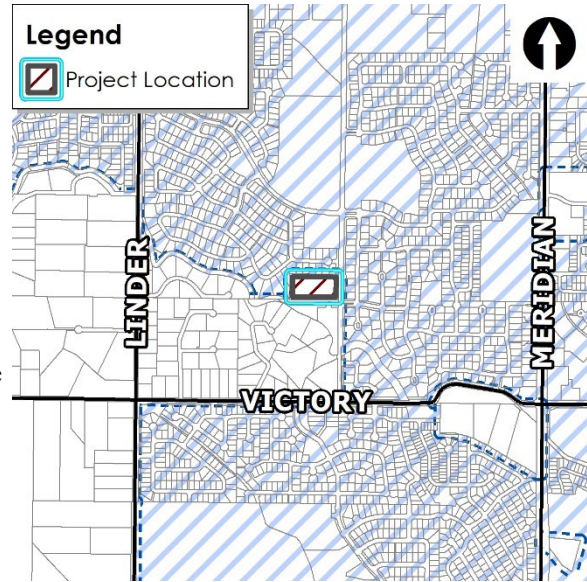
Application Materials: <https://bit.ly/H-2022-0039>

A. Request: Annexation and Zoning of 5.04 acres of land with a request for the R-8 zoning district. B. Request: Preliminary Plat consisting of 15 single-family building lots and 4 common lots on 4.85 acres in the requested R-8 zoning district.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/6/2022
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0039
 Slatestone Subdivision
 LOCATION: Located at 2707 S. Stoddard Road, in the NE 1/4 of the SW 1/4 of Section 24, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

Request for Annexation and Zoning of 5.04 acres of land with the R-8 zoning district and a preliminary plat consisting of 15 single-family building lots and 4 common lots on 4.85 acres in the requested R-8 zoning district, by T-O Engineers.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acresage	AZ – 5.04 acres; PP – 4.85 acres	
Future Land Use Designation	Medium Density Residential (MDR, 3-8 du/ac)	
Existing Land Use(s)	County residence which will remain on one of the proposed lots	
Proposed Land Use(s)	Detached Single-family Residential	
Lots (# and type; bldg./common)	19 total lots – 15 residential building lots and 4 common lots	
Phasing Plan (# of phases)	2 phases	
Number of Residential Units	15 single-family units	
Density	Gross – 3.09 du/ac.; Net – 4.31 du/ac.	
Open Space (acres, total [%]/buffer/qualified)	Approximately 0.53 acres of open space proposed (approximately 10.9%)	
Amenities	Two (2) benches are proposed – not a qualifying site amenity.	
Neighborhood meeting date	March 10, 2022	

Description	Details	Page
History (previous approvals)	No application history with the City	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is proposed via a new local street connection to S. Stoddard Road, an existing collector street along the east property boundary. Access to all proposed homes is shown from this new local street that ends in a cul-de-sac and includes two common drives.	
Stub Street/Interconnectivity/Cross Access	No existing stub streets; no stub streets proposed.	
Existing Road Network	No, except S. Stoddard, the collector street.	
Proposed Road Improvements	The Applicant is required to dedicate additional right-of-way for S. Stoddard Road to total 35 feet from centerline and construct curb, gutter, and sidewalk.	
Capital Improvements Plan/Integrated Five Year Work Plan	<p>Stoddard Road is scheduled in the IFYWP to be widened to 3-lanes from Victory Road to Overland Road to be designed in 2022 and constructed in a future year.</p> <p>The intersection of Stoddard Road is scheduled to receive an enhanced pedestrian crossing to be designed in 2022 and constructed in a future year.</p> <p>Bridge #2085 is scheduled in the IFYWP to be replaced as part of the Stoddard Road widening to be designed in 2022 and constructed in a future year.</p> <p>Victory Road is listed in the IFYWP to be widened to 3-lanes from Linder Road to Meridian Road to be designed in 2026 and constructed in a future year.</p>	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	1.1 miles from Fire Station #6.	
<ul style="list-style-type: none"> Fire Response Time 	The project lies wholly <i>inside</i> of the Meridian Fire response time goal of 5 minutes.	
<ul style="list-style-type: none"> Resource Reliability 	Fire Station #6 reliability is 83% (above the goal of 80%)	
<ul style="list-style-type: none"> Accessibility 	Proposed project meets all required road widths, and turnaround dimensions.	
Water & Wastewater		
<ul style="list-style-type: none"> Impacts/Concerns 	See Public Works Site Specific Conditions in Section VIII.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Alec Egurrola, T-O Engineers – 332 N. Broadmore Way, Nampa, ID 83687

B. Property Owner:

Charles Rausch – 2707 S. Stoddard Road, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/5/2022	
Radius notification mailed to properties within 500 feet	6/30/2022	
Site Posting	9/22/2022	
Nextdoor posting	6/30/2022	

V. STAFF ANALYSIS

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

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

The subject 4.9 acres currently contains a large home and what appears to be a horse stable and pasture. The subject site is abutted by a public road to the east, Stoddard Road, where the new local street access is proposed. Abutting to the north and west property lines is an existing R-8 development, Fall Creek Subdivision; to the south is County residential not yet annexed into the City of Meridian. The subject property is designated as Medium Density Residential on the future land use map consistent with existing development to the west and north. Due to the existing street along the east boundary and no other existing stub streets to the property, the Applicant is proposing to take access from Stoddard in the approximate location of the existing driveway at the northeast corner of the property. No other access to Stoddard is proposed, consistent with City code.

The Applicant is proposing 15 building lots on 4.85 acres of land which constitutes a gross density of 3.09 units per acre, nearly the minimum density allowed within the MDR designation. The Applicant is proposing to reserve the existing home on nearly an acre sized lot and one additional large lot along the west boundary for the existing property owners. The minimum building lot size proposed throughout the rest of this project is approximately 6,150 square feet which exceeds the 4,000 square foot minimum lot size for the requested R-8 zoning district. The adjacent developments are of similar density but have building lots that are larger in size directly abutting the site than what are proposed with this project, however, no more than 2 building lots are proposed adjacent to any single existing lot along the north boundary. The same is true of the County parcels to the south that directly abut the Ridenbaugh Canal on their south boundary; the existing home lot and the proposed common lot along the south boundary should offer an adequate buffer to the existing residences to the south.

Because the proposed development is consistent with the existing development to the west and north and no access to an arterial street is proposed, Staff believes annexing this land into the City is in the best interest of the City and is a logical expansion of City zoning and development so long as the Applicant adheres to Staff’s recommended DA provisions and conditions of approval.

However, the size of the property is just below the 5 acre minimum that would require 15% qualified open space within the requested R-8 zoning district. Staff does not find it prudent to require a minimum 15% qualified open space when Bear Creek park is a quarter mile to the north off of Stoddard. However, Staff voiced concerns with the originally proposed open space

for this development and a desire to create an area where people can congregate and/or kids can play within this development. In response, the Applicant has proposed additional linear open space along a portion of the north boundary with a micro-pathway that essentially creates a pedestrian loop within the subdivision between the two linear open space lots along the north and south boundaries. The Applicant has also included two park benches along the widest portion of the new linear open space between building Lots 3 & 4 when no amenity was proposed previously. Staff finds the latest revision creates more active open space as the walking paths are repeatedly noted as a used amenity/open space within subdivisions. However, much of this area would not qualify as linear open space per the open space code section because it is not at least 20 feet wide and is instead 15 feet or less in some areas. Therefore, Staff recommends all of the proposed linear open space be at least 20 feet wide to comply with open space standards (UDC 11-3G-3) and comply with the intent of open space code.

An alternative presented by Staff was to replace one of the lots within the subdivision and add a common open space lot for more active recreation and use. Should Commission or Council prefer a larger common open space lot over the proposed linear open space, Staff recommends a centralized location for the development (i.e. Lot 2, 4, or 10) and an amenity be located within it. Staff prefers this option over the proposed micro-paths but is not specifically recommending it at this time.

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

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

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

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

“Encourage a variety of housing types that meet the needs, preferences, and financial capabilities of Meridian's present and future residents.” (2.01.02D). The current property owner of the subject site intends to remain in their home while also reserving an additional lot or two for future use for their children. Staff finds this forethought and the subsequent design to develop their remaining acreage with approximate 6-8,000 square foot building lots allows for a variety of housing options based on the needs, preferences, and financial capabilities of the existing resident and future residents.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site due to the utilities being available in Stoddard Road. Applicant is required to dedicate additional right-of-way for future Stoddard Road improvements (upgraded from two to three lanes in the future). The newest Fire Station (station #6) is approximately 1 mile away and so the project is wholly within the response time goal of the City. West Ada School District has not sent a letter regarding this application but with a relative low number of homes (15) a large number of school aged children is not anticipated to be generated by this development. In

addition, Victory Middle School is within walking distance of the subject site so any children in that age group would be able to get to school safely and efficiently.

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

“With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A). The proposed project will construct detached sidewalk along Stoddard Road and extend needed sidewalk along the west side of this street for safer access to Victory Middle School, approximately ¼ mile to the north. Further, the Applicant has proposed a looping micro-pathway network for the project that easily connects to the required sidewalk along Stoddard adding to the overall pedestrian connectivity and access to the nearby school and park.

“Ensure that new development within existing residential neighborhoods is cohesive and complementary in design and construction.” (2.02.02F). As discussed, the Applicant is proposing the subject project with density at the low end of the allowed density (approximately 3.1 units/acre), similar to the density within the adjacent subdivision to the west and north. Further, the Applicant is proposing a 1 acre lot in the southwest corner for the existing home and linear open space common lots between the subject site and the existing County residential properties to the south and a few of the properties to the north along the north boundary.

“Require new development to establish street connections to existing local roads and collectors as well as to underdeveloped adjacent properties.” (6.01.02C). The Applicant is proposing to construct a new local street within the development that has sole access to the adjacent collector street, Stoddard Road. The Applicant is not proposing to stub a street to the south boundary as both ACHD and the Applicant believe the redevelopment potential of the two lots to the south is minimal due to their existing shapes and the existence of the Ridenbaugh Canal and Stoddard abutting two of their three sides. Therefore, Staff does not find it necessary to provide a stub street to the south and finds the proposed street layout is sufficient in its design for the proposed plat.

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

C. Existing Structures/Site Improvements:

According to GIS imagery, there is an existing home that is to remain at the southwest corner of the property and an outbuilding that appears to be a horse stable and pasture; these structures and pasture are proposed to remain as part of Phase 2 for the project, per the submitted phasing plan (see below). Furthermore, the existing access for this site is via a driveway connection to W. Stoddard Road that will be converted to a public street. Staff has included a DA provision that the existing outbuilding/stable must be removed upon phase 2 development, consistent with accessory and primary structure restrictions.

D. Proposed Use Analysis:

The proposed use is detached single-family residential with a minimum lot size of approximately 6,000 square feet, based on the submitted plat (Exhibit VII.B). This use is a permitted use in the requested R-8 zoning district per UDC Table 11-2A-2 and all lots are shown to meet the minimum lot size requirement of 4,000 square feet and the minimum street frontage requirement of 40 feet. In fact, the majority of lots within the subdivision are proposed with at least 60 feet of frontage, more consistent with the R-4 district. The Applicant has noted the development is expected to develop in two phases with an intent to keep the existing home and outbuilding and

some pasture within phase 2. Phase 1 is proposed with 12 lots and both common driveways and Phase 2 is proposed with the remaining three (3) building lots.

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

The residential lots are shown to meet all UDC dimensional standards per the submitted plat. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3).

The Applicant is proposing two (2) common drives within the project; one in the southeast corner of the project for access to Lots 16 & 17 and an additional common drive near the northwest corner for access to four lots (Lots 5-7 and Lot 9). Lot 8 common drive appears to comply with all standards outlined in UDC 11-6C-3D. However, the construction of the Lot 14 common drive does not appear to comply as it creates a sidewalk gap on the public street and does not extend 20 feet past the property line for Lot 16. ACHD does not call this out in their staff report but Staff finds that Lot 14 should match Lot 8 in its design and not be a part of the public road network as depicted on the submitted plans. The Applicant should continue the curb, gutter, and 5-foot sidewalk between Lots 13 & 18 consistent with the curve of the public street and mirror the design of the Lot 8 common drive. In addition, the Applicant should extend the common drive 6 feet further to the south to ensure at least 20 feet of frontage for Lot 16. The Applicant should make these revisions with the first final plat submittal.

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

The Applicant submitted conceptual building elevations for the proposed detached single-family homes. Note that detached single-family homes do not require Design Review approval therefore Staff does not review these for compliance with any architectural standards.

The submitted elevations depict a number of different architectural designs of the modern style home with shed roof designs as well as dormers. In addition, all homes are shown with 3-car garages (some RV garage bays) and a variety of window designs. The field materials shown appear to be of high quality siding and stucco with stone accents and varying garage door materials. Overall, Staff finds the submitted elevations to show high quality and attractive single-family homes.

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

Access is proposed via a new local street (shown as W. Scoria Court) connection to S. Stoddard Road approximately 345 feet north of the Grizzly Drive on the east side Stoddard Road. There are no existing stub streets adjacent to the site and Stoddard runs along the entire east boundary which is why the Applicant is proposing an access point to this collector street and proposing W. Scoria to end as a cul-de-sac within the site, as shown on the submitted preliminary plat. Further, according to the proposed plat, W. Scoria is proposed as 33-foot wide local street with 5-foot attached sidewalks and Stoddard is shown to be improved with curb, gutter, and detached sidewalk outside of the additional right-of-way dedication required with this development. The proposed street design complies with all UDC standards and ACHD conditions of approval, according to the ACHD staff report.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. Note that there is opportunity for on-street parking where there are no driveways because W. Scoria is proposed as a 33-foot wide street section.

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

5-foot wide attached sidewalks are proposed along the new proposed local street. W. Scoria and 5-foot detached sidewalks along the west side of S. Stoddard Road, consistent with UDC and ACHD requirements. The proposed sidewalk dimensions also meet UDC 11-3A-17 and ACHD standards. However, the Stoddard frontage is shown as an alternative multi-use pathway segment and the Parks Department has requested that 10-foot sidewalk be added along Stoddard in lieu of the 5-foot sidewalk currently shown. Consistent with the Master Pathways Plan, Staff is recommending this revision.

According to the submitted plat and landscape plan, the proposed detached sidewalk along Stoddard is shown within ACHD right-of-way but at least 6 feet from the new curbing and added pavement proposed with this project, consistent with the UDC. With the requirement of the multi-use pathway along Stoddard, the Applicant may be required to submit a public access easement; the Applicant should continue working with ACHD to determine who will maintain the pathway based on its location within the ROW.

Staff does have concerns with the proposed micro-paths and sidewalk connection near the common drive at the southeast corner of the site, Lot 14. According to the submitted plans, the micro-path connects to the common drive and utilizes it as a pedestrian pathway. The City does not desire this type of design for pedestrian and vehicles to share the same surface if it can be avoided. Therefore, Staff is recommending 5-foot wide sidewalk be added to the common drive on either side of the common drive for added pedestrian safety. This recommendation will require the 5 feet to be taken from the adjacent lot to the west (Lot 13) or the lots to the east (lots 16-18).

J. Landscaping (UDC 11-3B):

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

The Applicant is showing a common lot along S. Stoddard that is at least 20-feet in width and located wholly outside of the additional right-of-way dedication required by ACHD consistent with code requirements. The Stoddard landscape buffer is depicted with 9 trees, sod, and landscape beds with shrubs, consistent with UDC 11-3B-7. The Applicant is also showing landscape beds on both sides of the new local street connection to Stoddard with two trees on the south side of this entrance adjacent Lot 19. All street landscaping complies with UDC requirements.

As discussed, the Applicant has proposed linear open space and micro-paths around and through the development. These areas should be landscaped in accord with UDC 11-3B-12 with trees at least every 100 linear feet and include other vegetative ground cover. According to the submitted landscape plans, the Applicant is proposing trees in excess of code requirements with landscape beds, shrubs, and sod throughout. Staff finds the proposed landscaping meets or exceeds code requirements. Staff notes that with the recommended revisions to widen some areas to at least 20 feet in width, additional trees and vegetative ground cover should also be added to remain compliant with UDC 11-3B-12 OR lose one of the aforementioned buildable lots in order to provide more usable open space for the development.

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

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

*According to the revised landscape plans, the Applicant is proposing to keep the existing 6-foot vinyl privacy fencing along the perimeter of the property compliant with code. The Applicant is also showing 6-foot vinyl privacy fencing along the sides and rear boundaries of the building lots adjacent to the proposed micro-paths. This fencing is not code compliant as these linear open space areas are set behind building lots and are not visible from end-to-end. **Therefore, the Applicant should revise the landscape plans to depict open vision fencing or semi-private open vision fencing consistent with UDC 11-3A-7 adjacent to Lots 2, 3, 10-13, & 16.***

L. Utilities (UDC [11-3A-21](#)):

The Applicant is proposing and is required to extend necessary public utilities for the proposed detached single-family dwellings within the Slatestone Subdivision. Public Works has reviewed the subject applications for compliance with their standards and finds them to be in general compliance except for specific conditions outlined in Section VIII.B of this report. Staff notes that the Applicant is proposing to place sewer within a common lot and the common drive at the southeast corner of the property.

Because the Applicant is placing a sewer main within a common lot, it must have a drivable surface over top for City access. This is shown on the submitted plans but also depicts a hammerhead type turnaround that is not required by the City. Because it is not required, Staff recommends removing the western piece of this turnaround to square up the southeast corner of Lot 13 and provide more area that can be landscaped behind Lot 13 up to the required 20-foot wide sewer main easement.

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

According to satellite imagery, the subject site contains an irrigation ditch along the southern boundary. The submitted plat depicts this irrigation ditch but does not show it on the subject property. In accord with UDC 11-3A-6B.3, if the irrigation ditch is on the subject property, the Applicant is required to pipe the ditch.

Prior to the Commission hearing, the Applicant should verify the location of the irrigation ditch and if said ditch is proven to be on the subject property, the Applicant should revise any relevant plans to depict this ditch as being piped prior to the City Council hearing, in accord with UDC 11-3A-6B.

VI. DECISION

A. Staff:

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

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

VII. EXHIBITS

A. Annexation and Zoning Legal Description and Exhibit Map



Project No: 210791
Date: May 26, 2022
Page 1 of 1

CITY OF MERIDIAN ANNEXATION DESCRIPTION

A parcel of land located in the NE1/4 of the SW1/4 of Section 24, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap monument marking the South 1/4 corner of said Section 24, from which an aluminum cap monument marking the West 1/16 Corner between Sections 24 and 25 bears N.89°20'37"W., a distance of 1320.23 feet; thence, along the east boundary of said SW1/4,

- A) N.00°51'27"E., 1326.49 feet to the Center South 1/16 Corner of said Section 24 and the **POINT OF BEGINNING**; thence,
- 1) N.89°22'47"W., 661.06 feet; thence,
 - 2) N.00°48'06"E., 331.46 feet; thence,
 - 3) S.89°25'29"E., 661.35 feet to the east boundary of said SW1/4; thence along said boundary,
 - 4) S.00°51'03"W., 331.98 feet to the **POINT OF BEGINNING**.

CONTAINING: 5.035 acres, more or less.

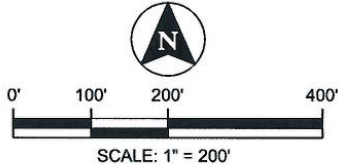


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EXHIBIT SKETCH - CITY OF MERIDIAN ANNEXATION

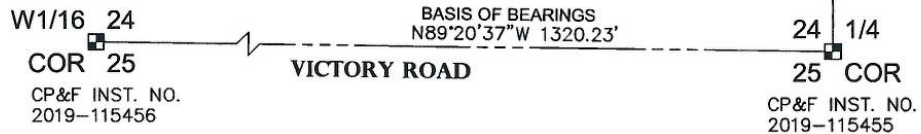
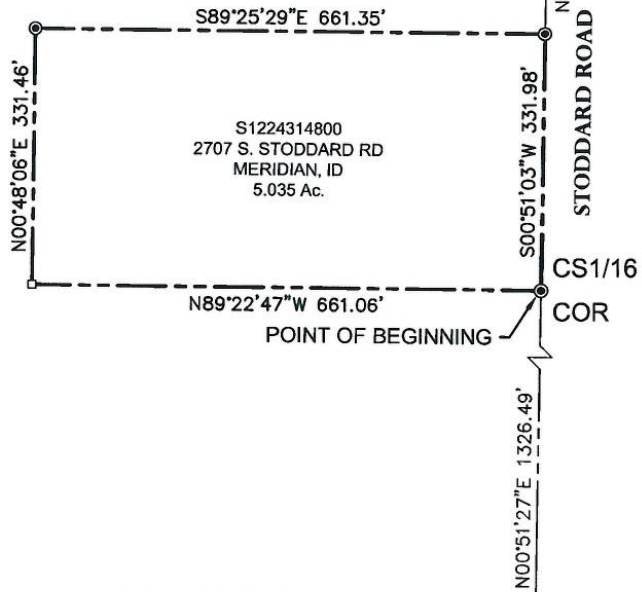
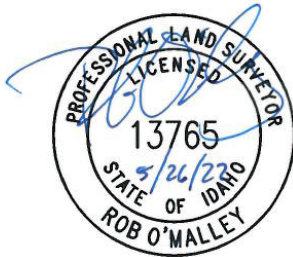
LOCATED IN A PORTION OF THE NE1/4 OF THE SW1/4, SECTION 24,
TOWNSHIP 3 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2022

CP&F INST. NO.
110049426
C1/4 COR
SEC 24



NOTES

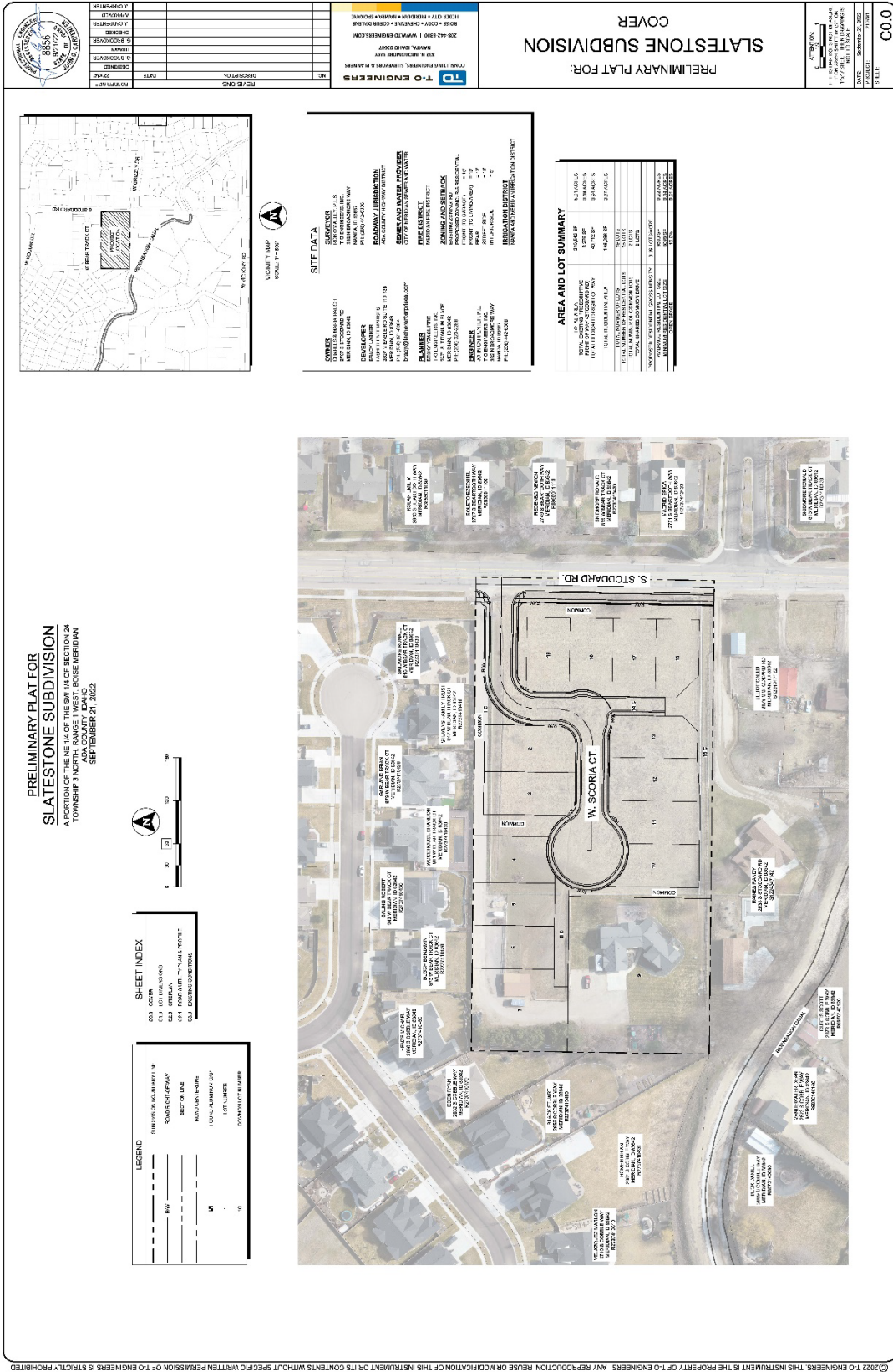
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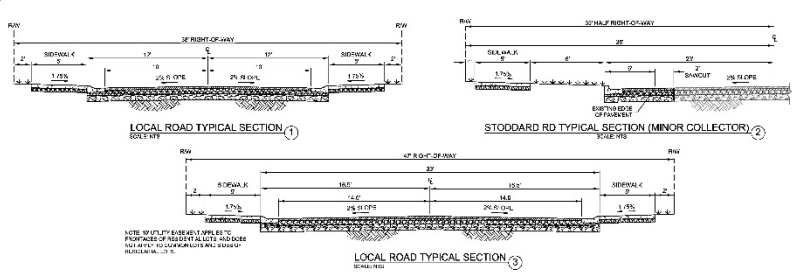


LEGEND	
	ANNEXATION BOUNDARY
	SECTION LINE
	FOUND BRASS CAP MON.
	FOUND ALUMINUM CAP MON.
	FOUND 5/8\"/>

T-O ENGINEERS
332 N. BROADMORE WAY
NAMPA, IDAHO 83687
PHONE: (208) 442-6300 WWW.TO-ENGINEERS.COM
E-FILE: 210791-V-XB-Meridian Annexation.dwg DATE: 5/25/22 JOB: 210791

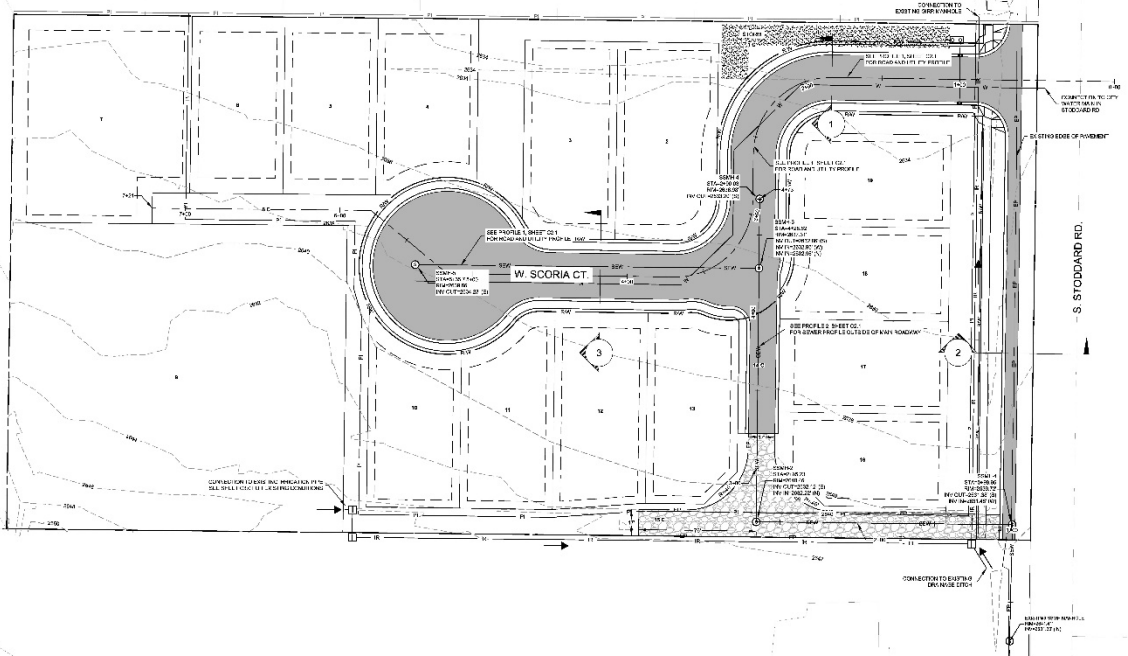
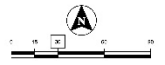
B. Preliminary Plat (dated: 9/21/2022)





SEWER AND WATER NOTES

1. ALL UTILITY LINES SHALL BE INSTALLED TO THE EXISTING GRADE UNLESS OTHERWISE NOTED TO BE INSTALLED TO THE PROPOSED FINISH GRADE.
2. ALL UTILITY LINES SHALL BE INSTALLED TO THE PROPOSED FINISH GRADE UNLESS OTHERWISE NOTED TO BE INSTALLED TO THE EXISTING GRADE.
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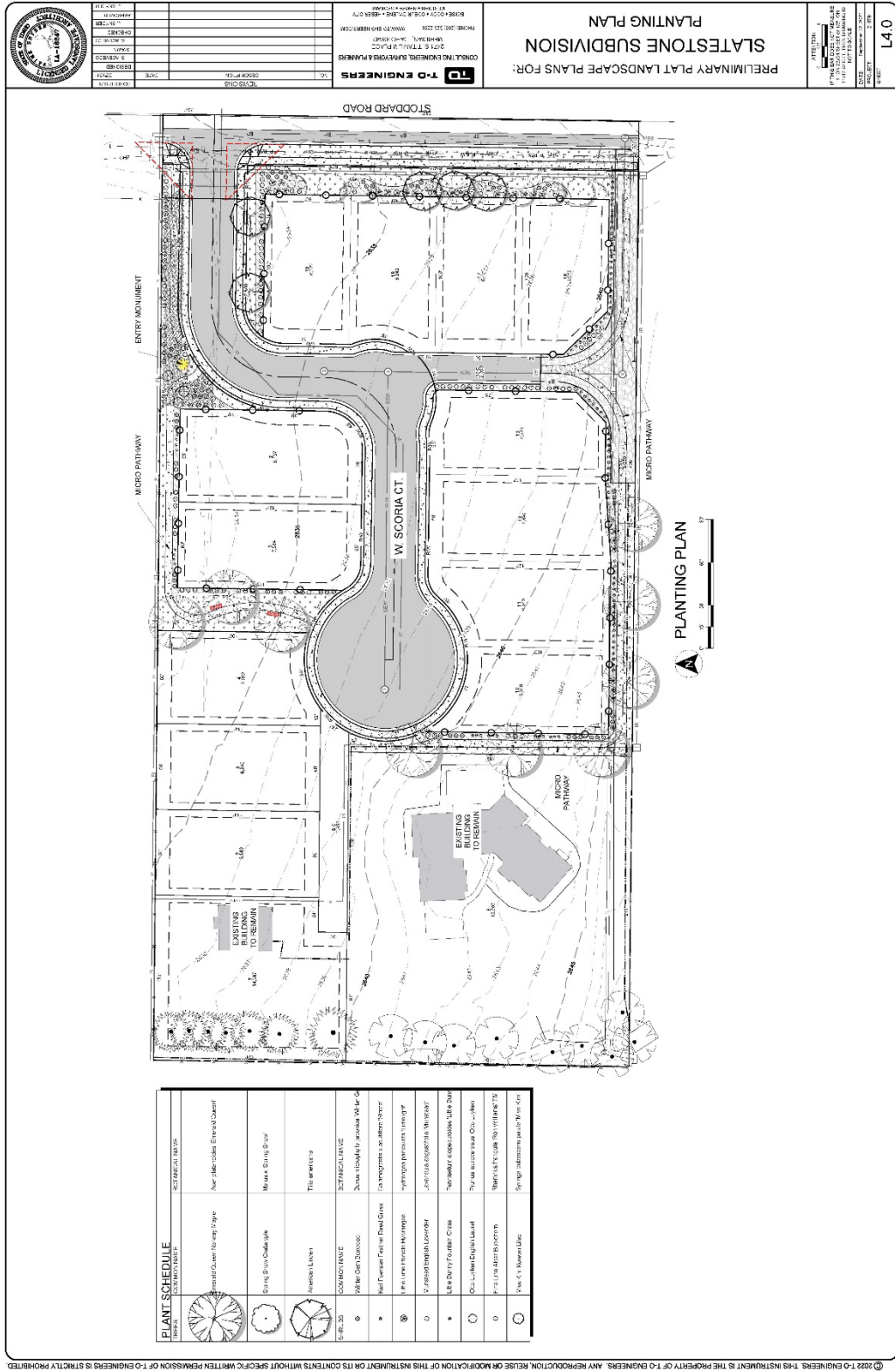
NO.	REVISIONS	DATE	BY	CHKD.

T.O. ENGINEERS
 CONSULTING ENGINEERS ARCHITECTS LANDSCAPE ARCHITECTS
 2000 W. WOODRIDGE AVENUE
 ANN ARBOR, MICHIGAN 48106
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 WWW: T.OENGINEERS.COM

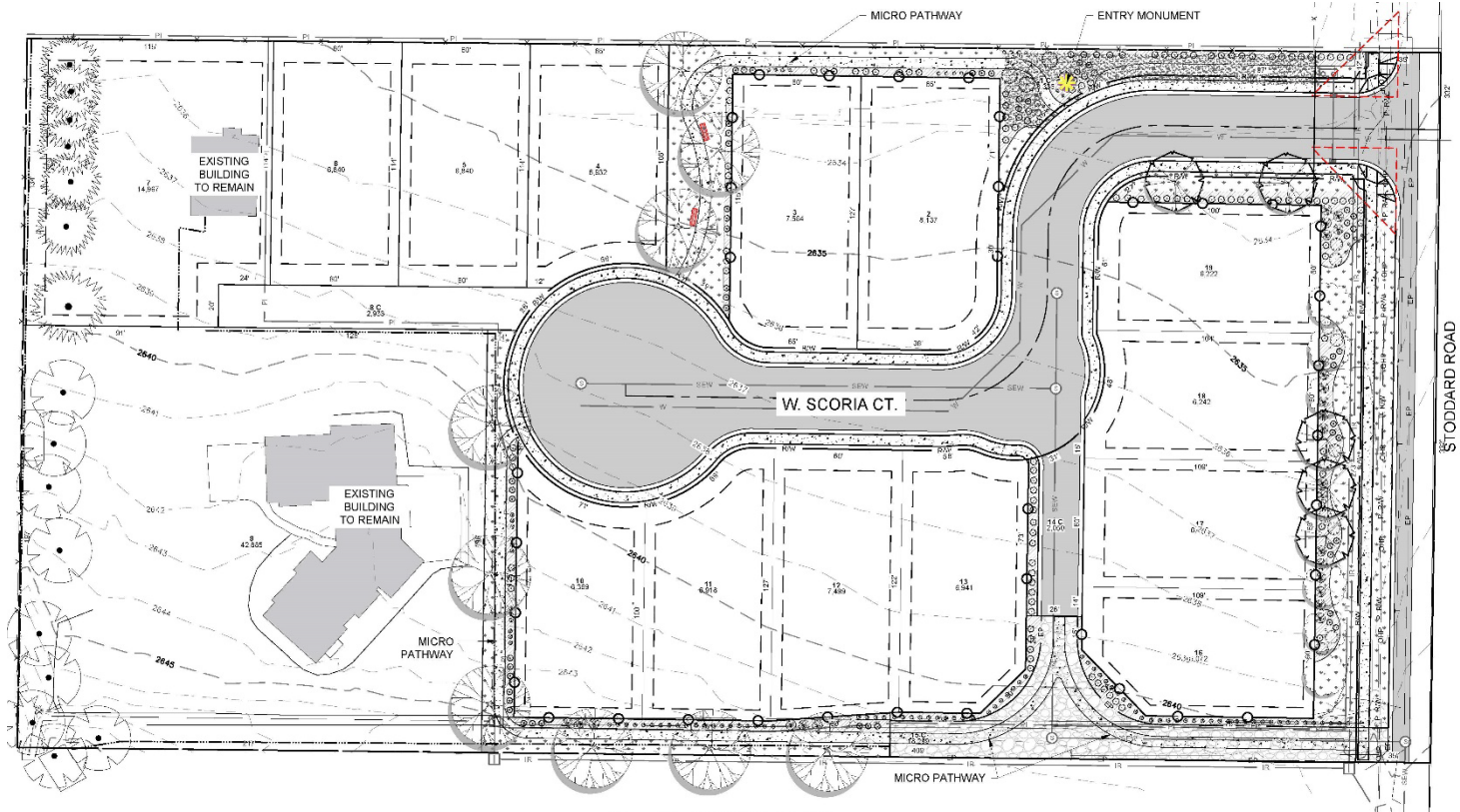
**PRELIMINARY PLAN FOR:
 SLATESTONE SUBDIVISION
 SITEPLAN**

DATE	10/15/2010
PROJECT	SLATESTONE
SHEET	C2.0

C. Landscape Plans (date: 9/22/2022)



PLANT SCHEDULE	SYMBOL	DESCRIPTION
	1	Plant 1: Large, rounded tree with dense foliage.
	2	Plant 2: Smaller, rounded tree with dense foliage.
	3	Plant 3: Tree with a more open, branching structure.
	4	Plant 4: Tree with a rounded canopy and some bare branches.
	5	Plant 5: Tree with a rounded canopy and some bare branches.
	6	Plant 6: Tree with a rounded canopy and some bare branches.
	7	Plant 7: Tree with a rounded canopy and some bare branches.
	8	Plant 8: Tree with a rounded canopy and some bare branches.
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	11	Plant 11: Tree with a rounded canopy and some bare branches.
	12	Plant 12: Tree with a rounded canopy and some bare branches.
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	14	Plant 14: Tree with a rounded canopy and some bare branches.
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	99	Plant 99: Tree with a rounded canopy and some bare branches.
	100	Plant 100: Tree with a rounded canopy and some bare branches.



PLANTING PLAN



E. Conceptual Building Elevations









VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

- a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, and conceptual building elevations included in Section VII and the provisions contained herein.
- b. The existing outbuilding/stable shall be removed upon phase 2 development, consistent with accessory and primary structure restrictions and the approved phasing plan.
- c. The existing home shall connect to City water and sewer services with the first phase of development.
- d. The rear and/or sides of homes visible from S. Stoddard Road (Lots 16-19) shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*

Preliminary Plat Conditions:

2. The preliminary plat included in Section VII.B, dated September 21, 2022, shall be revised as follows prior to submitting for Final Plat approval:
 - a. Show all linear open space to be at least 20 feet wide consistent with UDC 11-3G-3 standards or lose one of the buildable lots in lieu of a larger and centralized open space lot with a commensurate amenity that is code compliant.
 - b. Direct lot access to S. Stoddard Road is prohibited in accord with UDC 11-3A-3.
 - c. Correct the plat to show curb, gutter, and 5-foot attached sidewalk between Lots 13 & 18 consistent with the curve of the public street
 - d. Show the common drive on Lot 14 to be six (6) feet further to the south to ensure at least 20 feet of frontage for Lot 16.
 - e. Add a 5-foot wide sidewalk to either side of the Lot 14 common drive to connect it to the local street sidewalk and proposed micro-path in Lot 15 common lot.
 - f. Remove the western piece of the turnaround up to the required 20-foot wide sewer main easement shown in Lot 15 to square up the southeast corner of Lot 13 and provide more area that can be landscaped behind Lot 13.

- g. Depict the required 10-foot wide multi-use pathway along S. Stoddard Road and place it at least four (4) feet outside of the ultimate curb and gutter location to allow for landscaping on both sides of the pathway. Prior to the City Engineer's signature on the final plat for Phase 1, a 14-foot wide public pedestrian easement shall be submitted to the Planning Division and recorded for the multi-use pathway as required by the Park's Department, unless ACHD requires ones.
 - h. Existing home will get a new address upon development of the first phase of this project consistent with the development of the new local street access.
- 3. The landscape plan included in Section VII.C, dated September 22, 2022, shall be revised as follows prior to submitting for Final Plat approval:
 - a. Show all linear open space to be at least 20 feet wide consistent with UDC 11-3G-3 standards or lose one of the buildable lots in lieu of a larger and centralized open space lot with a commensurate amenity that is code compliant.
 - b. Make the necessary revisions to the landscape plans to match the plat revisions noted above in VIII.A2.
 - c. Add additional trees along micro-path north of Lots 2 & 3 to remain consistent with UDC 11-3B-12 following the widening of this area to 20 feet.
 - d. Depict open vision fencing or semi-private open vision fencing consistent with UDC 11-3A-7 adjacent to Lots 2, 3, 10-13, & 16 (refer to Figure 1 in UDC 11-3A-7 for depictions of fencing types).
- 4. Prior to the Commission hearing, the Applicant shall verify the location of the irrigation ditch along the south boundary to determine if it is on the subject property; if said ditch is proven to be on the subject property, the Applicant should revise any relevant plans to depict this ditch as being piped prior to the City Council hearing in accord with UDC 11-3A-6B.
- 5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
- 6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
- 7. The Applicant shall comply with all ACHD conditions of approval.
- 8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
- 9. An exhibit shall be submitted with the final plat application for the lots accessed by common driveways (Lots 5-7, 9, & 16-18) that depicts the setbacks, fencing, building envelope and orientation of the lots and structures in accord with UDC 11-6C-3D. Driveways for abutting properties that are not 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.
- 10. 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.

11. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

SITE SPECIFIC CONDITIONS:

1. Install two mainline valves on the tee at the connection to Stoddard Rd.
2. Ensure that any water main is 10' from the edge of right of way.
3. A streetlight plan will be required for the subdivision as well as (2) streetlights along S. Stoddard Rd.
4. Applicant to ensure proper separation between water and sewer mains.
5. Ensure no sewer services pass through infiltration trenches.
6. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement
7. The geotechnical investigative report prepared by Geo Tek, Inc. indicates specific construction considerations. The applicant shall be responsible for the adherence of these recommendations to help ensure that groundwater does not become a problem within crawlspaces of homes.

GENERAL CONDITIONS:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can

be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

7. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiandcity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.

19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
24. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=265657&dbid=0&repo=MeridianCity>

D. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266783&dbid=0&repo=MeridianCity>

E. PARKS DEPARTMENT – MERIDIAN PATHWAYS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=265658&dbid=0&repo=MeridianCity>

F. NAMPA/MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=267285&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=267181&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Annexation and Zoning (UDC 11-5B-3E)

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

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

Staff finds the proposed zoning map amendment to annex the property into the City of Meridian with the R-8 zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.

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

Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested R-8 zoning district and is consistent with the purpose statement of the requested zone.

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

Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.

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

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

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

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

B. Preliminary Plat Findings:

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

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

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

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

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

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

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

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

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

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property.

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

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



AGENDA ITEM

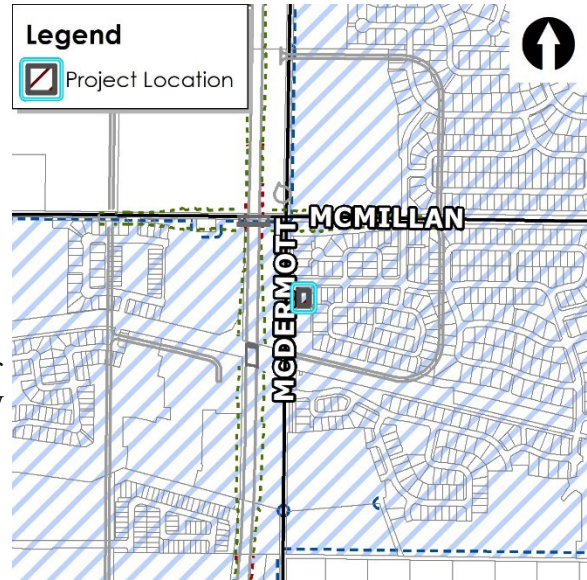
ITEM TOPIC: Public Hearing for AMI Tower at Well 29 (H-2022-0052) by City of Meridian, located at 6355 W. Quintale Dr., directly west of Oaks West Subdivision No. 1
Application Materials: <https://bit.ly/H-2022-0052>

A.Request: Conditional Use Permit for a 100-foot lattice designed communication tower for the City of Meridian Water Department on an existing City of Meridian Well site on approximately 0.45 acres of land in the R-8 zoning district.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/6/2022
 TO: Planning & Zoning Commission
 FROM: Joseph Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0052
 AMI Tower at Well 29
 LOCATION: 6355 W. Quintale Drive, directly west of Oaks West Subdivision No. 1, in the NW 1/4 of the NW 1/4 of Section 33, Township 4N, Range 1W.



I. PROJECT DESCRIPTION

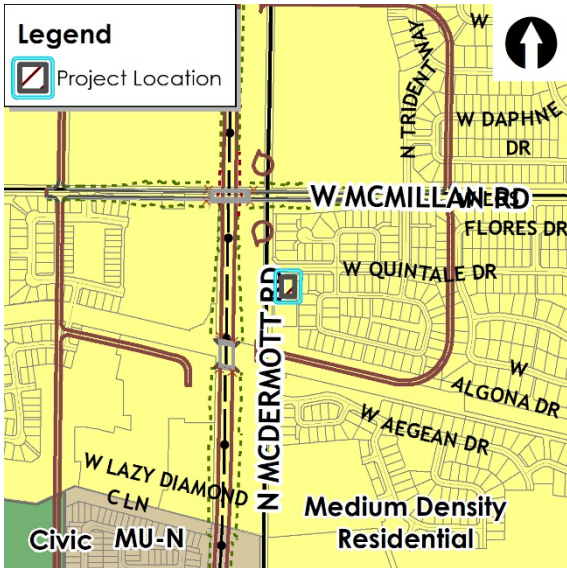
Conditional Use Permit (CUP) for a 100-foot lattice designed communication tower for the City of Meridian Water Department on an existing City of Meridian Well site on approximately 0.45 acres of land in the R-8 zoning district, by the City of Meridian.

II. PROJECT SUMMARY

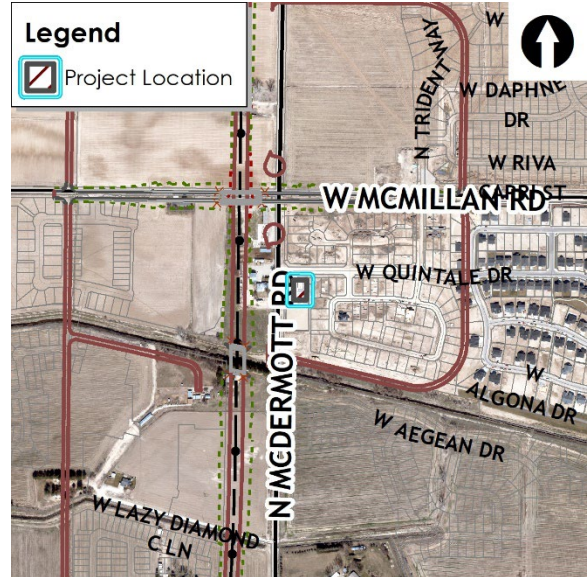
Description	Details	Page
Acreage	0.45	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use	City well site (Well #29)	
Proposed Land Use(s)	Wireless communication facility (100' tall self-supporting steel tower for radio communication)	
Current Zoning	R-8	
Neighborhood meeting date	June 14, 2022	
History (previous approvals)	AZ-08-004 (Oakcreek); H-2017-0010 (Rezone); H-2017-0170 (Oaks West Sub.); A-2016-0323 (CZC, DES, & ALT for Well #29 site).	

III. PROJECT AREA MAPS

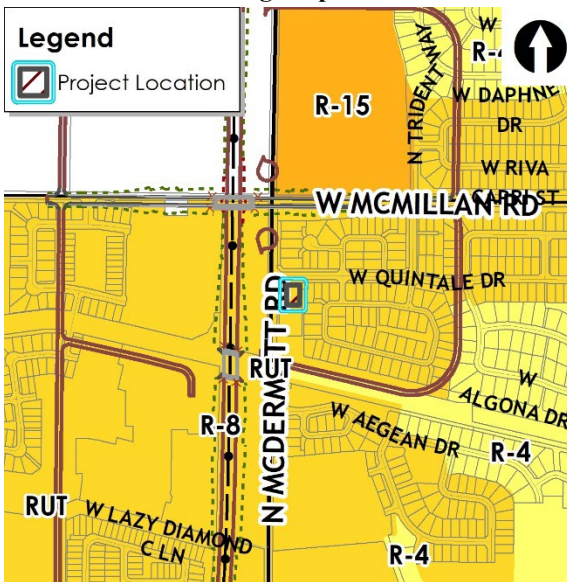
Future Land Use Map



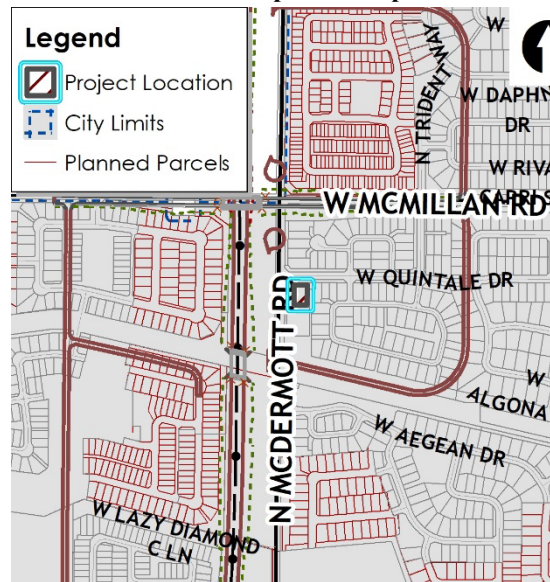
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Jared Hale, City of Meridian – 33 E. Broadway Avenue, Meridian, ID 83642

B. Owners:

City of Meridian – 33 E. Broadway Avenue, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date
Legal notice published in newspaper	9/21/2022
Radius notification mailed to properties within 1000 feet	9/15/2022
Nextdoor posting	9/15/2022
Public hearing notice sign posted on property	9/27/2022

V. STAFF ANALYSIS

A. Existing Structure(s)/Site Improvements:

The subject 0.45 acre site is currently developed with a City well site building with associated fencing and landscaping. Proposed tower would not require additional structures or site improvements as all of these improvements have already been constructed with previous development of the well site.

B. Site Plan:

A site plan was submitted with this application that depicts the location of the proposed tower to be on the west side of the existing pumphouse building, in closer proximity to McDermott Road than to the existing residences to the east and north within the Oaks West Subdivision. According to the submitted plans, there is no ground mounted equipment being proposed with this application; should ground mounted equipment be proposed, it is required to be screened per the specific use standards (see V.D below for more analysis). Therefore, the base of the proposed tower will be screened from view from any nearby residences due to the existing structures on the subject property and the tower will be located approximately 95 feet from the closest residential building lot to the east and approximately 150 feet from the closest residential building lot to the north. In addition, the Applicant's narrative specifically states that final tower design and location will be coordinated with the adjacent subdivision HOA. Staff supports working with the adjacent HOA but some level of design and location is required for approval with the subject Conditional Use Permit (CUP) request.

C. Proposed Use Analysis:

The proposed wireless communication facility is listed as an accessory or conditional use in the R-8 zoning district, per [UDC Table 11-2A-2](#). In addition, all wireless communication facilities are subject to the specific use standards listed in UDC 11-4-3-43: Wireless Communication Facility (see below analysis). Code encourages slimline or monopole construction but with conditional use permit approval, the tower may be of alternative design (i.e. the proposed tower design of steel lattice). The applicant states the steel lattice design is proposed in order to keep costs down for the rate payers as this design is cheaper than slimline/monopole towers.

The proposed tower is planned to have a radio antenna used for communication with water meter readers and the existing tower at the City of Meridian Water Department—the Applicant does not anticipate adding any other wireless communication equipment to this tower. In fact, the Applicant has requested, through the CUP process, to waive the requirement to allow additional users to collocate on the subject tower. Since the proposed

tower is strictly for a single purpose and not your typical wireless communication facility, Staff is supportive of the request.

D. Specific Use Standards (UDC [11-4-3-43](#)): (*Staff's comments in italics*)

Process (11-4-3-43C):

1. All proposed communication towers shall be designed (structurally and electrically) to accommodate the applicant's antennas as well as collocation for at least one additional user. *The proposed tower will accommodate additional users but the Applicant is requesting this requirement be waived through the CUP process.*
2. A proposal for a new commercial communication tower shall not be approved unless the decision making body finds that the telecommunications equipment planned for the proposed tower cannot be accommodated on an existing or approved structure and/or tower. *Proposed tower is not for commercial use and submitted propagation charts show the need for this tower to increase the coverage area for water meter readers.*
3. It shall be the burden of the applicant to demonstrate the proposed tower or antenna cannot be accommodated on an existing or approved tower or structure. One or more of the following documentation shall be provided as proof that the new tower is necessary:
 - a. Unwillingness of other tower or facility owners to entertain shared use.
 - b. The proposed collocation of an existing tower or facility would be in violation of any state or federal law.
 - c. The planned equipment would exceed the structural capacity of existing towers, as documented by a qualified and licensed structural engineer.
 - d. The planned equipment would cause interference, materially impacting the usability of other existing or planned equipment on the tower as documented by a qualified and licensed engineer.
 - e. Existing or approved towers cannot accommodate the planned equipment at a height necessary to function reasonably as documented by a qualified radio frequency engineer.

The Applicant has stated there are no existing communication towers in the area to collocate on. Staff confirms this is accurate.

Required Documentation:

1. For all wireless communication facilities, a letter of intent committing the tower owner and his, her or its successors to allow the shared use of the tower, as required by this section, if an additional user agrees in writing to meet reasonable terms and conditions for shared use. *As noted, the Applicant is requesting to waive this requirement so this document was not submitted.*
2. Propagation charts showing existing and proposed transmission coverage at the subject site and within an area large enough to provide an understanding of why the facility needs to be in the chosen location. *Propagation maps were submitted and demonstrate the need for the subject facility to locate in this area.*
3. A statement regarding compliance with regulations administered and enforced by the federal communications commission (FCC) and/or the federal aviation administration (FAA). *A statement was submitted with this application as required and is included in the project folder.*

Design Standards (11-4-3-43E): All new communication towers shall meet the following minimum design standards:

1. All towers shall be designed to be architecturally compatible with the surrounding buildings and land uses in the zoning district, or otherwise integrated to blend in with existing characteristics of the site. *Staff believes the existing landscape buffers on the property (to the north and west), the existence of the pumphouse, and its general location and design make it architecturally compatible with the adjacent development.*
2. The facility shall be painted a neutral, non-reflective color that will blend with the surrounding landscape. Recommended shades are gray, beige, sand, taupe, or light brown. All metal shall be corrosive resistant or treated to prevent corrosion. *The proposed tower will be neutral in color and all metal but hot-dipped galvanized steel to prevent corrosion. This will be verified with the CZC submittal.*
3. All new communication tower facilities shall be of stealth or monopole design, unless the decision making body determines that an alternative design would be appropriate because of location or necessity. *Part of the subject CUP request is for the proposed wireless facility to be of a steel lattice design rather than a stealth monopole design due to cost reasons, as noted by the Applicant's narrative.*
4. No part of any antenna, disk, array or other such item attached to a communications tower shall be permitted to overhang any part of the right of way or property line. *No part of any antenna, disk, array or other equipment attached to the communications tower is proposed to overhang any part of the property line.*
5. The facility shall not be allowed within any required street landscape buffer. *The facility is proposed outside of any required street buffers.*
6. All new communication tower facility structures require administrative design review approval, in addition to any other necessary permits. Structures contained within an underground vault are exempt from this standard. *The Applicant shall submit and obtain approval of a future Certificate of Zoning Compliance (CZC) application for approval of the facility prior to application for a building permit. Staff finds administrative design review (DES) is not necessary nor applicable for only a lattice communication tower because there are no design standards specific to tower design.*
7. Any equipment at ground level shall be screened by a sight obscuring fence or structure. *According to the submitted plans, no ground level equipment is shown—should any be proposed, it must be screened with a new fencing material as the perimeter fencing is wrought iron fencing that does not screen the base of the tower.*
8. All tower facilities shall include a landscape buffer. The buffer shall consist of a landscape strip of at least five feet (5') wide outside the perimeter of the compound. A minimum of fifty percent (50%) of the plant material shall be of an evergreen variety. In locations where the visual impact of the tower is minimal, the applicant may request a reduction to these standards through the alternative compliance process in accord with chapter 5, "Administration", of this title. *There are existing landscape buffers to the north (20 feet wide) and west (35 feet wide) of the proposed tower location exceeding this code requirement. Further, according to street view imagery and the submitted landscape plan, it appears at least half of the plant material in the existing buffers is of an evergreen variety. These buffers are owned and maintained by the Oaks HOA and not the City so if any additional landscaping is deemed necessary, the City will have to coordinate with the HOA in order install additional landscaping.*

9. All climbing pegs within the bottom twenty feet (20') of the tower shall be removed except when the tower is being serviced. *The Applicant shall comply.*

E. Dimensional Standards ([UDC Table 11-2A-6](#)):

Development is required to comply with the dimensional standards listed below for the R-8 district and the specific use standards for the proposed use of a wireless communication facility (UDC 114-3-43). *Staff has reviewed the proposed site plan and deems it in compliance with the required dimensional standards for the R-8 zoning district. The specific use standards separate the different types of communication towers and their required setbacks (i.e. monopole design, stealth tower design, or lattice design) when in different districts and/or adjacent to residential districts. UDC 11-4-3-43 does not specifically state that a lattice design has a setback but through the applicability section of these standards and the setbacks required for preferred communication tower designs, Staff applies the noted setbacks within this code section: the tower must be set back a distance equal to the height of the tower from adjacent right-of-way and/or an abutting residential lot. The subject 100-foot tower does not meet this setback requirement and therefore must have its proposed location approved through the CUP process. Per the analysis above and in subsequent sections throughout this report, Staff supports the proposed tower location that is approximately 95 feet from the residential property line to the east.*

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

Access is proposed via the existing curb cut and driveway from W. Quintale Drive.

G. Parking ([UDC Table 11-3C-6](#)):

The proposed use does not require parking; there is available parking areas on the existing site.

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

Sidewalks were approved and installed at the project site with previous approvals; therefore, no additional sidewalk is required.

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

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

An 8-foot tall wrought iron fence is existing around the perimeter of the subject property. No other fencing is required as part of this application unless ground mounted equipment is proposed. Staff will verify if any ground equipment is proposed with the future CZC submittal.

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

Building elevations were submitted for the proposed steel lattice tower as shown in Section VII.B. The subject tower is not a traditional structure and the City does not have design review standards specific to lattice style towers with no additional equipment or structures associated with it. Therefore, Staff does not find it necessary or applicable to require administrative design review (DES). However, adherence to the submitted and approved design with this application will be verified with the future CZC application.

K. Certificate of Zoning Compliance (CZC):

An application for CZC is required to be submitted for review and approval of the site design and structure to ensure consistency and provisions in this report prior to submittal of building permit applications for the development.

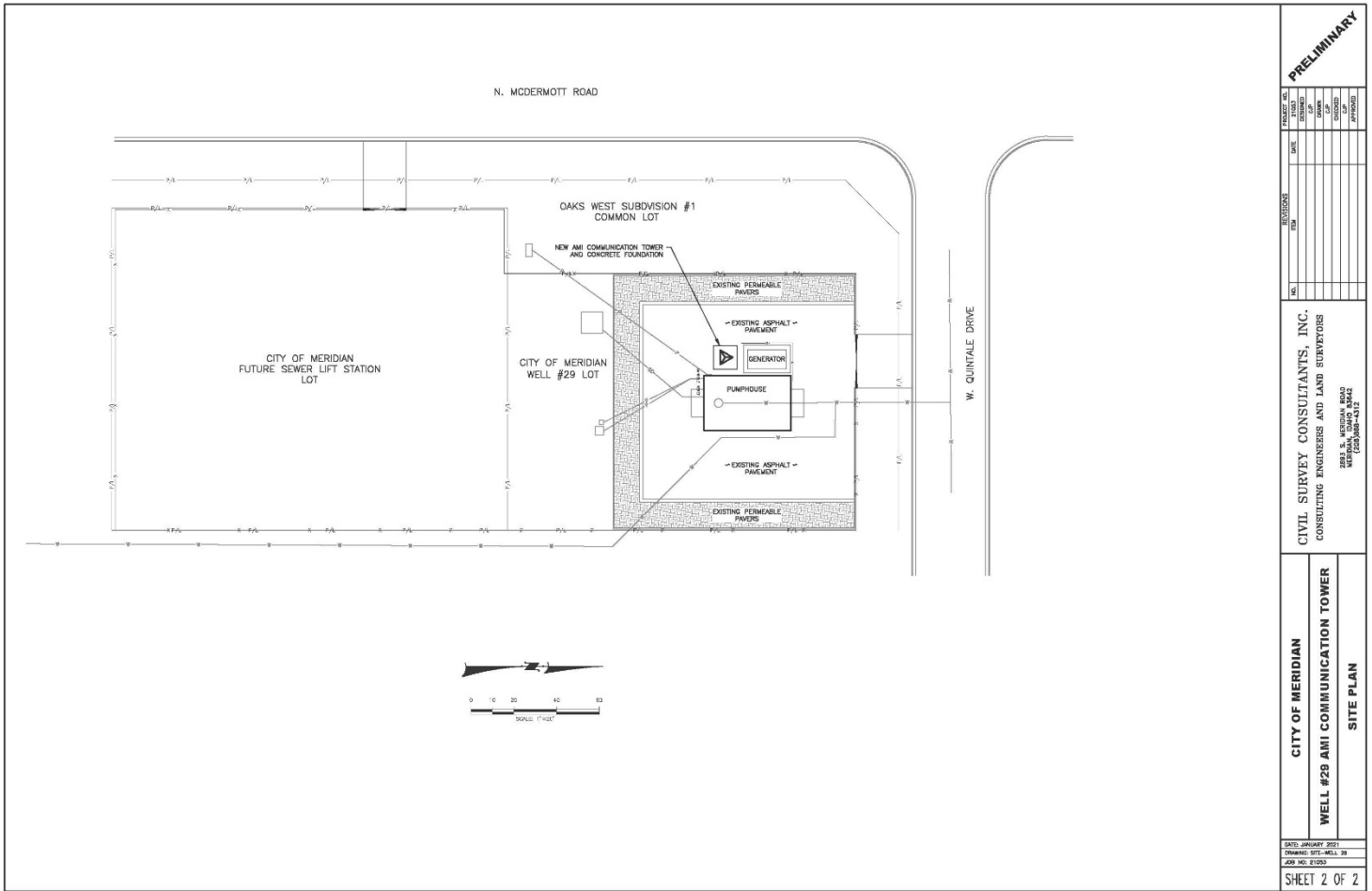
VI. DECISION

A. Staff:

Staff finds the proposed use complies with the applicable UDC standards; therefore, Staff recommends approval of the Applicant’s request for Conditional Use Permit.

VII. EXHIBITS

A. Site Plan



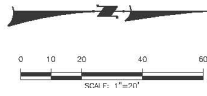
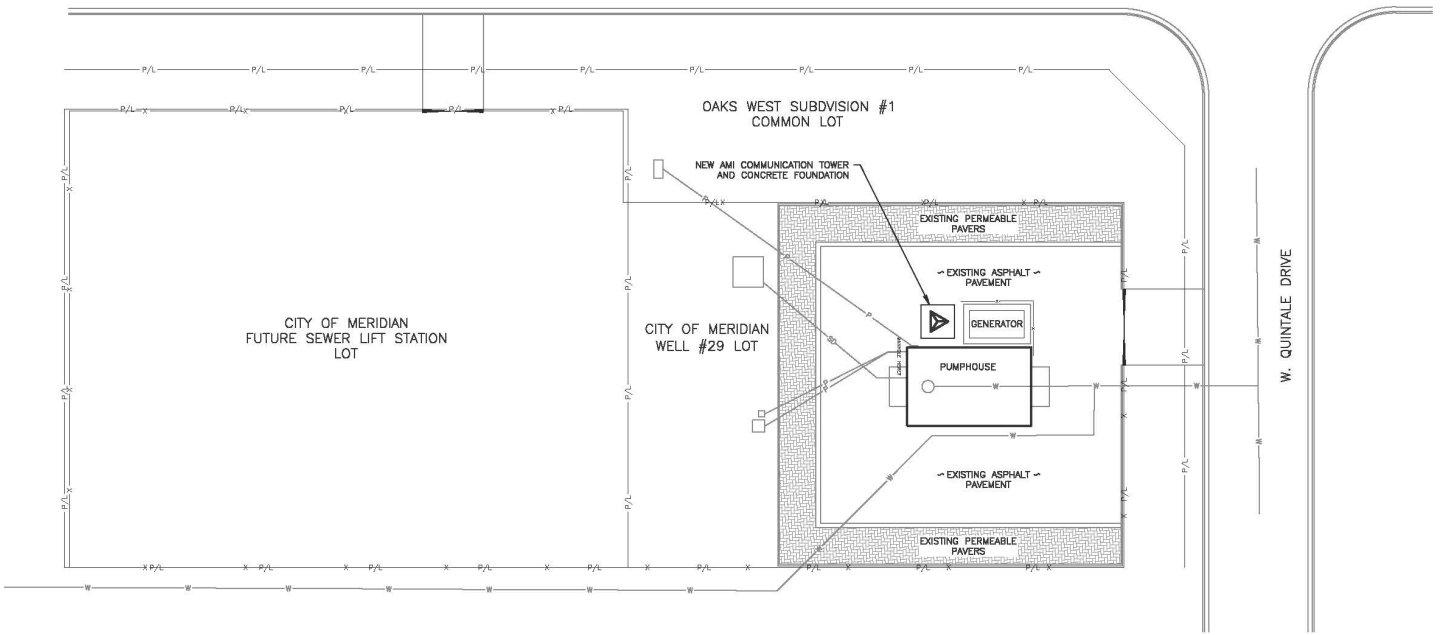
PRELIMINARY

DATE	REVISIONS

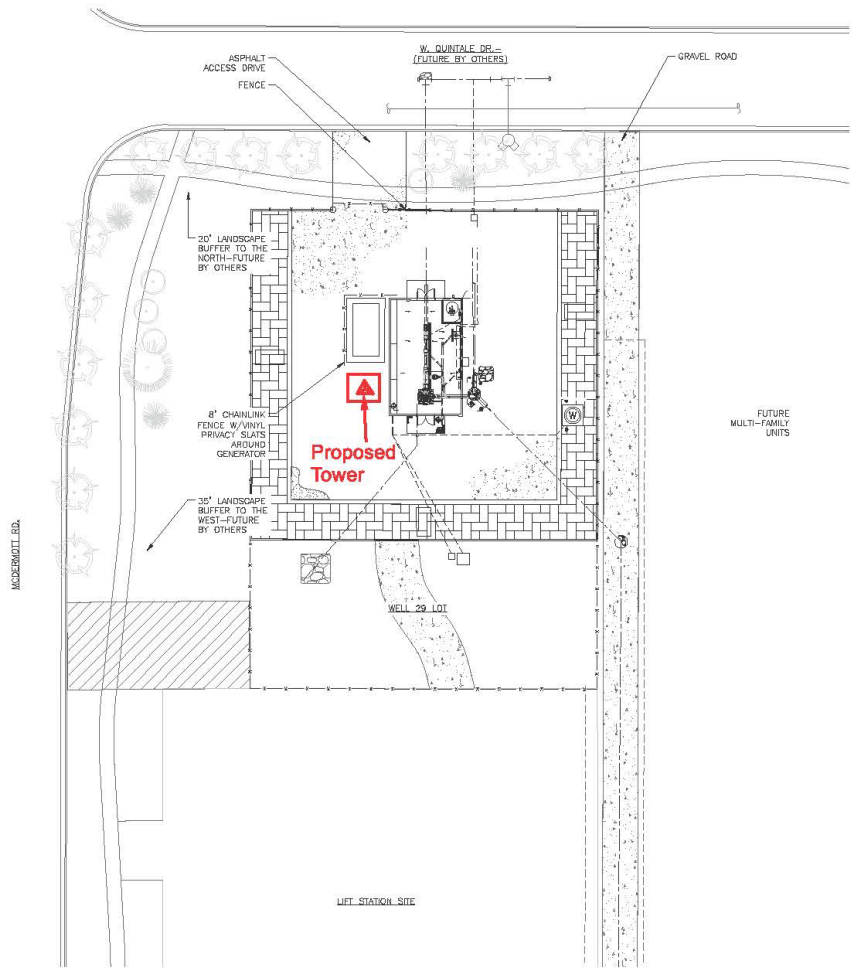
CIVIL SURVEY CONSULTANTS, INC.
 CONSULTING ENGINEERS AND LAND SURVEYORS
 2283 S. MERIDIAN ROAD
 MERIDIAN, OKLAHOMA 73442
 (505) 469-1412

CITY OF MERIDIAN
WELL #29 AMI COMMUNICATION TOWER
SITE PLAN

DATE: JANUARY 2021
 DRAWING: SITE-WELL 29
 JOB NO: 2020-0113
SHEET 2 OF 2



B. Landscape Plan



FUTURE IMPROVEMENTS PLAN

The red mark-ups were made by the City of Meridian, not the engineer of record.



SPF WATER
ENGINEERING
300 East Mallard Drive, Suite 350
Bozeman, Idaho 83706
Tel: (208) 383-4140 Fax: (208) 383-4156

CITY OF MERIDIAN
WELL 29 - WELL HOUSE DESIGN
FUTURE IMPROVEMENTS PLAN



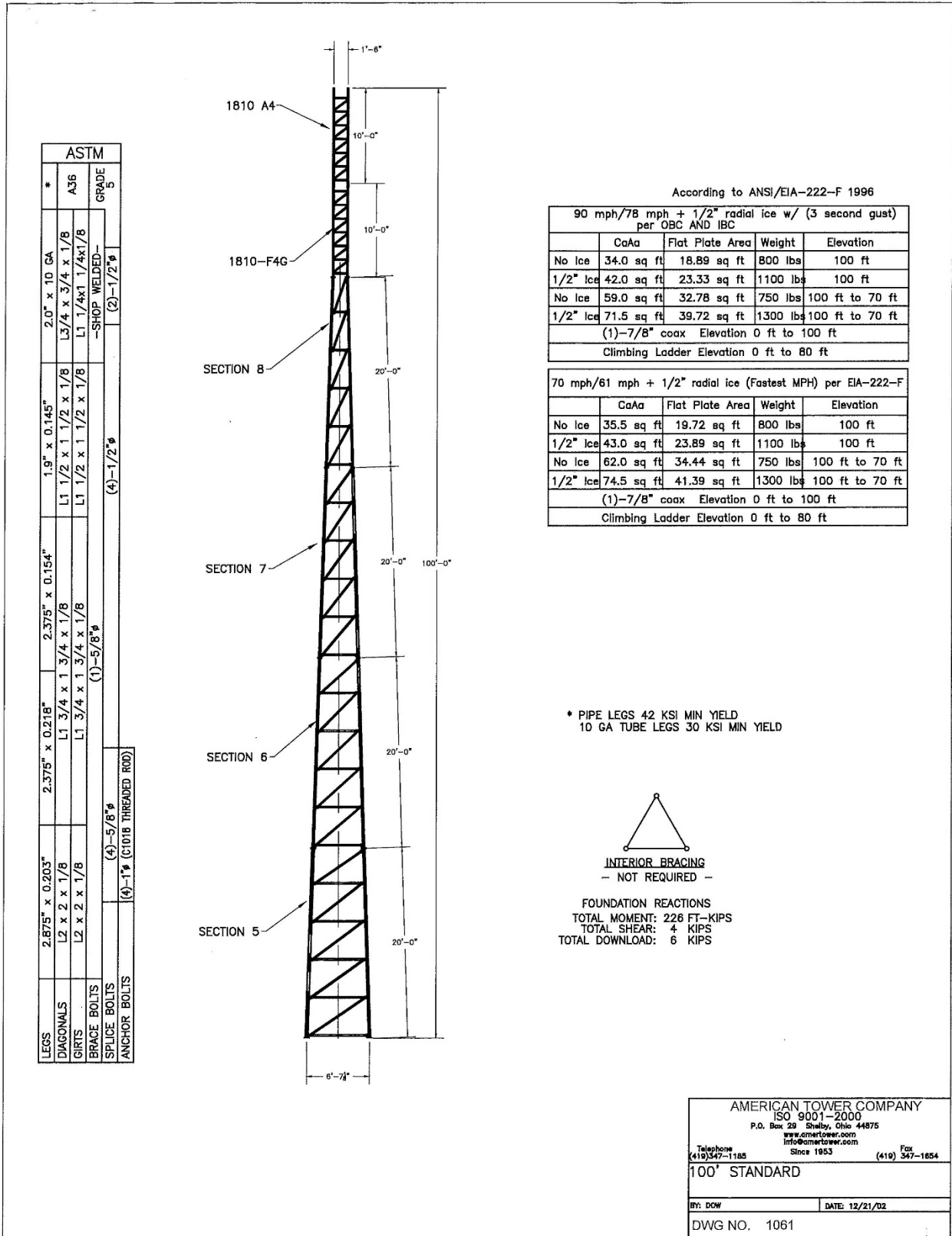
REV	DESCRIPTION	DATE
A	ISSUED FOR BID REVIEW	12/13/16
B	ISSUED FOR BID REVIEW	1/21/17
C	ISSUED FOR BIDDING	3/8/17

VERIFY SCALE
0 1/2 1
BAY MEASURES ONE-INCH ON ORIGINAL DRAWING. IF NOT ONE-INCH, SCALE ACCORDINGLY.

PROJECT: 790.04-30
DESIGNED: JT/DI
DRAWN: DB
CHECKED: DB

C-6

C. Elevation



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Conditional Use Permit Conditions:

1. Future development shall be consistent with previous approvals of the subject site including but not limited to: AZ-08-004 (Oakcreek); H-2017-0010 (Rezone); H-2017-0170 (Oaks West Sub.); A-2016-0323 (CZC, DES, & ALT for Well #29 site).
2. The site plan included in VII.A is approved as submitted.
3. The landscape plan included in Section VII.B is approved as submitted. However, should additional landscaping be required, it will be verified at the time of Certificate of Zoning Compliance (CZC) submittal and the City may have to work with the Oaks HOA to add more landscaping.
4. The Applicant shall comply with the specific use standards listed in UDC 11-4-3-43: Wireless Communication Facility.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
6. The Applicant shall allow shared use of the tower if an additional user agrees in writing to meet reasonable terms and conditions for shared use as required by UDC 11-4-3-43D.1, unless otherwise waived through the Conditional Use Permit process.
7. The conditional use permit shall be valid for a maximum period of two (2) years unless otherwise approved by the city. During this time, the applicant shall commence the use as permitted in accord with the conditions of approval, satisfy the requirements set forth in the conditions of approval, and acquire building permits and commence construction of permanent footings or structures on or in the ground.
8. A Certificate of Zoning Compliance application is required to be submitted prior to submittal of a building permit application for review and approval of the proposed site design and structure to ensure consistency with Unified Development Code standards, and provisions in this report.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. No changes in public sewer infrastructure shown in record. Any changes must be approved by public works.
2. Record is for a communication tower. No conflicts or impact to the public water infrastructure.

C. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272860&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

Staff finds the subject property will be large enough to accommodate the proposed use and the dimensional & development regulations of the R-8 zoning district and those listed in the specific use standards for 11-4-3-43 (see Analysis Section V for more information).

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

Staff finds that the proposed use will be consistent and harmonious with the UDC and the Comprehensive Plan if the Applicant develops the site consistent with code requirements.

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

Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use should be compatible with other uses in the general neighborhood and with the existing and intended character of the area. Further, the existing landscape buffers and nearby structures offer adequate concealment of the base of the tower.

4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other properties in the vicinity.

Staff finds that if the applicant complies with the conditions outlined in this report, the proposed use will not adversely affect other property in the area.

5. That the proposed use will be served adequately by essential public facilities and services such as highways, streets, schools, parks, police and fire protection, drainage structures, refuse disposal, water, and sewer.

The subject site will continue to be serviced and maintained by essential public facilities so Staff finds the proposed will be served adequately by public facilities and services.

6. That the proposed use will not create excessive additional costs for public facilities and services and will not be detrimental to the economic welfare of the community.

Staff finds there will not be excessive additional requirements at public cost and that the proposed use will not be detrimental to the community's economic welfare due to the Applicant's desire to construct a more affordable lattice design structure.

7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors.

Staff finds the proposed use should not be detrimental to any persons, property or the general welfare of the area.

8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

Staff finds that the proposed use will not result in the destruction, loss or damage of any natural, scenic or historic feature of major importance.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Allure Subdivision (H-2022-0050) by Schultz Development, LLC., located at 5385 S. Meridian Rd., directly north of the half-mile mark on the west side of Meridian Rd. between E. Amity and E. Lake Hazel Rds.

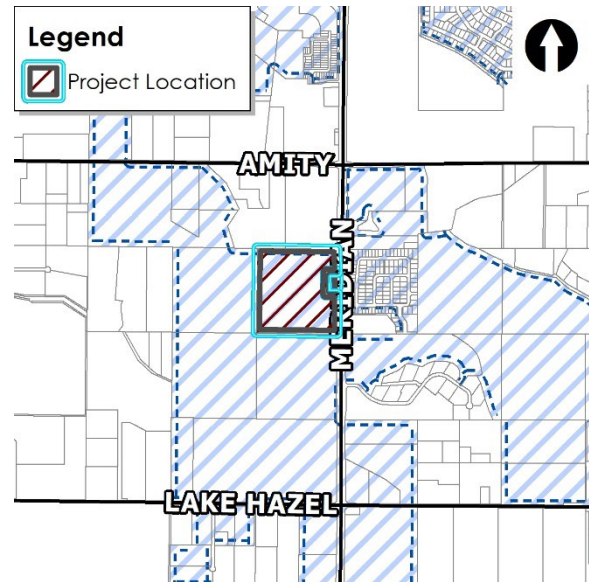
Application Materials: <https://bit.ly/H-2022-0050>

A. Request: Rezone 39.39 acres of land from the R-4 to the TN-R zoning district. B. Request: Preliminary Plat consisting of 226 single-family building lots and 36 common lots on 37.34 acres in the requested TN-R zoning district. C. Request: Development Agreement Modification to terminate the existing agreement (Inst. #2016-007091) for the purpose of entering into a new agreement consistent with the proposed project and plat.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/6/2022
 TO: Planning & Zoning Commission
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2022-0050
 Allure Subdivision
 LOCATION: The site is located at 5385 S. Meridian Road, directly north of the half-mile mark on the west side of Meridian Road between E. Amity and E. Lake Hazel Roads, in the SE 1/4 of the NE 1/4 of Section 36, Township 3N, Range 1W.



I. PROJECT DESCRIPTION

- Request to Rezone 39.39 acres of land from the R-4 to the TN-R zoning district;
- Preliminary Plat consisting of 226 single-family building lots and 36 common lots on 37.34 acres in the requested TN-R district; and
- Modification to the existing development agreement (Inst. #2016-007091), as required by the existing development agreement provisions, for the purpose of entering into a new agreement consistent with the proposed project and plat, by Breckon Land Design.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	RZ – 39.39; Plat – 37.34 acres	
Future Land Use Designation	Medium Density Residential (3-8 du/ac)	
Existing Land Use(s)	Vacant land	
Proposed Land Use(s)	Detached and Attached Single-family Residential, front-loaded and alley-loaded; single-family townhomes.	
Lots (# and type; bldg./common)	226 single-family residential building lots; 36 common lots	
Phasing Plan (# of phases)	Proposed as five (5) phases	
Number of Residential Units	226 single-family units (123 detached; 104 attached townhomes)	
Density	Gross – 6.05 du/ac; Net – 7.49 du/ac	
Open Space (acres, total [%]/buffer/qualified)	7.49 acres total; 6.96 acres of qualified open space (approximately 18.6%) per submitted open space exhibit.	

Description	Details	Page
Amenity	At least three (3) site amenities – pool, children’s play structures, and open space in excess of code requirements.	
Neighborhood meeting date	June 6, 2022	
Distance to nearest City Park (+ size)	1.9 miles to Discovery Park to the southeast of the project (76.88 acres in size; phase 1 constructed with phase 2 under construction).	
History (previous approvals)	H-2015-0019 (South Meridian Annexation)	

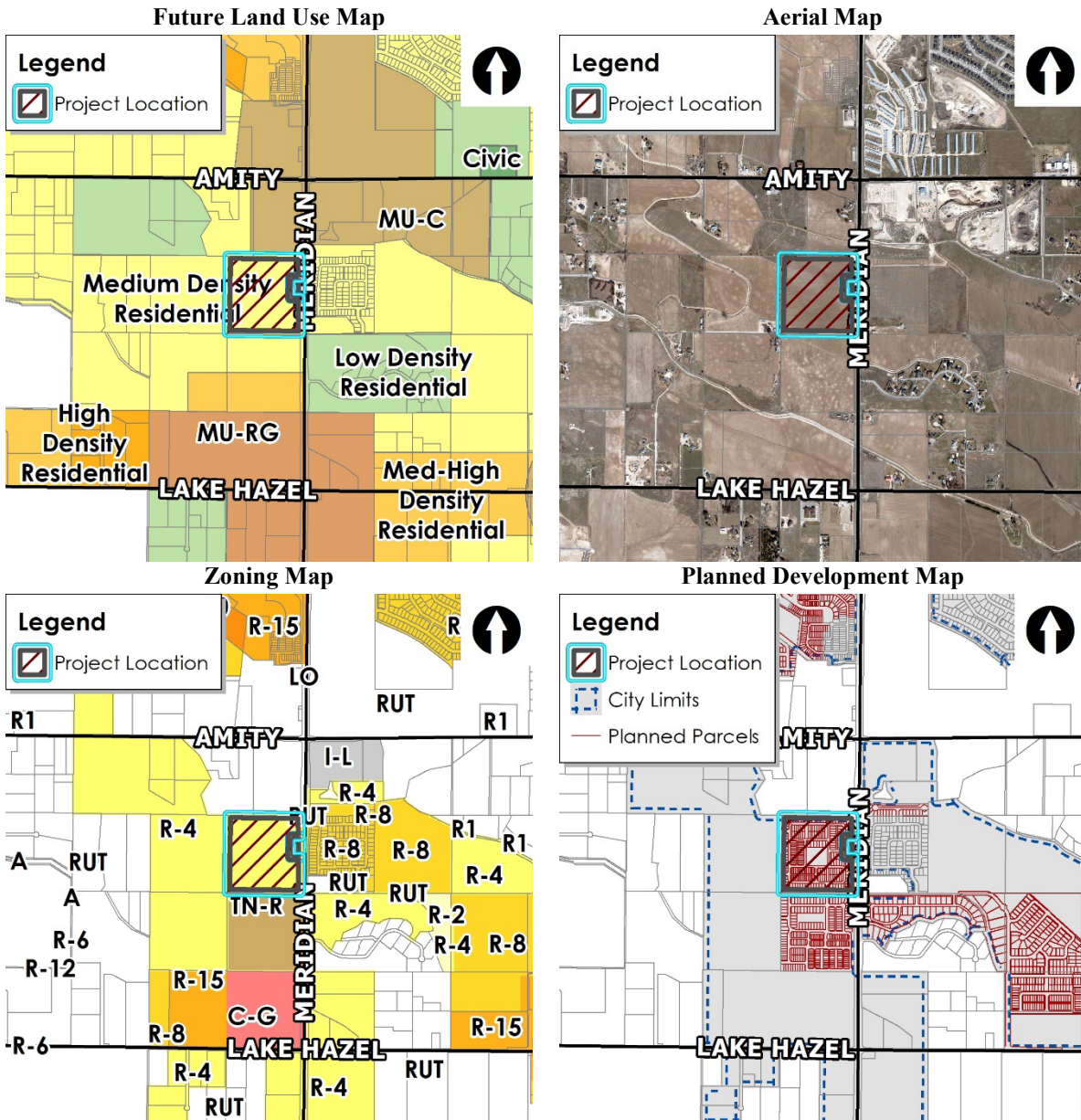
B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
<ul style="list-style-type: none"> Traffic Impact Study (yes/no) 	Yes	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	Access is via a new local street connection to W. Quartz Creek Street, a new collector street along entire south property boundary.	
Stub Street/Interconnectivity/Cross Access	Yes; 3 stub streets are proposed to adjacent underdeveloped properties. Project is proposed to complete W. Quartz Creek (collector street) improvements for shared access to Meridian Road/SH 69	
Existing Road Network		
Existing Arterial Sidewalks / Buffers	No. Buffer and detached multi-use pathway are required and proposed.	
Proposed Road Improvements	Applicant is required to complete the required improvements within the remaining right-of-way on the north side of the the new collector street along the southern project boundary, W. Quartz Creek Street.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	3.4 miles from Fire Station #6 (Approximately 2 miles from proposed fire station #7 on Lake Hazel; response time will fall within the 5-minute response time area for Station #7.	
<ul style="list-style-type: none"> Fire Response Time 	Project currently does not <i>currently</i> reside within the Meridian Fire 5-minute response time goal area.	
<ul style="list-style-type: none"> Resource Reliability 	Fire Station #6 reliability is 83% (above the goal of 80%)	
<ul style="list-style-type: none"> Risk Identification 	Risk Factor 1 – Residential	
<ul style="list-style-type: none"> Accessibility 	<ul style="list-style-type: none"> Proposed project meets all required road widths, and turnaround dimensions. Project does not meet secondary access requirements as there is only one way in and out currently available; approved secondary access is required. 	
Police Service		
<ul style="list-style-type: none"> Distance to Station 	Approximately 4.2 miles from Meridian Police Department	
<ul style="list-style-type: none"> Response Time 	Approximately 4:37 response time to an emergency (Priority 3 call)	
Water & Wastewater		
	See Public Works Site Specific Conditions (Section VIII.B)	
COMPASS – Communities in Motion 2050 Review		

Description	Details	Page
	<ul style="list-style-type: none"> ➤ Letter depicts a positive fiscal impact for the City and the School District but a net negative fiscal impact to the County and ACHD. ➤ Letter also notes a lack of pedestrian and bicycle infrastructure in this area. 	
West Ada School District		
Estimated Additional School Aged Children	99 estimated school-aged children at full build out.	

	<u>Enrollment</u>	<u>Capacity</u>	<u>Approved lots per attendance area</u>	<u>Approved MF units per attendance area</u>	<u>Projected Students from Approved Dev.</u>
Mary McPherson Elementary	460	675	3443	26	760
Victory Middle School	1048	1000	4496	502	600
Meridian High School	1824	2075	3555	3464	601
<u>School of Choice Options</u>					
Christine Donnell School -Arts	474	500	N/A	N/A	
Spalding Elementary - STEM	680	750	N/A	N/A	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Mary Wall, Breckon Land Design – 181 E. 50th Street, Garden City, ID 83714

B. Owner:

Jim Percy, Percy Farms LLC – 1250 Stegerman Court, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	9/21/2022	
Radius notification mailed to properties within 500 feet	9/15/2022	
Site Posting	9/23/2022	
Nextdoor posting	9/15/2022	

V. STAFF ANALYSIS

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

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

The subject site consists of two properties totaling approximately 37 acres and was annexed into the City of Meridian in 2015 along with many other parcels in this area under the “South Meridian Annexation.” It is located on the north side of the mid-mile mark on the west side of Meridian Road between Lake Hazel and Amity Roads; it is directly west of the Prevail Subdivision (Percy Subdivision) located on the east side of Meridian Road and directly north of the recently approved Briar Ridge Subdivision annexation and preliminary plat (H-2021-0036).

*Allure Subdivision is proposed with 226 building lots on 37.34 acres which constitutes a gross density of 6.05 du/acre which falls in the middle of the allowable density in the MDR designation on the property and is slightly more than Briar Ridge to the south (5.84 du/acre). In addition, the requested TN-R zoning district requires a minimum **net** density of 6 du/acre and according to the submitted plat, the net density of Allure is nearly 7.5 du/acre making the subject plat compliant with this standard. Through the pre-planning process, the Applicant and Staff worked together to propose different housing types within this project to both match and diversify the housing types proposed with Briar Ridge to the south. The grid-like street layout and the different housing types also led the Applicant to request the TN-R zoning district as Briar Ridge did. Staff supports this request and the overall proposed layout as it continues the design and transition from the properties further to the south.*

Rezone:

When the subject property was annexed into the City of Meridian in 2015 it was zoned R-4 to help delineate that this property would be developed as residential. The Development Agreement that was created as part of this original annexation dictated that the City would have services available as soon as possible and the first Rezone application would be free of charge. This stipulation regarding a Rezone application was made because the annexation was City initiated and the property had no concept plan or specific development planned at the time of annexation; the City understood future development may not match the existing zoning and gave future applicants the opportunity to propose a different zoning with a new development plan.

The Applicant’s request to rezone to the Traditional Neighborhood Residential (TN-R) zoning district is, in itself, consistent with the future land use designations because it is a residential district. More importantly, the overall site design proposed by the Applicant is consistent with the comprehensive plan and the future land use designation because of the density proposed, the

multiple housing types proposed, the inclusion of parkways throughout the entire development, the completion of the collector street along the south boundary for future connectivity, and a stub street proposed along the north boundary for future public road connectivity to Amity Road. Staff believes the request for a traditional neighborhood zoning district in this area of the City continues the framework of neighborhood/street oriented design for future development to the north and west to be more pedestrian focused and walkable.

Development Agreement Modification:

The same stipulation regarding the Rezone application applies to the first Development Agreement Modification (MDA) for this property. In fact, the existing DA requires that with any future redevelopment an MDA is required to be submitted. Therefore, the Applicant has submitted an MDA to satisfy this requirement and update the development plan, in order to develop the property with the proposed subdivision. The DA will be tied to the submitted preliminary plat and be required to develop the property per the submitted plans and proposed housing types.

Staff finds the proposed project and the requested applications to be generally consistent with the future land use designations within this project site. Specific Comprehensive Plan policies are discussed and analyzed in the next section.

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

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

“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). The subject project is proposed with a site design that closely resembles traditional neighborhood design with short block lengths, street trees, pedestrian facilities throughout, and three distinct housing types within this one project. Thus, the Applicant is requesting a rezone from the R-4 district to the TN-R zoning district to have zoning that fits the proposed housing types of detached single-family, alley loaded single-family (attached and townhome), and single-family townhomes with parkways throughout the project. In addition, the proposed housing types will vary greatly from the Shafer View Estates’ larger lots to the southeast and even the detached single-family homes in Prevail Subdivision to the east. Thus, Staff finds the proposed development offers more housing diversity in this area of the city for future residents.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site, per Public Works comments. This project does not currently reside within the Fire Department response time goal of 5-minutes but will upon completion of Fire Station #7 (anticipated completion date of Summer 2023). However, the singular public road access is through Quartz Creek Street along the southern boundary; a majority of Quartz Creek is being constructed by Briar Ridge Subdivision to the south. Fire code only allows 30 homes off of one access so the Applicant will need to provide an additional emergency access. West Ada School District has provided comments on this application and estimates an additional 99 school aged children will be generated by this development at full build-out. Further, the submitted letter notes that with current school boundaries and school capacities, the approved residential units in this area of the City will create overcrowding at each designated school. West Ada notes that it will always work to accommodate the children being served and specifically lists some of those methods in their letter (see Section VIII.I).

ACHD has analyzed the subject application for compliance with their standards and finds the proposed project to be in compliance and notes the nearby public roads and intersections can accommodate the increase in traffic. ACHD has also added conditions that additional traffic calming is provided throughout the internal streets of the project due to some of the proposed

block lengths exceeding allowable distances without a turn or bisecting street. ITD has also reviewed the subject project due to all of the traffic required to utilize the adjacent Meridian Road/SH 69 transportation network via the collector street connection at the south boundary, Quartz Creek. Overall, the adjacent public roads have been deemed to accommodate the anticipated increase in traffic and ITD is requiring a southbound right-turn lane from SH 69 onto W. Quartz Creek Street for added safety.

Staff finds, with appropriate conditions of approval, that the existing and planned development of the immediate area create conditions for levels of service to and for this proposed project that meet code requirements.

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *The Applicant is proposing open space in excess of code requirements with a large open space lot centralized within the development and other areas of linear open space connecting different areas of the site. In addition, the project is proposed with parkways and street trees throughout the entire site offering more open space that would be used for pedestrian activity and should add aesthetic value to the development. Further analysis on the proposed open space is below in Section V.L.*

“Promote area beautification and community identity through context sensitive building and site design principles, appropriate signage, and attractive landscaping.” (5.01.02C). *The requested TN-R zoning district requires more than one housing type and streets that include parkways and street trees. With parkways, sidewalks are further removed from the public street making for safer pedestrian facilities and encouraging more pedestrian activity. Because of the desired project aesthetic by the Applicant and the requirements of the traditional neighborhood zoning district, the proposed project is creating its own identity through site design and thoughtful landscaping and pedestrian elements.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *Proposed project is not directly adjacent to any other constructed development at this time. However, the Applicant is proposing parkways with detached sidewalks throughout the entire site, some micro-pathways, and constructing a multi-use pathway segment along the entire Meridian Road frontage; these design elements should offer ample pedestrian connectivity within the site and to future development, specifically to the approved Briar Ridge property to the south. Furthermore, the Applicant is proposing two stub streets to the property to the west and one stub street along the north boundary with detached sidewalks. These stub streets and sidewalks will be required to be extended when the adjacent properties develop making the proposed pedestrian network a positive example of linking subdivisions together.*

“Require proposed development within areas further away from urban services, existing utilities or requiring significant City utility upgrades, to demonstrate fiscal benefits, strategic fit with the Comprehensive Plan, contiguity with existing development, and appropriate mitigation for any impacts to existing City service users.” (3.03.02F). *Because the extension of utility services will be fully financed by the Applicant, the specific concern of the City expending funds for utilities is minimal. However, there is evidence that developing this parcel does not constitute orderly development because urban services are not nearby. Urban services include adjacent transportation facilities, employment opportunities, and commercial services like grocery stores, gas stations, and even general retail, office, and restaurant uses. Staff finds with the adjacent development constructed and approved (Briar Ridge, Prevail Subdivision, Shafer View Estates, and self-service storage use), many of these concerns may be mitigated. However, Staff finds the Applicant has not demonstrated a strategic fit with this policy and the community benefit may not be known until commercial development is proposed for the*

mixed-use designated properties at the intersections of Amity/Meridian and Lake Hazel/ Meridian Roads.

“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). *All of the essential urban services are relatively far removed from the project site despite other residential development being completed across Meridian Road to the east and approved to the south. For example, the closest gas station is more than 1.5 miles to the north with the next closest being nearly 3 miles away; the closest grocery store is approximately 2.5 miles away with the completion of the Albertson’s at the Eagle and Amity intersection. There is no existing commercial within 1.5 miles of this development which automatically requires that future residents would have to utilize their car to get to essential services. Approximately 1.5 miles to the east, at the intersection of Lake Hazel and Locust Grove, commercial zoning is approved but any actual construction timeline is unknown as this area has only been platted and no administrative applications have been submitted. However, C-G zoning is existing directly south of the Briar Ridge project site which does allow for future commercial uses to be located nearby these proposed residences. **Despite this development meeting a majority of the comprehensive plan policies and being proposed with an insightful and carefully considered site design, Staff does have concern on the timing of development for this project in relation to urban services. The property does about an area of mixed-use community designated property to the north which is anticipated to contain commercial uses in the future; the proposed site design (stub street and pedestrian facility locations) helps set up appropriate connectivity between this project and the anticipated commercial uses to the north.***

Staff finds this development to be generally consistent with the Comprehensive Plan, as discussed throughout the above sections and comprehensive plan policies.

C. Existing Structures/Site Improvements:

There is an existing home and outbuilding on approximately 1 acre along Meridian Road but no other site improvements are noted. The historical use for the subject site is agricultural in nature—the property owner intends on continuing to farm the property as the project develops over time. Staff has included a DA provision related to this request in Section VIII.A.

D. Proposed Use Analysis:

The proposed uses within this project are all residential—detached single-family residential, detached alley-loaded single-family, attached single-family, and alley-loaded townhomes. All uses proposed are permitted residential uses within the requested TN-R zoning district per UDC Table 11-2D-2. The TN-R zoning district requires a minimum of two (2) housing types—the proposed housing types offer four (4) distinct housing types, which complies with this zoning requirement.

The project is proposed to be constructed in five (5) phases according to the submitted preliminary plat page 1. Phase 1 and phase 2 are located along the southern boundary and will finish the construction of the adjacent collector street, W. Quartz Creek. Phase 1 is also depicted with the full Meridian Road street buffer, approximately half of the large open space lot in the center of the development, and contains the children’s play structures and the swimming pool amenity. Three of the four proposed housing types are proposed within the first two phases of the development. Phase 3 includes an area that is central-west for the project and hold the remaining area of the large central open space lot. Phase 4 is depicted along the remaining Meridian Road frontage and contains the last housing type, detached alley-loaded product. Phase 5 completes the project with the remaining area along the north boundary and generally in the northwest corner of

the site.

Per the submitted phasing plan reviewed by Meridian Fire, secondary emergency access is needed as the only public road access is to Quartz Creek along the southern boundary. The Applicant has submitted an emergency access exhibit with two options noted (see Exhibit VII.G). Staff recommends utilizing option “B” as depicted on the exhibit because that access is controlled by this applicant whereas the noted option “A” requires an adjacent property owner to the north to provide access through their site. Staff would prefer option A because it follows the overall planned public street layout but Staff has not received any confirmation from this Applicant or the adjacent property owner that the proposed local street will be extended with phase 1 development of this project as a public street through their site or if they would allow the access to be constructed as a temporary emergency access only. Because of these unknowns, Staff finds it most prudent to recommend the noted option B. Furthermore, this emergency access must be constructed prior to the 31st building permit is submitted in order to comply with Fire code.

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

The requested zoning district of TN-R does not have a minimum lot size requirement but does require a minimum net density of six (6) du/acre. The submitted preliminary plat shows a minimum lot size proposed of 2,300 square feet and an overall average lot size of 4,343 square feet. Because home placement on the building lot is not yet known at the time of preliminary plat submittal, setbacks are not reviewed at this time. However, per the submitted plat, the residential lots appear to meet all UDC dimensional standards for the TN-R zoning district; this includes compliance with the net density requirement. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3).

The proposed preliminary plat and submitted plans appear to meet all UDC requirements but the plat should depict the proposed lots that have zero lot-lines (proposed attached and townhome products) to ensure compliance with setback requirements with the future building permit submittals. Therefore, the Applicant should revise the plat to depict the applicable zero lot-lines with each applicable final plat submittal.

Note: The proposed common driveways within the project (5 total) comply with UDC requirements as no more than three (3) lots are shown off of each. However, the City has experienced some issues at the ends of common drives where one property owner does not have adequate space on the common drive to back out of their garage and then head towards the public road. To ensure this type of conflict does not occur, at the time of final plat submittals, the Applicant should submit common drive exhibits showing adequate area for residents to back out of garages without trespassing on the building lot at the end of the common drives.

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

The Applicant submitted conceptual building elevations for the proposed residential dwellings. Note that detached single-family homes do not require Design Review approval therefore Staff does not review these for compliance with any standards. However, townhomes (an attached housing product) and single-family attached dwellings do require administrative design review (DES) approval prior to building permit submittal. With that future application submittal Staff will analyze the elevations for the townhomes and single-family attached dwellings against the Architectural Standards Manual; the DES application should be submitted with the first final plat application for all required housing types.

The submitted elevations depict single and two-story homes with two-car garages and varying home styles. Specifically, the Applicant shows the single-family attached, townhomes, and the alley-loaded detached single-family homes (noted as the Carriage Home product). The elevations

depict differing field materials and designs utilizing lap siding with stone accents, awnings of different materials, and varying roof profiles offering an overall array of potential homes. The Applicant has not submitted conceptual elevations for the traditional front-loaded detached single-family product; the Applicant should submit these prior to the City Council meeting to be compliant with checklist submittal standards and allow Staff to ensure these homes along the collector and Meridian Road have adequate modulation and varying roof profiles.

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

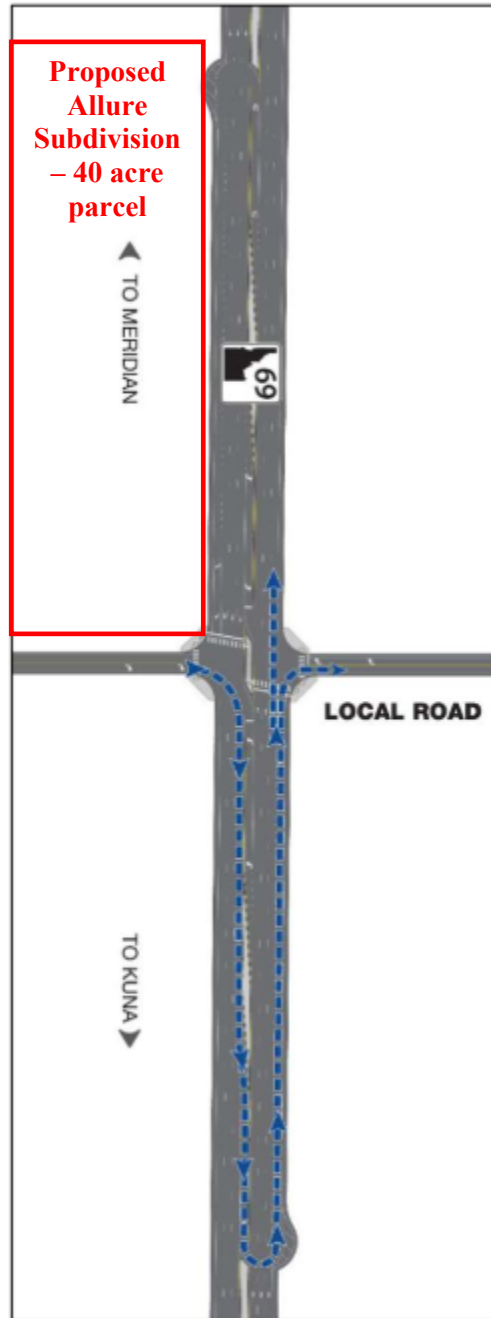
Main access to Allure Subdivision is proposed via construction/completion of a new collector street (W. Quartz Creek Street) along the entire south property boundary that connects from the west boundary of the site to Meridian Road/SH 69 at the mid-mile point consistent with the construction of E. Quartz Creek Street on the east side of Meridian Road. The approved Briar Ridge project to the south is constructing at least half of the proposed Quartz Creek street section with a majority of the required pavement. According to ACHD, Allure should complete the remaining six (6) feet of pavement and construct the remaining curb, gutter, and detached sidewalk within 27.5 feet of additional right-of-way on the north side of this collector street. The submitted preliminary plat shows compliance with these requirements except that the Applicant is required to dedicate additional right-of-way, per ACHD. The remaining roads proposed within this development are local streets that are at least 33 feet wide with 5-foot detached sidewalk and 8-foot parkways creating a beautiful streetscape and identity for the entire project and continuing the traditional neighborhood design that Briar Ridge was approved with to the south.

As discussed in previous sections, secondary emergency access to Meridian Road is required by the Meridian Fire Department after 30 homes are constructed. Staff recommends this emergency access is constructed at the northeast corner of the property as depicted as option “B” on their emergency access exhibit (Section VII.G) and is constructed with phase 1 development—**additional trip generation and access analysis is below in the Traffic Impact Study analysis sub-section.** The Applicant is proposing to stub a local street to the north boundary near the midpoint of the north property line for future connectivity to Amity Road. This connection will be needed for additional phases of development per ACHD (discussed below). In addition to the stub street along the north boundary, the submitted preliminary plat also shows two stubs to the western boundary for future connectivity. ACHD has approved the proposed stub street locations and road network but notes multiple streets require traffic calming within the site because they exceed 750 feet per ACHD standards. The specific streets that require traffic calming for ACHD are listed within their staff report (Section VIII.K).

Staff supports the proposed street layout and stub street locations so long as the proposed stub to the north boundary is aligned so that only one property owner can construct the full local street section or at least half-plus-12 feet of the required pavement on their property for safe access to Amity Road. Despite the fact the UDC measures street length differently than ACHD, Staff agrees that multiple streets within the subdivision should include traffic calming. The Applicant should work with ACHD on the best options for qualifying traffic calming and revise the preliminary plat to show the proposed traffic calming along S. Ametrine Avenue, W. Allure Street, W. Cusick Street, S. Solaris Avenue, and W. Caldera Street with the applicable final plat submittals.

NOTE: Meridian Road/SH 69 is currently being studied by the Idaho Transportation Department (ITD) for corridor improvements from Overland Road south to Orchard Avenue in Kuna under the [Idaho 69 Corridor](#) (Story Map – [Idaho Highway 69 Corridor Plan](#)). **The mid-mile intersection at the southeast corner of the subject project is part of this study and is proposed to be designed with a reduced conflict U-turn (RCUT) intersection that eliminates**

left turns and thru-traffic from lower-volume roads. See exhibit below for an example of what the Quartz Creek/SH 69 intersection could look like.



Reduced Conflict U-Turn Crossing

Despite proposing to construct a collector street that connects to SH 69, ITD does not find this as direct access because no buildable lot is proposed with direct lot access to the state highway. The approved Briar Ridge project to the south was required to enter into a cost share agreement for the road and intersection improvements along SH 69 in lieu of constructing any road improvements with their development. According to the submitted memo from ITD dated September 29, 2022, this Applicant is not required to enter into a cost share agreement but is instead required to dedicate an additional 12 feet of right-of-way along Meridian Road for the purpose of constructing a future southbound right-turn lane from SH 69 onto W. Quartz Creek Street. The specific condition notes a “future” turn lane but then goes onto state specific plans are required by the Applicant inferring that they are required to construct this turn lane with this development. ***The Applicant should work with ITD to verify the timing of this required improvement. Staff would recommend constructing this southbound right-turn lane with phase I development in a location that will not require it to be reconstructed at a future date. This would create a safer entrance onto Quartz Creek Street for both projects proposed to take access from it.***

The subject project is proposed with over 100 units (226 units) so a Traffic Impact Study (TIS) was required. Due to the property requiring access to Meridian Road/SH 69, the Applicant was required to submit the TIS to both ACHD and ITD. Staff’s summary and analysis of this report and the conditions of approval is below.

Traffic Impact Study Analysis:

According to the submitted Traffic Impact Study (TIS), the proposed Allure Subdivision will generate approximately 2,154 additional vehicle trips per day with 216 of those trips occurring per hour in the PM peak hour. The Applicant’s traffic impact study has been analyzed by ACHD and ITD and specific conditions of approval are outlined in their staff reports (see exhibits in Section VIII). Despite ACHD analyzing and discussing the TIS in their own report, Staff finds it necessary to highlight the main points of discussion and road improvement requirements, specifically those related to the overall access points for the project.

Per the ACHD staff report, the additional vehicle trips from this development will push the Quartz Creek access to SH 69 over the allowed threshold for a singular collector street access, 3,000 daily vehicle trips. Specifically, Briar Ridge to the south accounts for approximately 2,000 of those allowed trips so Allure is allowed to add an additional 1,000 trips. As noted, this development is proposed to generate over 2,100 daily trips so less than half of the proposed building lots can be constructed prior to an additional public street access to a different public road is constructed. ACHD has included a condition of approval that prior to ACHD signature on the final plat containing 101st building lot, secondary public street access is required. The proposed secondary connection has been discussed and is along the north property line, shown as S. Hermatite Avenue. This connection should and would connect north to W. Amity Road, an arterial street and is stubbed to a property that is not annexed into the City and does not have any active projects. Staff has had preliminary discussions with the potential developer of that mixed-use designated site but nothing has been submitted to the City. Therefore, the timing of this secondary public street access is unknown at this time and thus a concern. Because of the timing issue and the potential of this local street not being extended for some time, Staff is including a condition of approval that no more than 100 residential building permits are issued for this site until secondary public road access is constructed consistent with the ACHD condition of approval. Should the Applicant obtain a private agreement with the adjacent property owner/developer for that parcel (S1236110060, 4975 S. Meridian Road) to extend the public road to Amity, the proposed condition will become void.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. However, all of the local streets are proposed as at least 33-foot wide street sections which accommodate on-street parking where no driveways exist. Furthermore, because of the proposed alley-loaded homes and inclusion of parkways, the entire length of streets adjacent to the alley-loaded products can be utilized for on-street parking as no driveways will be present.

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

5-foot wide detached sidewalks and 8-foot parkways are proposed along all internal streets consistent with the requirements for the requested TN-R zoning district. The Applicant is also proposing detached sidewalk on the north side of the collector street along the south boundary as required by code for sidewalks adjacent to collector streets. *The proposed sidewalks and parkways meet UDC 11-3A-17 standards and ACHD standards.*

In addition to the internal sidewalks, the Applicant is required to construct a segment of 10-foot wide multi-use pathway along the Meridian Road frontage, per the Master Pathways Plan. *The Applicant is showing this required pathway segment within a landscaped common lot, per code requirements.*

J. Development Along State Highways ([UDC 11-3H](#)):

The full east boundary of the proposed project has frontage along Meridian Road/SH 69 which requires noise abatement per UDC 11-3H-4. The Applicant is proposing to construct a 5-foot berm with a 6-foot wall on top of it to total at least 11 feet above SH 69 centerline height, a foot above the code requirement. This wall, berm, landscaping, and required multi-use pathway is located within the required 35-foot wide common lot along the entire frontage and outside of the ITD right-of-way. The required wall should modulate along the highway frontage; the submitted landscape plans show compliance with this requirement. *At the northeast corner of the property, there appear to be two breaks in the wall which will minimize its effectiveness at noise abatement as required. The southern portion that is missing appears to be due to the location of a sewer main which does not allow permanent structures to be constructed over them. However, the northern piece that is missing does not appear to have a justification and so the berm/wall should be extended as close to the north property line as possible.*

UDC 11-3H-4B.3 also requires construction of a “street, generally paralleling the state highway, to provide future connectivity and access to all properties fronting the state highway...” The Applicant has shown compliance with this requirement by proposing to finish constructing a portion of the mid-mile collector along the south boundary, a series of local streets connecting north-south through the site, and proposing to stub a local street to the north boundary for future access to Amity and for that future mixed-use development.

Other analysis regarding other access standards of this code section are analyzed above in Section F.

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

The required landscaping regulated by code within the proposed development are the following areas: that area within the proposed parkways (UDC 11-3A-17 and UDC 11-3B); the common open space lots, and; the required landscape street buffers to Meridian Road and W. Quartz Creek. The submitted landscape plans show landscaping in these areas as proposed.

8-foot wide parkways are proposed throughout the site to comply with the zoning requirements of

the TN-R zoning district. Parkways are required to be vegetated with an average of 1 tree per every 35 linear feet to be compliant. The submitted landscape plan appears to show compliance with this requirement but the calculations table does not note the linear feet of parkways along the interior local streets and the required number of trees; the Applicant should correct this with the Final Plat submittals to ensure compliance with this requirement.

In addition, common open space is required to be landscaped with one (1) tree for every 5,000 square feet of open space. The submitted landscape plans show trees and vegetation in the large central open space lot that meets the minimum number of trees (124,000 square feet divided by 5,000 equals 25 trees). According to the submitted landscape plans, 26 trees are proposed in this open space area and this does not include the perimeter trees that are required for the parkways and would not count towards this requirement.

The landscape buffer along Meridian Road is required to be 35' wide and contain the required multi-use pathway within it. The submitted landscape plans show compliance with these UDC requirements for the buffer width, number of trees, tree spacing/grouping, and additional vegetative ground cover; the submitted plat is consistent with the landscape plan and also shows at least a 35-foot wide common lot along Meridian Road. Staff finds the required collector street buffer along Quartz Creek to also be compliant with these standards by providing trees in excess of code and a wider buffer than required (35 feet total versus 20 foot minimum).

The Applicant is also proposing a number of micro-pathways within common lots that create linear open space and additional breaks in the streetscape for added pedestrian connectivity through the project. UDC 11-3B-12 requires that trees be placed on both sides of these pathways and the submitted landscape plan shows compliance.

L. Qualified Open Space and Amenities (UDC 11-3G):

Allure Subdivision is proposed with a preliminary plat area of approximately 37 acres in the TN-R zoning district requiring a minimum of 15% qualified open space (or 5.6 acres) and a minimum of eight (8) amenity points, per UDC 11-3G-3 & 11-3G-4.

The Applicant is continuing a segment of multi-use pathway along the Meridian Road that is approximately ¼ mile long which equates to two (2) amenity points. In addition to the pathway, the Applicant is proposing a swimming pool with changing facilities and restrooms which qualifies for six (6) amenity points and a playground area which qualifies for two (2) amenity points, all within the central open space lot. Therefore, the Applicant is proposing amenities worth a total of 10 amenity points and exceed the minimum requirements of UDC 11-3G-4.

The Applicant's open space exhibit (Section VII.D) shows 6.96 acres of qualified open space (approximately 18.6%), exceeding the minimum required amount of 5.6 acres. However, some of the areas noted on the exhibit as qualifying do not qualify per UDC 11-3G-3 standards because they are not at least 20 feet in width. Staff does not recommend these areas be revised to add an additional few feet as they are already remnant pieces along end-caps of housing blocks that do not entirely meet the intent of the open space code. Further, the removal of these areas is nominal and will not affect the Applicant's compliance with the minimum open space requirements. It is important to note the Applicant's qualified open space calculation does not include any of the parkways within the development which is qualifying open space if the correct number of trees are added to the parkways. Therefore, the actual proposed qualified open space vastly exceeds the minimum amount required by code. The Applicant does not need to use this area as qualified open space to meet the minimum 15% amount and parkways are already required as part of the site design for the requested TN-R zoning district. So, Staff is not concerned the open space exhibit does not show this area but would recommend this area is added to the exhibit to ensure a fully accurate open space calculation is depicted in the record. ***This revision should occur prior***

to the City Council hearing.

Overall, Staff supports the proposed open space and the proposed amenities and their locations being centralized within the development for fairly equitable access by all future residents.

M. 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 proposed as shown on the landscape plan and appears to meet UDC standards as proposed except for the lack of fencing noted adjacent to the common drives and the 6-foot open vision fencing proposed adjacent to three micro-path lots (Lot 21, Block 2, Lot 16, Block 3, & Lot 8 Block 10).

Per UDC 11-3A-7A.7b, when an open space lot is not greater than 250 feet in length and is fully visible from a public street, open vision is not required and 6-foot tall closed vision fencing is allowed. In order to help with future privacy concerns by residents, Staff recommends the fencing shown and installed along these areas is closed vision fencing and not open vision. The Applicant should revise the landscape plan at the time of the applicable final plat applications.

The submitted landscape plans do not depict any fencing adjacent to the common drives as required by code for properties that do not take access from the common drive. Therefore, with the future final plat applications, the Applicant should revise the landscape plans to depict the proposed fencing on the required common drive exhibit.

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

The Applicant is required to provide a pressurized irrigation system for the development in accord with 11-3A-15. Land Development will review pressurized irrigation plans in more detail when specific plans are submitted with future Final Plat applications.

VI. DECISION

A. Staff:

Staff recommends approval of the requested Rezone, Development Agreement Modification, and approval of the requested Preliminary Plat application 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

**DESCRIPTION FOR
TN-R ZONE
ALLURE SUBDIVISION**

A parcel of land located in the Southeast 1/4 of the Northeast 1/4 of Section 36, T.3N, R.1W., B.M., City of Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the Northeast corner of Section 36 from which the East 1/4 corner of said Section 36 bears South 00°37'38" West, 2641.53 feet; thence South 00°37'38" West, 1320.76 feet along the east line of Section 36 to the **REAL POINT OF BEGINNING;**

thence continuing along said east line, South 00°37'38" West, 1300.77 feet;

thence leaving said east line on a line parallel with and 20.00 feet north from the South boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 36, North 89°21'32" West, 1,316.52 feet to the west boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 36;

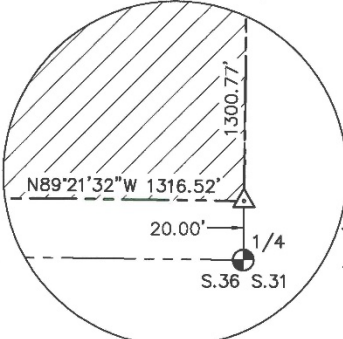
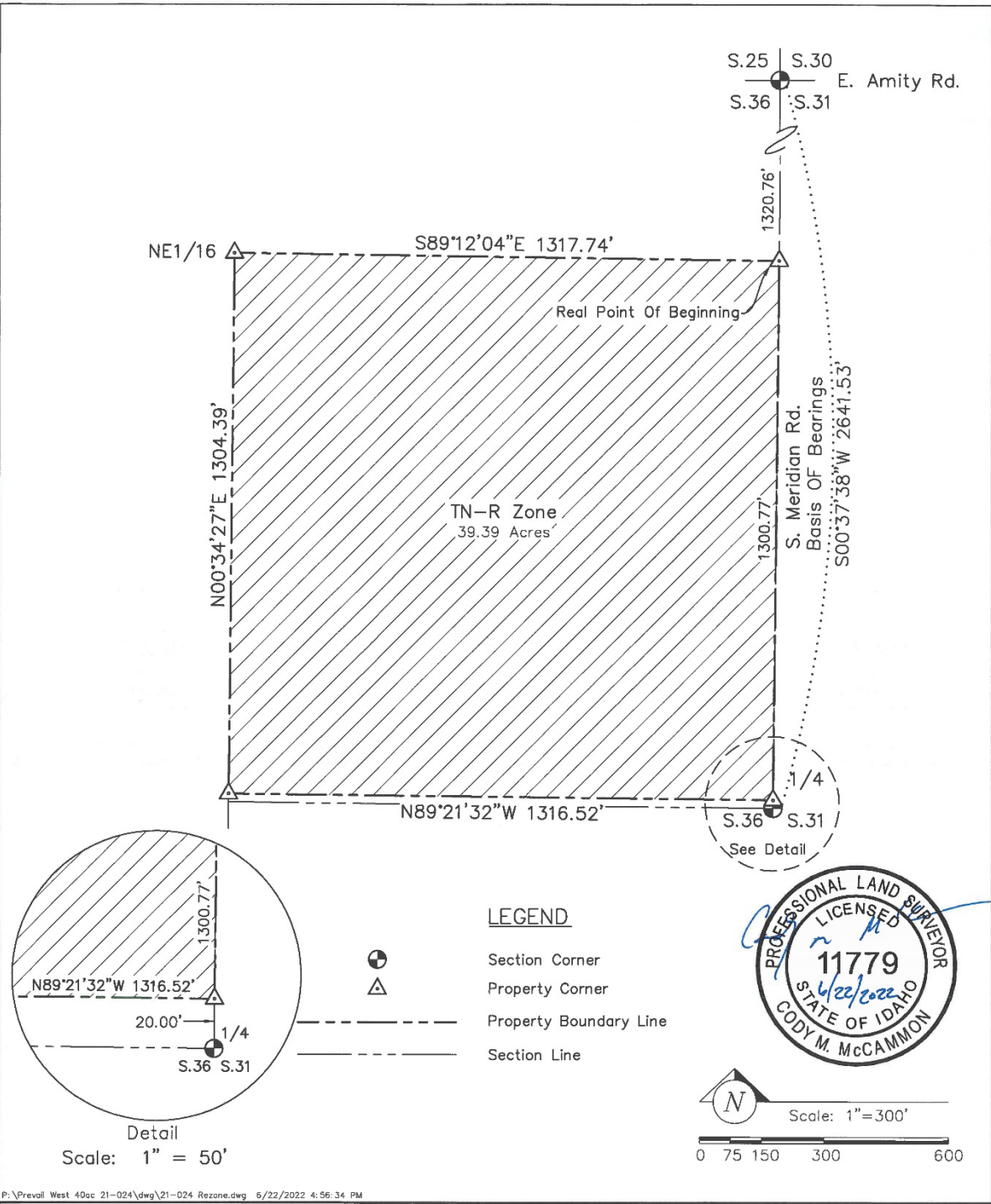
thence along said west boundary line, North 00°34'27" East, 1,304.39 feet to the Northeast 1/16 corner of said Section 36;

thence along the north boundary line of the Southeast 1/4 of the Northeast 1/4 of said Section 36, South 89°12'04" East, 1,317.74 feet to the **REAL POINT OF BEGINNING.**

Containing 39.39 acres, more or less.

End of Description.

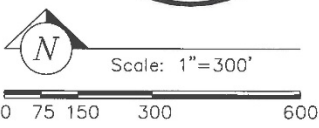




Detail
Scale: 1" = 50'

LEGEND

- Section Corner
- Property Corner
- Property Boundary Line
- Section Line



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	IDAHO SURVEY GROUP, LLC 9955 W. EMERALD ST. BOISE, IDAHO 83704 (208) 946-8570
	Exhibit ____ Drawing For TN-R Zone Allure Subdivision

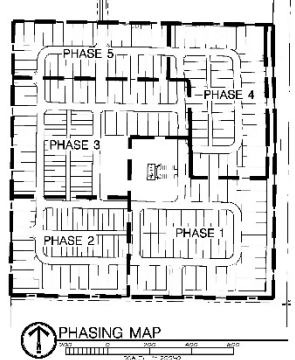
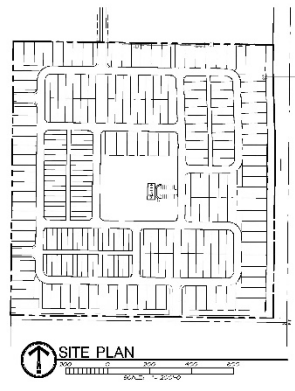
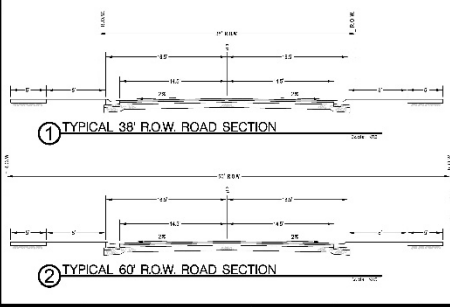
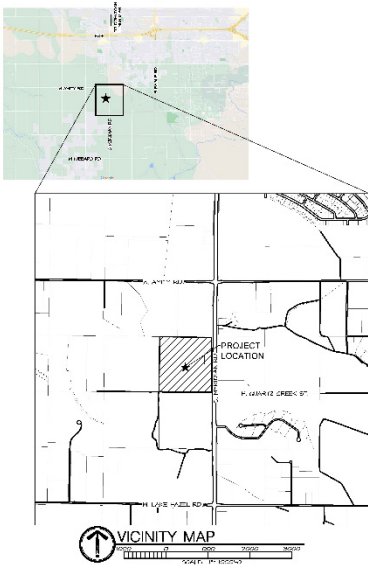
Located in The SE1/4 Of The NE1/4 Of Section 36, T.3N., R.1W., B.M., Ada County, Idaho.	Job No. 21-024 Sheet No. 1 Dwg. Date 6/22/2022
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B. Preliminary Plat (dated: 6/15/2022)

ALLURE SUBDIVISION

LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 36, T.3N, R.1W, B.M, ADA COUNTY, IDAHO

NOT FOR CONSTRUCTION



DEVELOPMENT INFORMATION

DESIGNER: KELLER ASSOCIATES, INC.
PROJECT NO.: 2022-01-001
CLIENT: PRIVATE
SUBDIVISION: ALLURE SUBDIVISION
LOCATION: SECTION 36, T3N, R1W, B.M, ADA COUNTY, IDAHO

DEVELOPMENT FEATURES

PROPOSED ZONING: TR-1
NET DEVELOPABLE AREA: 25.10 ACRES
MINIMUM LOTS: 107 LOTS
FOR ALLEY ACCESS: 2 LOTS
REPAIR IMPROVEMENTS: 1.00 ACRES
STIPULATED IMPROVEMENTS: 1.00 ACRES
DESIGN: 1.00 ACRES
REGULATORY: 1.00 ACRES
ADDITIONAL: 1.00 ACRES

BENCHMARK & DATUM

DATE: 6/15/2022
PROJECT: ALLURE SUBDIVISION
LOCATION: SECTION 36, T3N, R1W, B.M, ADA COUNTY, IDAHO

CONTACTS

DESIGNER: KELLER ASSOCIATES, INC.
ADDRESS: 1001 EAST MAIN STREET, SUITE 100, BOISE, IDAHO 83724
PHONE: (208) 335-1100
WEBSITE: www.kelleridaho.com

DRAWING INDEX

- PP10 COVER
- PP11 TOPOGRAPHIC SURVEY
- PP12 OVERALL PRELIMINARY PLAT
- PP13 PRELIMINARY PLAT - AREA A
- PP14 PRELIMINARY PLAT - AREA B
- PP15 PRELIMINARY PLAT - AREA C
- PP16 PRELIMINARY PLAT - AREA D
- CS01 OVERALL DRAINAGE AND UTILITY PLAN
- CS02 DRAINAGE AND UTILITY PLAN - AREA A
- CS03 DRAINAGE AND UTILITY PLAN - AREA B
- CS04 DRAINAGE AND UTILITY PLAN - AREA C
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- L12 LANDSCAPE PLAN - AREA B
- L13 LANDSCAPE PLAN - AREA C
- L14 LANDSCAPE PLAN - AREA D
- L15 LANDSCAPE DETAILS

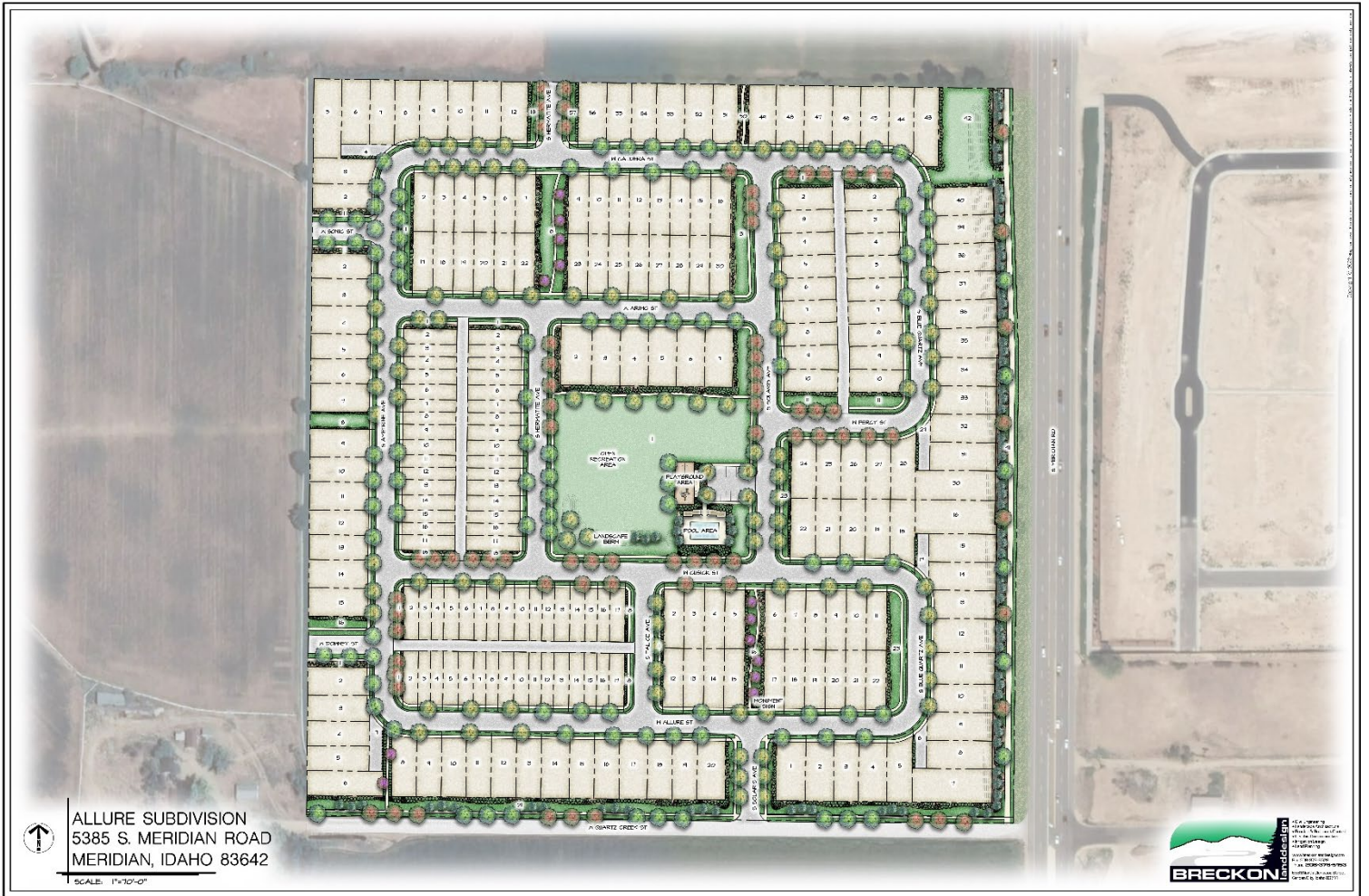
NOTES

1. ALL UTILITIES SHALL BE INSTALLED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IDAHO STATE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS (IDPE) AND THE IDAHO STATE BOARD OF PROFESSIONAL LAND SURVEYORS (IDPLS) PRACTICE MANUALS AND SPECIFICATIONS.
2. ALL UTILITIES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IDAHO STATE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS (IDPE) AND THE IDAHO STATE BOARD OF PROFESSIONAL LAND SURVEYORS (IDPLS) PRACTICE MANUALS AND SPECIFICATIONS.
3. ALL UTILITIES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IDAHO STATE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS (IDPE) AND THE IDAHO STATE BOARD OF PROFESSIONAL LAND SURVEYORS (IDPLS) PRACTICE MANUALS AND SPECIFICATIONS.
4. ALL UTILITIES SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE LATEST EDITIONS OF THE IDAHO STATE BOARD OF PROFESSIONAL ENGINEERS AND SURVEYORS (IDPE) AND THE IDAHO STATE BOARD OF PROFESSIONAL LAND SURVEYORS (IDPLS) PRACTICE MANUALS AND SPECIFICATIONS.

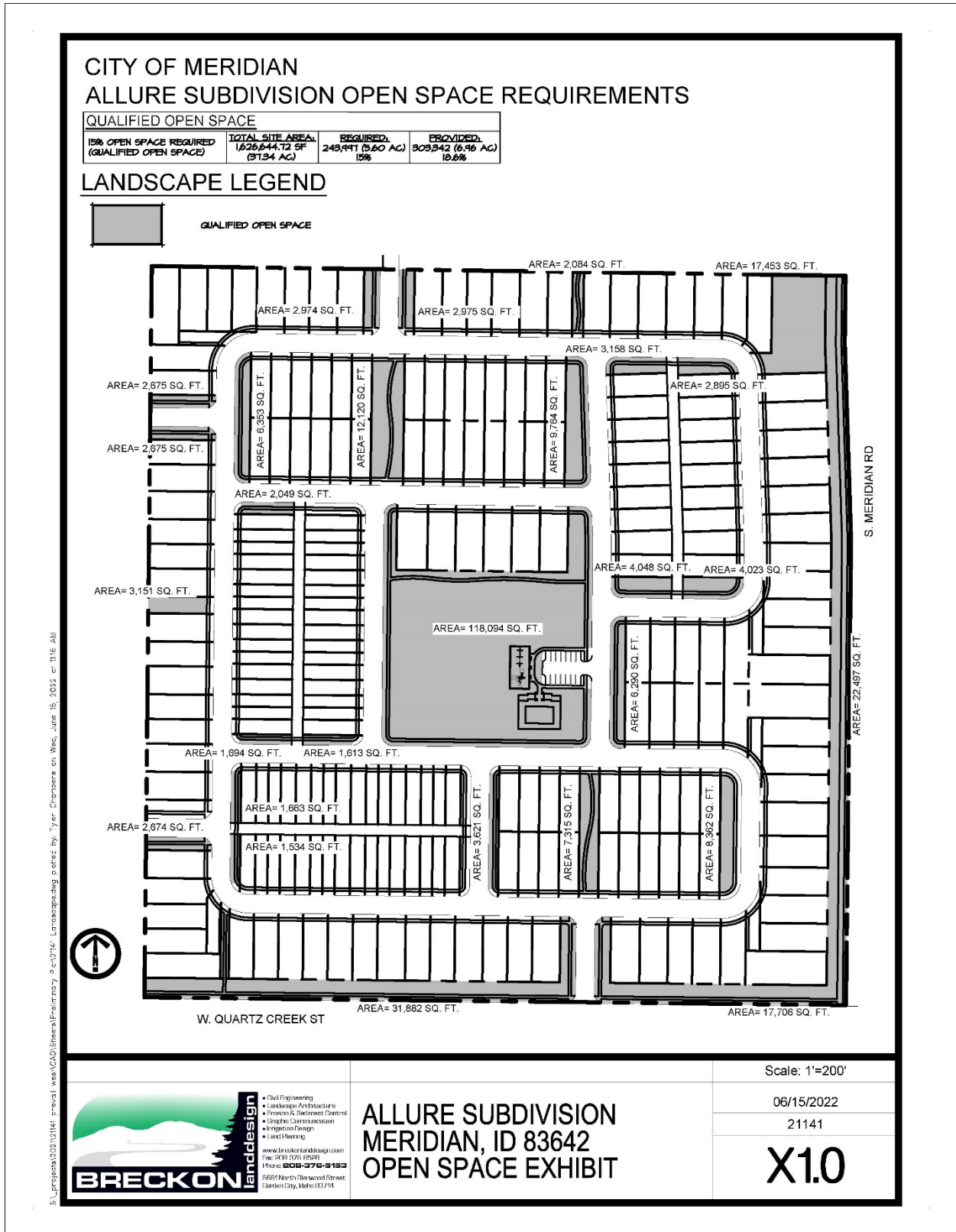
ALLURE SUBDIVISION
 MERIDIAN, ID
 COVER
 LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 36, T.3N, R.1W

PROJECT NO. 2022-01-001
 DATE: 6/15/2022
 38' ROW
 60' ROW
PP10

C. Landscape Plans (date: 6/15/2022):



D. Open Space Exhibit (dated: 6/15/2022):



• Civil Engineering
 • Landscape Architecture
 • Precipitation Runoff Control
 • Drainage Communications
 • Irrigation Design
 • Land Planning
 www.breckonlandscape.com
 Fax: 208.325.4599
 Phone: 208-716-5153
 6661 North Clearwood Street
 Garden City, Idaho 83714

ALLURE SUBDIVISION MERIDIAN, ID 83642 OPEN SPACE EXHIBIT

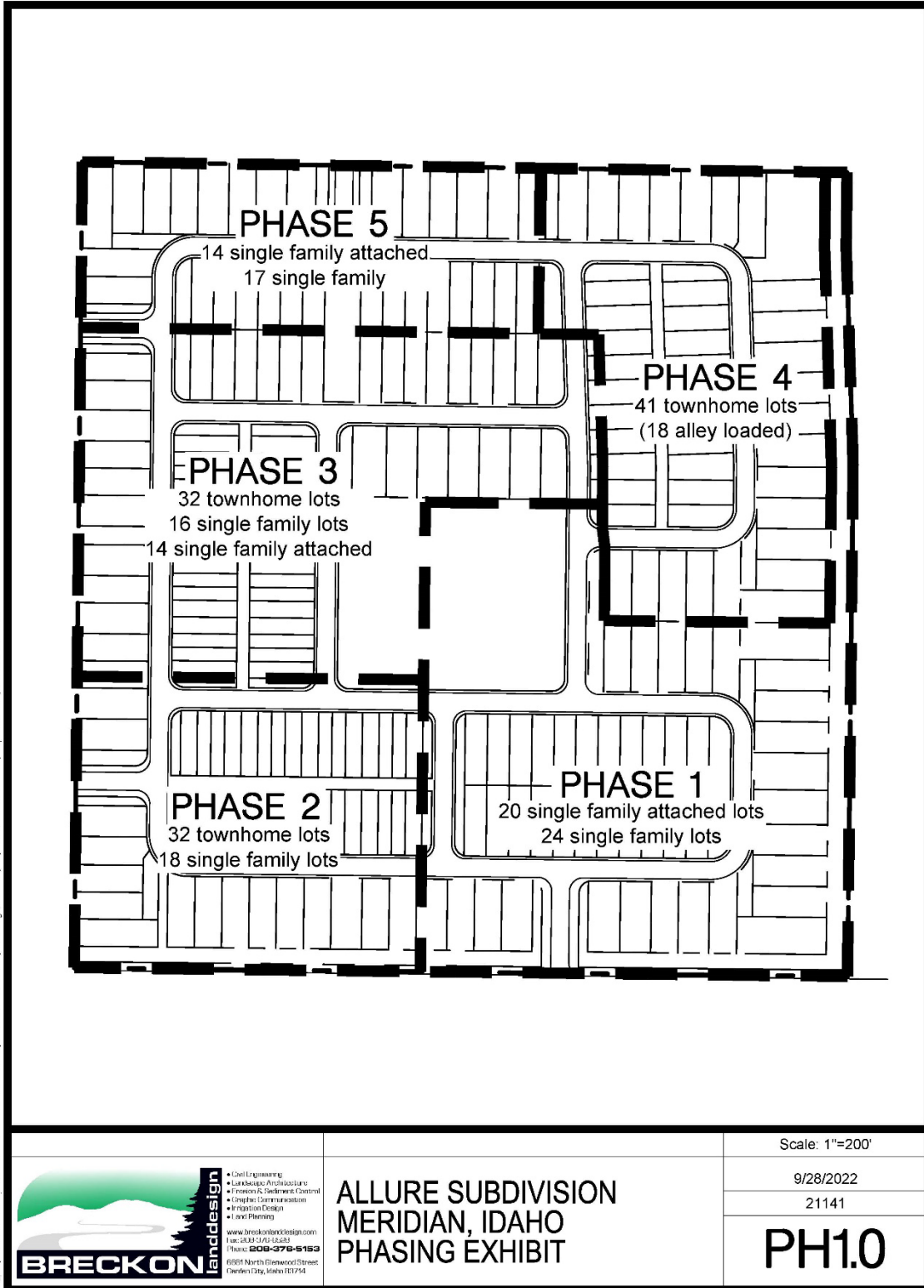
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06/15/2022

21141

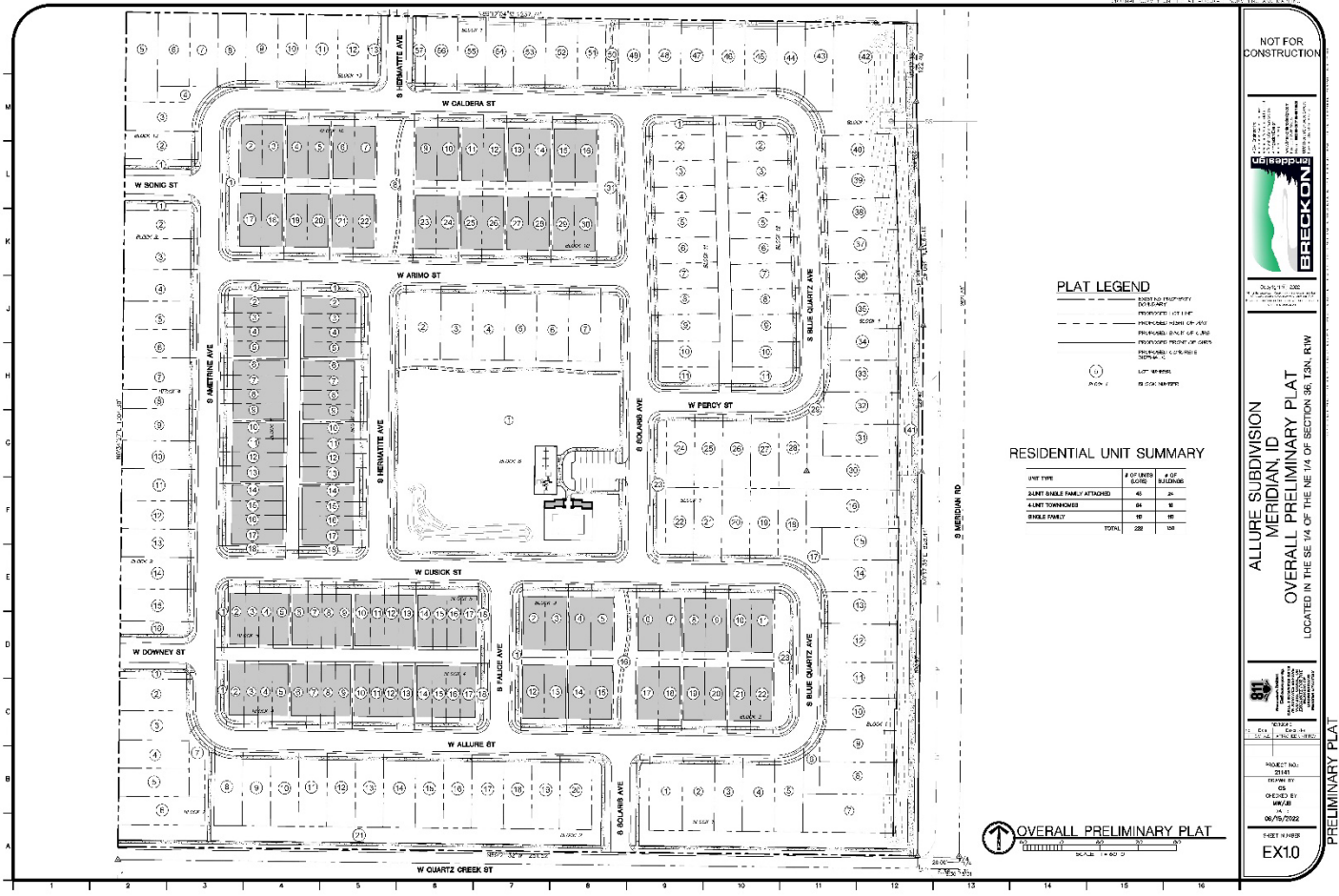
X1.0

E. Phasing Plan (dated: 9/28/2022):



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F. Unit Type Site Plan:



NOT FOR CONSTRUCTION

PROJECT NO: 21181
 DESIGNED BY: JES
 CHECKED BY: JES
 DATE: 06/16/2022

ALLURE SUBDIVISION
 MERIDIAN, ID
 OVERALL PRELIMINARY PLAT
 LOCATED IN THE SE 1/4 OF THE NE 1/4 OF SECTION 06, T33N, R17W

EX10

PRELIMINARY PLAT

G. Emergency Access Options Exhibit:



EMERGENCY ACCESS EXHIBIT
FOR PHASE 1

H. Conceptual Building Elevations



DUPLEX HOMES

ALLURE

MERIDIAN, ID



TOWNHOMES

ALLURE

MERIDIAN, ID



CARRIAGE HOMES

ALLURE

MERIDIAN, ID

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Within six (6) months of the City Council granting the subject modification, the owner shall sign and obtain Council approval of the amended development agreement that includes an updated development plan per the submitted preliminary plat, as shown in Section VII.B; the amended DA shall include the following provisions:
 - a. Future development of this site shall be substantially consistent with the approved plat, landscape plan, phasing plan, open space exhibit, and conceptual building elevations included in Section VII and the provisions contained herein.
 - b. The Applicant and/or assigns shall not obtain more than 30 residential building permits prior to the emergency access being reviewed and approved by the Meridian Fire Department.
 - c. The Applicant and/or assigns shall not obtain more than 100 residential building permits prior to a secondary public road access being constructed and approved by ACHD.
 - d. The remaining width of W. Quartz Creek Street (the new collector street along the south boundary), the required multi-use pathway, and the required collector and arterial landscape buffers adjacent to W. Quartz Creek and S. Meridian Road/SH 69 shall be constructed and vegetated with the first phase of development.
 - e. Applicant and/or assigns shall dedicate additional right-of-way for SH 69/Meridian Road per the ITD Memo and construct a southbound right-turn lane from SH 69 onto W. Quartz Creek Street with the first phase of development.
 - f. Until the such time the entire property develops, the current agricultural uses of the property shall be allowed to continue for those phases of the project not yet platted; this does not allow the existing home to remain on the property and said structure shall be removed with the first phase of development.
 - g. The elevations/facades of 2-story structures that face S. Meridian Road, an entryway corridor, and W. Quartz Creek Street, a collector street, 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.
2. The preliminary plat included in Section VII.B, dated June 15, 2022, shall be revised as follows with the applicable final plat submittals:
 - a. Revise the plat to show ACHD approved traffic calming along W. Quartz Creek Street, S. Ametrine Avenue, W. Allure Street, W. Cusick Street, S. Solaris Avenue, and W. Caldera Street, coordinate with Meridian Fire and ACHD as necessary.
 - b. Depict the required emergency access to Meridian Road/SH 69, as approved by the Meridian Fire Department.
 - c. With each applicable final plat submittal, revise the plat to depict any proposed zero lot-lines for the single-family attached and single-family townhome dwellings.

- d. Add a plat note stating that direct lot access to S. Meridian Road/SH 69 and W. Quartz Creek Street is prohibited.
3. The landscape plan included in Section VII.C, dated June 15, 2022, shall be revised as follows prior to the City Council hearing:
 - a. Revise the landscape plan to match the plat revision noted in VIII.A2 above.
 - b. Depict the required berm/wall combination along Meridian Road to extend to the north property line to minimize the breaks in the wall.
 - c. In the landscape calculations table, show the linear feet of parkways and include the required number of trees and proposed number of trees in accord with UDC 11-3B-7C.
 - d. Revise the fencing adjacent to three micro-path lots (Lot 21, Block 2, Lot 16, Block 3, & Lot 8 Block 10) to be 6-foot privacy fencing.
 - e. With the future final plat applications, depict the proposed fencing adjacent to the proposed common drives.
 - f. Any landscaping within the ITD right-of-way shall be landscaped in accord with UDC 11-3B-7C.5.
- 4. Prior to the City Council hearing, the Applicant shall submit conceptual elevations for the proposed detached single-family dwellings.**
- 5. Prior to the City Council hearing, the Applicant shall submit a revised Open Space Exhibit depicting the qualifying parkways throughout the development.**
6. At the time of relevant final plat submittals, the Applicant shall submit common drive exhibits showing adequate area for residents to back out of garages without trespassing on the building lot at the end of the common drives—said exhibits shall depict, at a minimum: building envelope, fencing, common landscaping, and anticipated driveway locations.
7. Future development shall be consistent with the minimum dimensional standards listed in UDC 11-2D-3 and UDC 11-2D-6 for the TN-R zoning district.
8. 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.
9. The Applicant shall comply with all ACHD conditions of approval.
10. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
11. Applicant shall comply with the noise abatement standards as set forth in UDC 11-3H-4D.
12. Applicant shall comply with all fencing standards as set forth in UDC 11-3A-6 & UDC 11-3A-7.
13. Prior to the first Final Plat submittal, the Applicant shall obtain Administrative Design Review (DES) approval for the townhomes and single-family attached dwellings within this development.
14. Prior to signature on a final plat, the applicant shall submit a public access easement for the multi-use pathway segment along Meridian Road to the Planning Division for approval by City Council and subsequent recordation. The easement shall be a minimum of 14' in width (10' pathway and 2' shoulder on each side).

15. 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.
16. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS DEPARTMENT

Site Specific Conditions of Approval

1. Each phase of the development will need to be modeled to verify minimum fire flow pressure is maintained.
2. If a well is located on the site, it must be abandoned per regulatory requirements.
3. Seepage bed must be 25' from waterlines unless additional protection is provided. There are at least two spots where this requirement is not met.
4. Dead-ends that will be extended require a blow-off.
5. Before full build out, two connections to the existing water system will be required; the second connection can be made to the north or back out to Meridian Rd.
6. Additional 15,800 gpd committed to model. WRRF decline balance is 14.37 MGD.
7. Master Plan line needs to be 12" with a slope of 0.28%. To and through slopes for all lines including 8" should be minimum slopes (where min slope for the 12" line is 0.28%).
8. Applicant required to abandon 12" main in Meridian Rd being installed as part of Briar Ridge development to the south so that Briar Ridge development sewers through this property. Applicant MUST work with Briar Ridge to determine location where 12" main is to connect to south.
9. Provide to-and-through to S1236110060 and S1236121090. Provide sewer connection in ROW instead of common lot.
10. Provide 14' wide access path for existing manhole located at eastern boundary. Due to distance from road provide a hammer head turn around for a 40' x 9' service vehicle.
11. Provide 20' easement for sewer outside of ROW.
12. Angle into/out of manhole needs to be 90 degrees minimum in the direction of flow. Multiple manholes do not appear to meet this requirement.
13. Ensure that manhole at W. Cusick St. and S. Blue Quartz Ave. is not located in the curb/gutter.
14. For common driveways with 3 or less lots, do not have mains located in common driveways. Run services from main in ROW.
15. See exhibit in public record titled "WW comments – Allure;" arrows showing direction of sewage flow should be corrected.
16. Ensure no permanent structures (trees, bushes, buildings, carports, trash receptacle walls, fences, infiltration trenches, light poles, etc.) are built within the utility easement.
17. Ensure no sewer services cross infiltration trenches.

General Conditions of Approval

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

10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the

Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=269062&dbid=0&repo=MeridianCity&cr=1>

D. SCHOOL IMPACT TABLE

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275920&dbid=0&repo=MeridianCity>

E. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=269876&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=270088&dbid=0&repo=MeridianCity>

G. MERIDIAN POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=269061&dbid=0&repo=MeridianCity>

H. PARKS DEPARTMENT - PATHWAYS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266529&dbid=0&repo=MeridianCity>

I. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276143&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

Conditions Memo -

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=276629&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=275993&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 Rezone the property from the R-4 zoning district to the TN-R zoning district with the proposed preliminary plat and site design is consistent with the Comprehensive Plan, if all conditions of approval are met.

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

Staff finds the proposed zoning map amendment and the request for the development complies with the regulations outlined in the requested TN-R zoning district and is consistent with the purpose statement of the requested zone and traditional neighborhood zoning districts in general.

- 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.**

Subject site is already annexed so Staff finds this finding nonapplicable.

B. Preliminary Plat Findings:

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

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

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

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

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

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

Because City 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 VII 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 has offered their support of the proposed development with the proposed road layout in mind and with specific conditions of approval.

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

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Sessions Parkway (H-2022-0046) by KM Engineering, LLP. located at 2700 N. Eagle Rd.

Application Materials: <https://bit.ly/H-2022-0046Sessions>

A. Request: Development Agreement Modification on the existing Development Agreement (Inst.#104129529) to remove the subject property from the agreement in order to enter into a new Development Agreement for the proposed project. B. Request: Preliminary Plat consisting of 5 building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of an access via N. Eagle Rd./SH-55.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



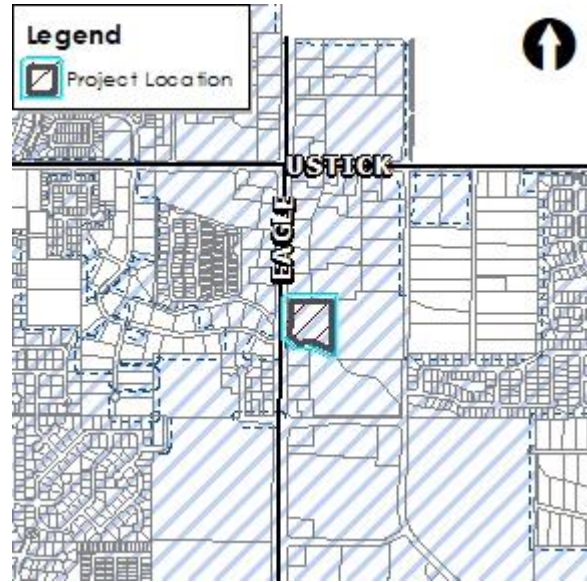
HEARING DATE: October 6, 2022

TO: Planning & Zoning Commission

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

SUBJECT: H-2022-0046
 Sessions Parkway – MDA, PP

LOCATION: 2700 N. Eagle Rd., in the NW 1/4 of
 Section 4, T.3N., R.1E.
 Parcel # S1104233650



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (DA) (Inst. #2017-0121321, re-recorded as Inst. #2022-065403) to remove the commercial portion of the property from the agreement and enter into a new DA for the proposed project with an updated conceptual development plan; and Preliminary Plat consisting of five (5) building lots on 5.32 acres of land in the C-G zoning district with a request for City Council approval of a right-in/right-out driveway access via N. Eagle Rd./SH-55.

II. SUMMARY OF REPORT

A. Project Summary

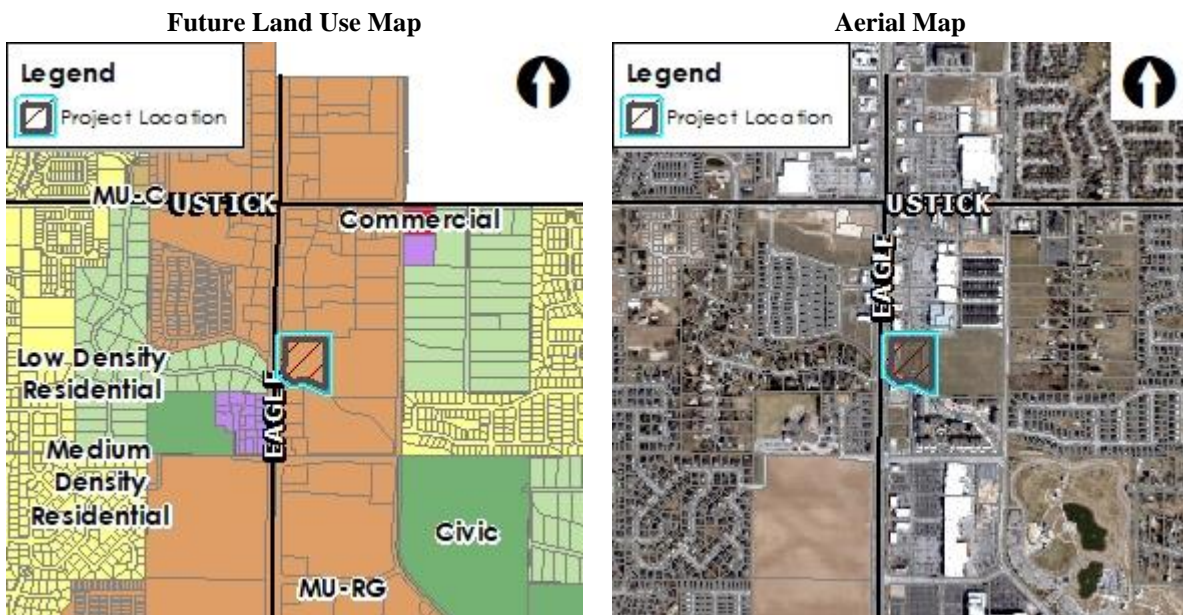
Description	Details	Page
Acreage	5.32	
Existing/Proposed Zoning	C-G (General Retail and Service Commercial)	
Future Land Use Designation	Mixed Use – Regional (MU-R)	
Existing Land Use(s)	Vacant/undeveloped land	
Proposed Land Use(s)	Commercial pads with a fuel sales facility	
Lots (# and type; bldg./common)	5 building/0 common	
Phasing Plan (# of phases)	None (to be constructed in one phase)	
Number of Residential Units (type of units)	0	
Physical Features (waterways, hazards, flood plain, hillside)	The Finch Lateral runs along the southern boundary of the site within an 80’ wide easement (40’ from centerline each side) as depicted on the plat.	
Neighborhood meeting date:	3/23/22	

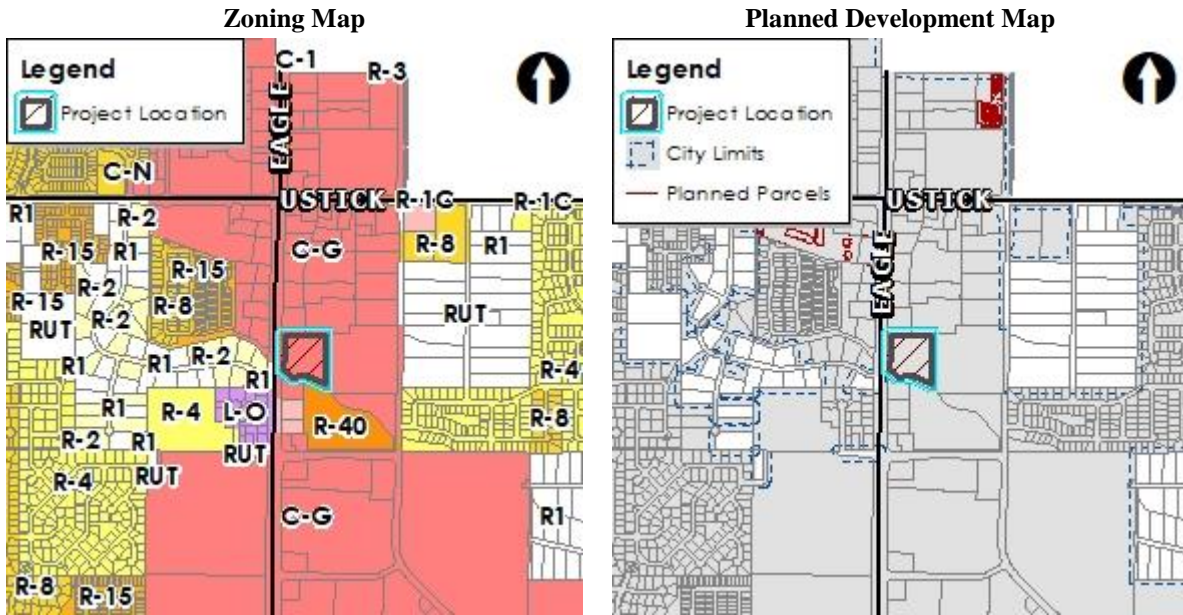
Description	Details	Page
History (previous approvals)	AZ-03-021 ; AZ-15-012 ; MDA-15-011 ; DA Inst. #2022-065403 ; A-2020-0115 (PBA ROS #12423)	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
West Ada School District	No comment have been received.	
Police Department	No comment have been received.	
Fire Department	No comments have been received.	

C. Project Area Maps





- A. Applicant:
Stephanie Hopkins, KM Engineering, LLP – 5725 N. Discovery Way, Boise, ID 83713
- B. Owners:
Meridian Investments, LLC – 74 E 500 S, Ste. 200, Bountiful, UT 84010-0000
- C. Representative:
Same as Applicant

III. NOTICING

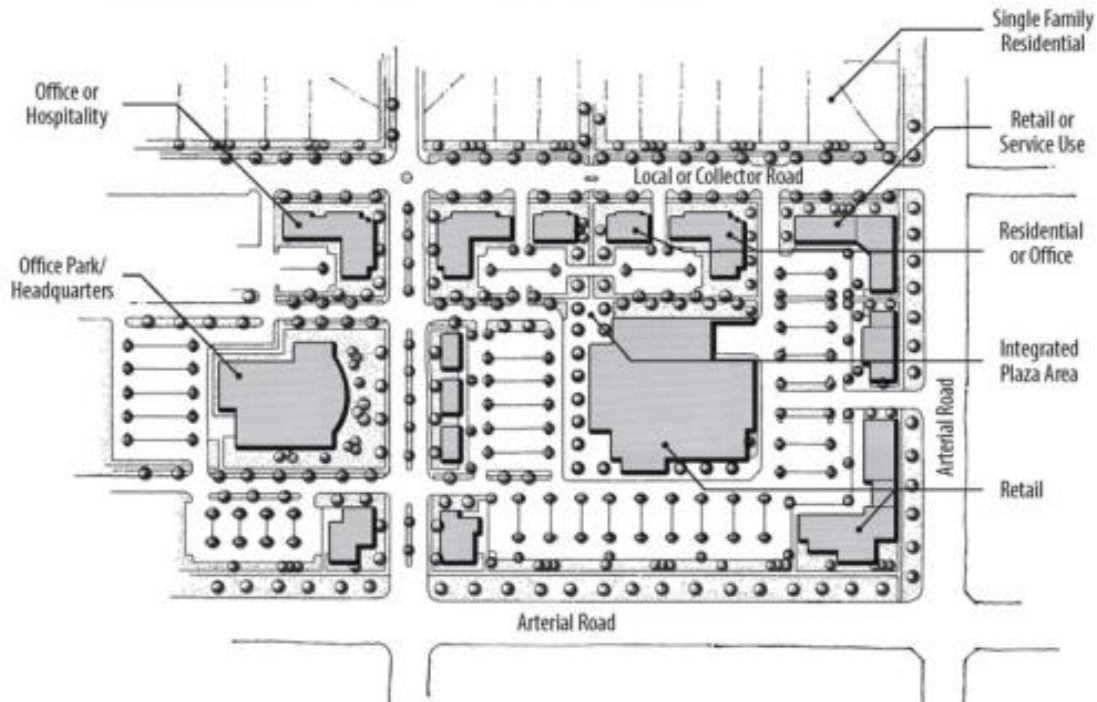
	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	9/21/2022	
Notification mailed to property owners within 300 feet	9/15/2022	
Applicant posted public hearing notice on site	9/21/2022	
Nextdoor posting	9/15/2022	

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

Land Use: The Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#) designates this property, and many of the surrounding properties in this vicinity along the Eagle Road corridor, as Mixed Use – Regional (MU-R). The purpose of this 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. For example, an employment center should have supporting retail uses; a retail center should

have supporting residential uses as well as supportive neighborhood and community services. The standards for the MU-R designation provide an incentive for larger public and quasi-public uses where they provide a meaningful and appropriate mix to the development. The developments are encouraged to be designed consistent with the conceptual MU-R plan depicted in Figure 3D of the Comprehensive Plan as shown below.

FIGURE 3D: MIXED USE REGIONAL CONCEPT DIAGRAM



The proposed conceptual development plan for the subject 5.32-acre property depicts five (5) commercial building pads, including one for a fuel sales facility and one for a drive-through establishment, totaling 32,625 square feet (s.f.) of building area. Additional uses may develop on the site as allowed by UDC [Table 11-2B-2](#) in the C-G district. Multi-family residential uses (i.e. Village Apartments A-2021-0231) by the same developer have been approved and are in the development process on the parcel directly to the east.

Vehicle interconnectivity is proposed between the commercial and residential uses to the east at the north and south boundaries of the site. Safe pedestrian access should also be provided between the commercial uses within the site and to the future residential uses.

The proposed development should provide a variety of commercial and retail uses in close proximity to residential uses. Kleiner City Park exists within a ¼ mile of this site to the southeast, which is considered a Civic use. The site is located along N. Eagle Rd./SH-55 within ¾ of a mile of a major arterial intersection at E. Fairview Ave. and N. Eagle Rd. Although not anchored by uses that have a regional draw, the existing and proposed uses contribute to the variety of uses within this overall MU-R designated area as desired and should provide services to nearby residents.

The proposed commercial development is not integrated with the future residential development to the east, nor is there a common usable gathering area with a plaza or green space as desired in mixed use designated areas. The rear of the fuel facility/convenience store faces the backage road and the rear of Buildings C, D and E face the residential development which creates a wall effect. Staff recommends the site plan is revised to more closely align with

the purpose statement and Figure 3D above, and the development guidelines in the Comprehensive Plan for Mixed Use and MU-R designated areas as noted below. Staff suggests rotating the fuel facility/convenience store pad so the rear of the building isn't facing east to better integrate with the other commercial pads and residential development. Similarly, some or all of the buildings along the eastern boundary should be rotated and/or relocated and a shared plaza area/green space added for better integration of uses and consistency with the mixed-use guidelines.

In reviewing development applications, the following items will be considered in all Mixed-Use areas: *(Staff's comments 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 larger overall mixed-use designated area includes a mix of residential, commercial, office and civic uses. This project may only include commercial (i.e. retail, restaurant, etc.) and residential uses (Village Apartments) as proposed, which may be adequate because it's a smaller site.

- Where appropriate, higher density and/or multifamily 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 residential uses (i.e. Village Apartments) were approved on the parcel directly to the east, which provide housing options for the commercial and employment uses along the Eagle Road/SH-55 corridor.

- 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 new conceptual development plan is proposed to replace the existing plan in the development agreement approved with the annexation.

- In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.

The proposed conceptual development plan does not include any common usable area as desired. Staff recommends the concept plan is revised to include shared common, usable area, such as a plaza or green space within the commercial portion of the development or between the residential and commercial uses.

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

No low- or medium-density residential uses abut this site; however, a minimum 25-foot wide buffer, landscaped per the standards in UDC 11-3B-9C, is required along the eastern boundary of the site in the C-G district adjacent to future residential uses.

- Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.

No community-serving facilities are proposed with this development; however, these uses do exist within a fairly close proximity to the site and this is a smaller development.

- 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.

No such uses are proposed in this development. At a minimum, Staff recommends a plaza/outdoor gathering open space area is provided within the commercial development or between the commercial and residential development to the east.

- **Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.**

The proposed development plan doesn't incorporate any of these design elements or amenities; the concept plan should be revised accordingly.

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

The proposed development is accessible to the adjacent future residential development to the east (i.e. Village Apartments) by vehicle via two (2) driveways, one at north end and one at the south end of the site. Separate pedestrian walkways should also be provided for pedestrian safety that provide a connection to the multi-use pathway along Eagle Rd. and between buildings within the commercial development.

- A mixed-use project should serve as a public transit location for future park-and-ride lots, bus stops, shuttle bus stops and/or other innovative or alternative modes of transportation.

Public transit isn't available in this vicinity.

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

The three (3) eastern building pads back up to a drive aisle with a row of parking on either side associated with the multi-family development.

- Because of the parcel configuration within Old Town, development is not subject to the Mixed-Use standards listed herein.

This guideline is not applicable as the property is not in Old Town.

In reviewing development applications, the following items will be considered in MU-R areas:

- Development should generally comply with the general guidelines for development in all Mixed-Use areas.

See analysis above.

- Residential uses should comprise a minimum of 10% of the development area at gross densities ranging from 6 to 40 units/acre.

Between this site and the adjacent site to the east being developed by the same developer, residential uses exceed 10% of the development area at a gross overall density of 20.12 units/acre.

- There is neither a minimum nor maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.

The Applicant is unsure at this point what commercial uses will develop on this site other than a fuel sales facility and convenience store and a drive-through establishment.

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

To ensure retail commercial uses don't exceed 50% of the development area and for a transition in uses, Staff recommends the concept plan is revised to depict non-retail commercial, office and/or civic uses for a minimum of 50% of the development area between the residential and retail commercial uses.

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.

No public or quasi-public uses are proposed with this development. If the concept plan is revised to include such uses, the developer may be eligible for additional area for retail development (beyond the allowed 50%).

Sample uses, appropriate in MU-R areas, include: All MU-N and MU-C categories, entertainment uses, major employment centers, clean industry, and other appropriate regional-serving most uses. Sample zoning include: R-15, R-40, TN-C, C-G, and M-E. *The proposed commercial/retail/restaurant and fuel sales facility uses are allowed uses in the existing C-G zone, although they are not "regional serving" uses.*

The following Comprehensive Plan Policies are also applicable to this development: *(Staff's analysis in italics)*

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

City water and sewer service is available and can be extended by the developer with development in accord with UDC 11-3A-21. Urban services are available to be provided upon development.

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

The proposed commercial uses should be compatible with adjacent commercial uses to the north and south; and with the future multi-family residential uses to the east if non-retail, office and/or civic uses are provided as a buffer and transition in uses as recommended.

- “Encourage and support mixed-use areas that provide the benefits of being able to live, shop, dine, play, and work in close proximity, thereby reducing vehicle trips, and enhancing overall livability and sustainability.” (3.06.02B)

The proposed commercial uses and fuel sales facility should provide nearby services and employment options to the residents of the adjacent multi-family developments, reducing vehicle trips on area roadways.

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

A. Development Agreement Modification (MDA):

The Applicant proposes a modification to the existing Development Agreement (DA) for Village Apartments ([AZ-15-012](#); [MDA-15-011](#) – DA Inst. [#2022-065403](#)) to remove the commercial portion of the property, consisting of 5.32 acres of land, from the agreement and enter into a new DA for the proposed project with an updated conceptual development plan.

The existing conceptual development plan depicts three (3) retail/commercial building pads along the frontage of N. Eagle Road, two (2) of which are drive-through establishments, and one (1) larger retail building east of the building pads fronting on Eagle Rd. totaling 28,500 square feet (s.f.). A driveway is depicted at the northeast corner of the site for vehicular connectivity with the residential development to the east. A driveway is not depicted to the property to the south (fka Great Wall) because when that property developed, access was not required to be provided to this property because of the Finch Lateral, a large irrigation facility that separates the two properties. The properties to the south of the Finch Lateral were to have a backage road along their east boundaries for access via E. River Valley St.

Since that time, this developer and the property owner to the south have been working together to construct a backage road between the two properties along Eagle Rd. and the Finch Lateral has been piped. A new access via Eagle Rd./SH-55 is proposed with this application, which will replace the existing temporary access on the Great Wall/Copper Canary property, if approved by the City and ITD. The temporary access was allowed to remain until such time as access became available from the south via E. River Valley St. If non-residential uses develop on the property to the south of the Copper Canary (fka Great Wall) property at 3280 E. River Valley St. as currently entitled, the backage road will extend to E. River Valley St.; however, if residential uses develop on that property, only an emergency access will be provided from the north to that property per the development agreement (Copper Canary Inst. [#2022-048293](#)).

The proposed development plan depicts five (5) building pads totaling 32,625 s.f. A fuel sales facility with a convenience store is proposed on the northwest pad, a drive-through is proposed on the pad directly to the south, and three (3) other pads are proposed along the east boundary of the site adjacent to the future multi-family residential development to the east. As noted above in Section IV, Staff recommends changes to the concept plan for better integration between uses in accord with the mixed use and MU-R guidelines in the Comprehensive Plan.

Two driveway accesses are proposed at the north boundary – one via the existing curb cut, which will serve as a backage road along Eagle Rd. and will connect to the property to the south, and one new curb cut closer to Eagle Rd., which would provide direct access to the fuel sales

facility/convenience store. **Staff is concerned the access driveway nearest Eagle Rd. will create conflicts due to its proximity to the intersection and to the backage road; therefore, Staff recommends the access driveway is removed and access is provided solely via the backage road.** Two (2) driveways to the east are proposed for interconnectivity with the future residential development. **Staff recommends the driveway connection to the access driveway from Eagle Rd. at the southern boundary along the east side of Building B is removed to reduce conflicts with two access points so close together and vehicles backing out from parking stalls on either side.** Typically, Staff would prefer the alignment of the backage road to be more linear and direct but the access points to the north and south are not in alignment. The “jog” in the roadway will result in traffic calming and reduced speeds, which is desired, especially if the access via Eagle Rd. is approved which will intersect the backage road.

A cross-access easement (Inst. #[2016-003980](#)) exists with the property to the north for access via Eagle Road for this property. **A reciprocal cross-access easement should also be recorded granting cross-access between the subject property and the abutting property to the south (Parcel #S1104233802); and the abutting property to the east (Parcel #S1104233730). Copies of the recorded agreements should be submitted to the Planning Division prior to signature on the final plat by the City Engineer.**

Staff has reviewed the provisions of the existing DA and finds provisions #5.1f, which requires a buffer to residential uses; #5.1g, which requires pedestrian connections to be provided between the residential portion of the site and future commercial development; and #5.1h, which requires traffic calming to be provided between the residential and commercial development, still apply to development of the subject property. Therefore, Staff recommends these provisions are carried over to the new DA along with new provisions as noted herein and in Section VIII.A.

B. Preliminary Plat (PP):

A Preliminary Plat is proposed consisting of five (5) building lots on 5.32 acres of land in the C-G zoning district. As part of the plat, the Applicant requests City Council approval of an access via N. Eagle Rd./SH-55, located on the abutting property to the south (Parcel #S1104233802). *Consent has been granted from the abutting property owner for this request as part of this application.*

Existing Structures/Site Improvements:

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

Dimensional Standards:

Development of the proposed lots is required to comply with the dimensional standards of the C-G zoning district in UDC Table [11-2B-3](#).

Subdivision Design and Improvement Standards (UDC [11-6C-3](#)):

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

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

There are two (2) existing accesses on this site associated with the previous residential use(s) and one (1) temporary access on the abutting property to the south via N. Eagle Rd./SH-55 that are proposed to be removed and replaced with one (1) new right-in/right-out driveway access on the abutting property to the south as depicted on the plans and as shown below.

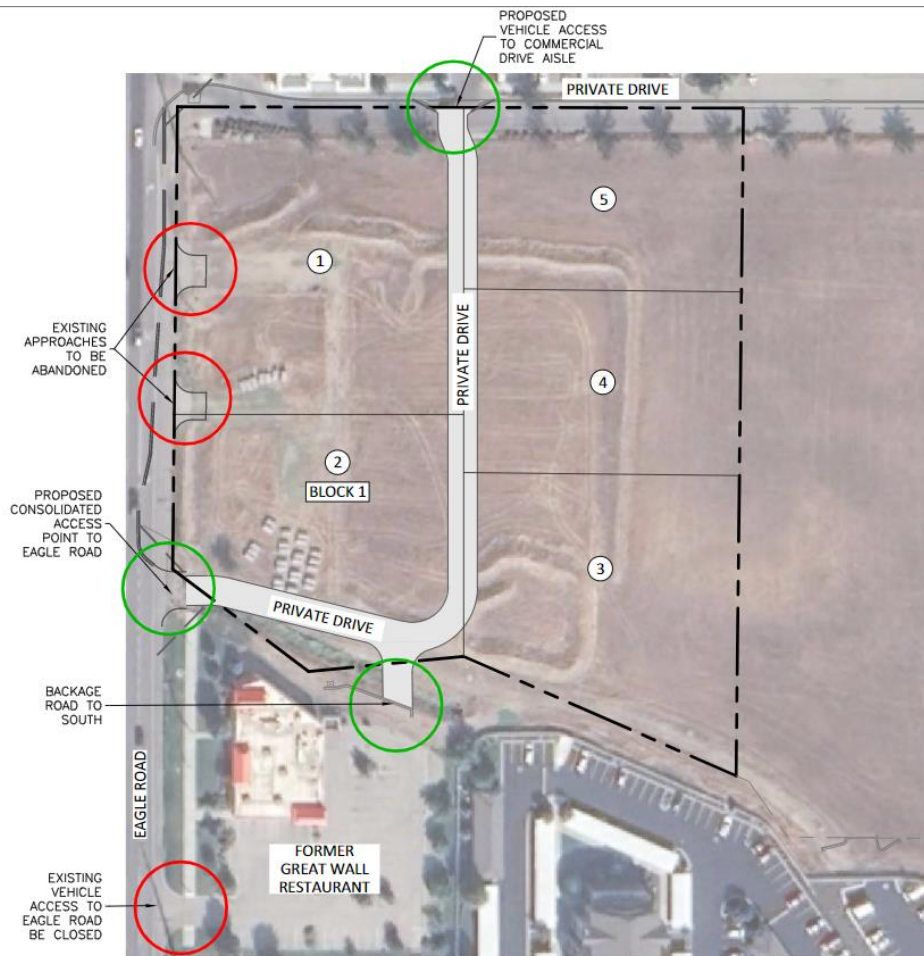
Per UDC [11-3H-4](#), the use of existing approaches via the state highway are not allowed to continue if the intensity of the use increases. With the change in use to commercial, the intensity of the use will increase; therefore, the existing approaches are not allowed to remain and must be abandoned and removed as proposed. New approaches directly accessing a state highway are only

allowed at the section line road and the half mile mark between section line roads, which does not apply in this case. **City Council may consider and approve modifications to the standards in UDC 11-3H-4 upon specific recommendation of the Idaho Transportation Department (ITD) or if strict adherence is not feasible, as determined by City Council.**

ITD issued a [letter](#) of acceptance of the revised traffic striping conceptual drawings, dated November 13, 2019, for SH-55/Eagle Rd. from River Valley St. to approximately 1,500 feet north for the proposed right-in/right-out access via Eagle Rd. The letter states the drawings address all of ITD's safety concerns but only acknowledges the acceptance of the conceptual plan – final approval of the proposed access and associated improvements is determined once all documentation has been provided and the permit is signed. **Final approval of the access has not yet been granted by ITD.**

A [Traffic Impact Study](#) (TIS) was submitted for the Village Apartments and Sessions Parkway developments, prepared by Kittelson & Associates in 2021. The study finds a northbound right-turn lane on Eagle Road into the site as proposed is warranted and should be constructed as proposed.

A curb cut exists at the northern boundary of the site for access via Eagle Rd./SH-55 through an existing vehicular & pedestrian cross-access easement (Inst. #[2016-003980](#)). **A cross-access/ingress-egress easement should be provided to the properties to the south and east for interconnectivity and access. A recorded copy of said agreements should be submitted prior to signature on the final plat by the City Engineer.**



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

A multi-use pathway is depicted on the Pathways Master Plan and required by UDC [11-3H-4C.3](#) along N. Eagle Rd./SH-55. The pathway should be detached from the curb and constructed per the standards listed in UDC [11-3A-8](#). **If the pathway is located outside of the right-of-way, a 14-foot wide public pedestrian easement should be submitted to the Planning Division and recorded prior to signature on the final plat by the City Engineer. Pedestrian lighting and landscaping shall be installed along the pathway consistent with the Eagle Road Corridor Study and comply with the specifications listed in UDC [11-3H-4C.3](#).**

Staff recommends a pedestrian plan is submitted that depicts pedestrian walkways between the building pads in the proposed commercial development and the future residential development to the east, and to the commercial properties to the north and south, for safe pedestrian access and interconnectivity. Connectivity should also be provided to the multi-use pathway along Eagle Rd. Pedestrian walkways should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks in accord with UDC 11-3A-19B.4.

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

In lieu of a detached sidewalk, a detached multi-use pathway is required to be constructed along N. Eagle Rd./SH-55 in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan.

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

A minimum 35-foot wide street buffer is required along N. Eagle Rd./SH-55, an entryway corridor, landscaped per the standards listed in UDC [11-3B-7C](#). **The final plat should depict the buffer in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, or business owner's association per UDC [11-3B-7C.2a](#).**

A minimum 25-foot wide buffer is required by UDC [Table 11-2B-3](#) in the C-G district along the eastern boundary of the site adjacent to future residential uses, landscaped per the standards in UDC [11-3B-9C](#). This buffer may be installed at the time of lot development. **Landscape buffers are required to facilitate safe pedestrian access between residential and commercial development as set forth in UDC [11-3B-9C.3](#); the plan should be revised accordingly.**

Storm Drainage:

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practices as adopted by the City. The Applicant submitted a [Geotechnical Engineering Evaluation](#) for the proposed subdivision that was prepared in 2015 with the Village Apartments application. Stormwater integration is required in accord with the standards listed in UDC [11-3B-11C](#).

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

Underground pressurized irrigation water is required to be provided for each and every lot in the subdivision as required in UDC 11-3A-15.

Utilities (UDC [11-3A-21](#)):

Utilities are required to be provided to the subdivision as required in UDC 11-3A-21.

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

The Finch Lateral runs along the project's south boundary and has been piped in accord with UDC 11-3A-6B. The lateral lies within an 80-foot wide easement – 40' from centerline on each side – structures should not encroach within this easement and trees should be placed outside of the easement. This project is not within the flood plain.

Fencing (*UDC 11-3A-6 and 11-3A-7*):

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

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

Conceptual building elevations were not submitted for the proposed commercial development.

All structures should comply with the design standards in the Architectural Standards Manual.

VI. DECISION

A. Staff:

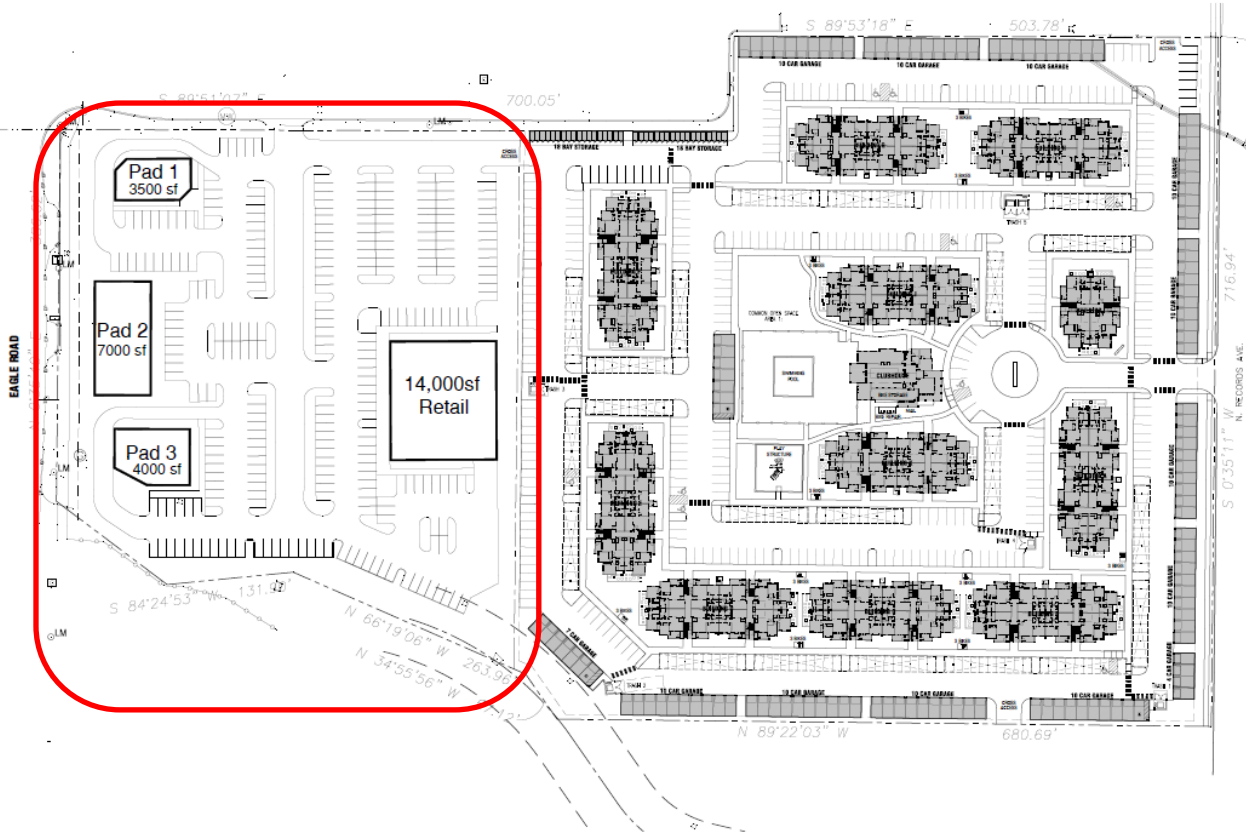
Staff recommends approval of the proposed preliminary plat with the conditions noted in Section VIII, per the Findings in Section IX; and approval of the development agreement modification contingent upon revisions to the concept plan as discussed above and noted in Section VIII, consistent with the development guidelines for the mixed use and specifically the MU-R designation in the Comprehensive Plan. **Staff recommends the Commission continue this project to a subsequent date in order for the Applicant to amend the concept plan as recommended.**

VII. EXHIBITS

A. Existing Development Agreement Provisions and Conceptual Development Plan

5. CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:

- 5.1 Owner/Developer shall develop the Property in accordance with the following special conditions:
- a. Any existing domestic wells and/or septic systems within this project shall be removed from their domestic service prior to development.
 - b. Development of this site shall be generally consistent with the overall site plan, landscape plan and building elevations included in Exhibit A of the Staff Report attached to the Findings of Fact attached hereto as Exhibit "C" and the conditions of approval included in Exhibit B of the Staff Report attached to the Findings of Fact attached hereto as Exhibit "C"
 - c. The Milk Lateral which crosses the northeast corner of this site shall be piped in accord with UDC 11-3A-6A.
 - d. A 35-foot wide street buffer is required to be constructed along N. Eagle Road, an entryway corridor, with the second phase (commercial portion) of development; and a 20-foot wide street buffer is required to be constructed along N. Records Avenue, a collector street, with the *first* phase (residential portion) of development and prior to issuance of the *first* Certificate of Occupancy for each phase. Landscaping is required to be installed within the buffer in accord with the standards listed in UDC 11-3B-7C.
 - e. A 10-foot wide multi-use pathway is required to be constructed within the street buffer along N. Eagle Road within a public use easement; pedestrian lighting and landscaping is also required to be installed as set forth in UDC 11-3H-4C. These improvements are required to be constructed with the *second* phase (commercial portion) of development and prior to issuance of the *first* Certificate of Occupancy for that portion of the site.
 - f. Upon development of the retail/commercial portion of the property, a 25-foot wide buffer is required to be installed adjacent to the residential uses in accord with the standards listed in UDC 11-3B-9C, unless otherwise modified by City Council.
 - g. Pedestrian connections are required to be provided between the residential portion of the site and the future commercial development on the western portion of this site and the residential developments to the north and south.
 - h. Traffic calming shall be provided within the site between the residential and commercial development and in N. Records Avenue (as allowed by ACHD).



PROJECT
VILLAGE APARTMENTS
 EAGLE ROAD
 MERIDIAN, IDAHO

SEAL
 PROJECT APPROVED FOR CONSTRUCTION
 (2015-07-24)

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FILE
 JULY 24, 2015
 15-011 A1.0
 DAVID RUBY, AIA

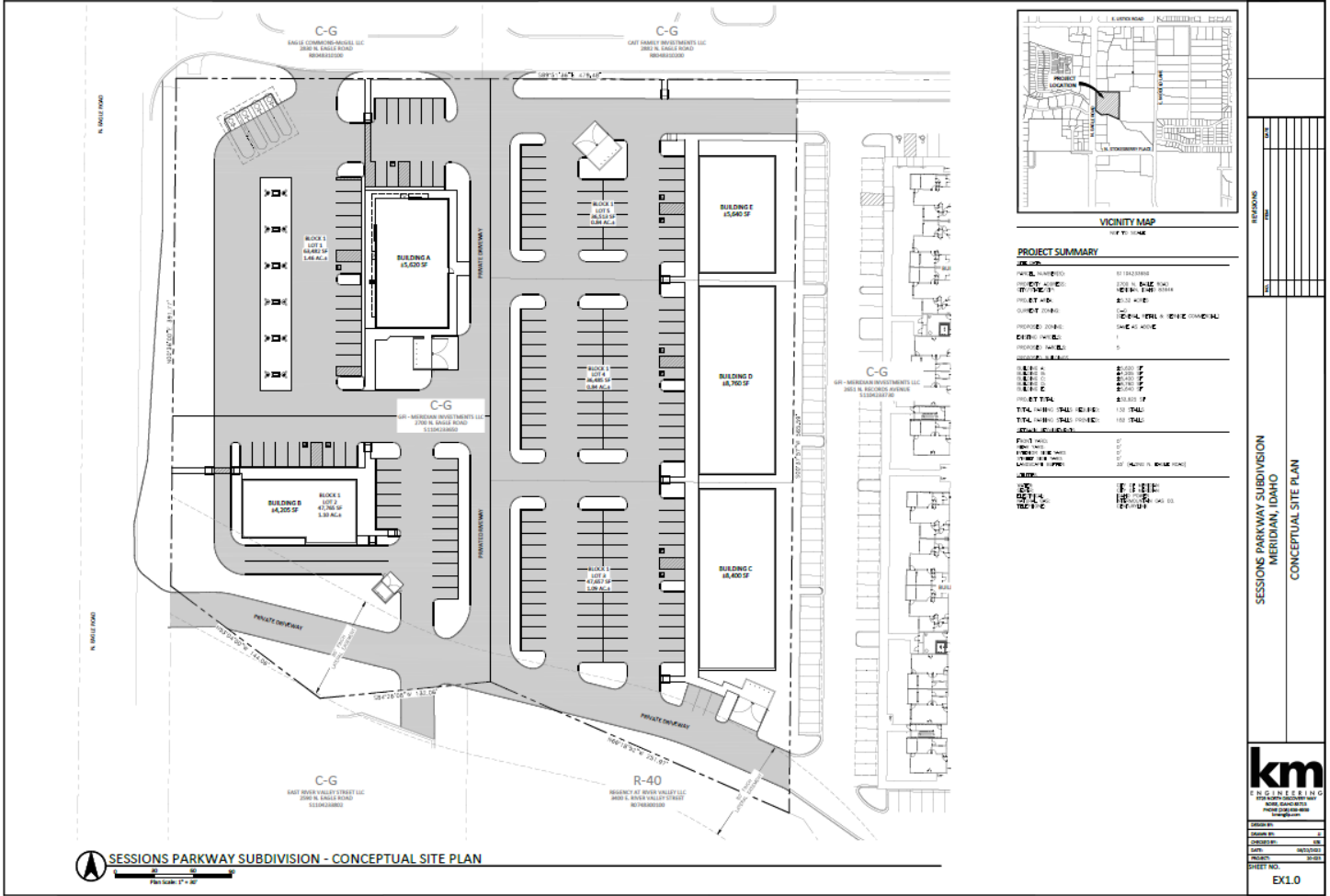
REVISIONS

1 OVERALL SITE PLAN EXHIBIT
 SCALE = 1" = 30'-0"

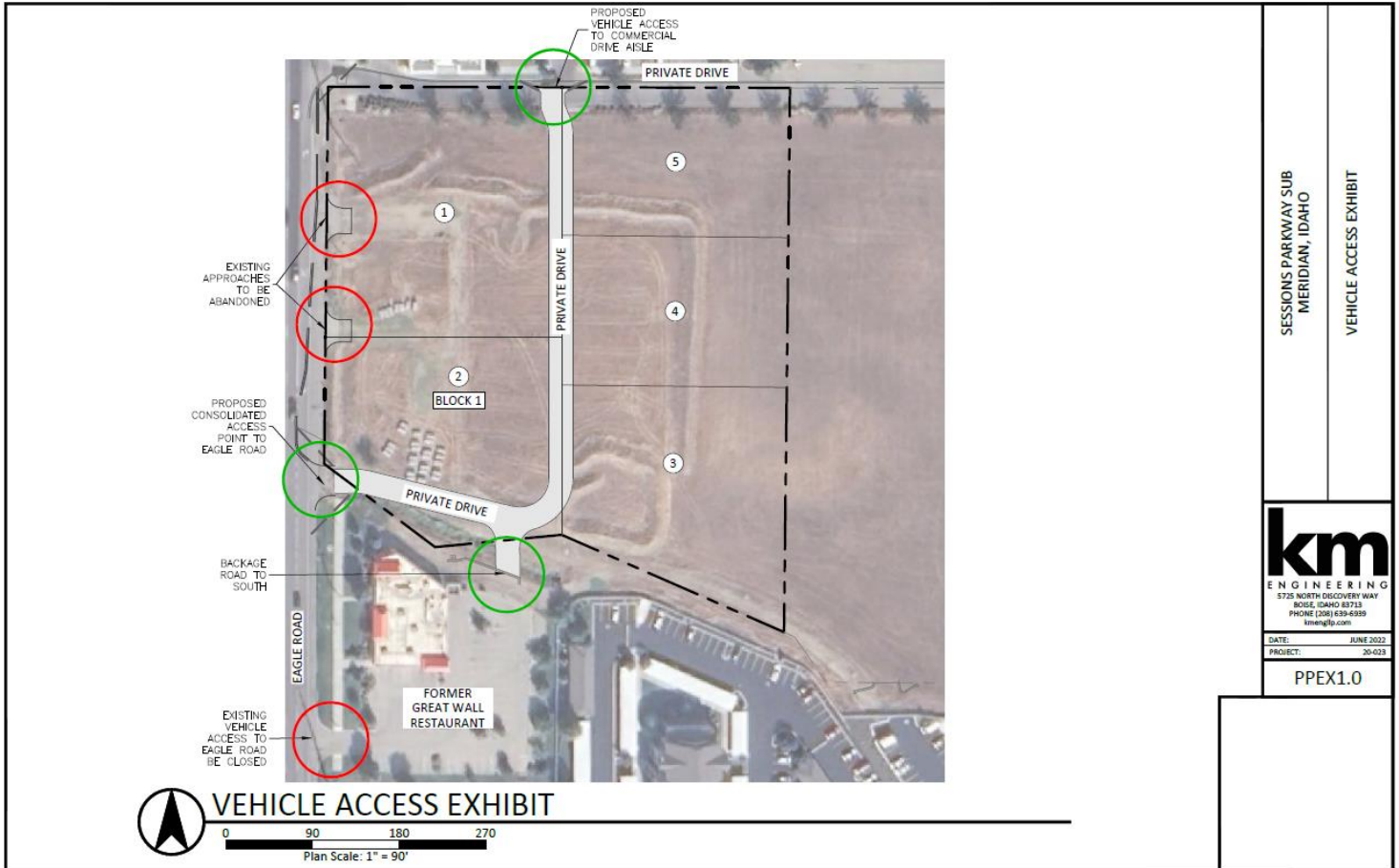


SHEET
A1.0
 OVERALL SITE EXHIBIT

B. Proposed Conceptual Development Plan (NOT APPROVED)



E. Access Exhibit



F. Legal Description & Exhibit Map for Property Subject to New Development Agreement



May 14, 2020
Project No. 17-169
Legal Description

Parcel B

A parcel of land situated in the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, and being more particularly described as follows:

Commencing at a found brass cap marking the Northwest corner of said Section 4, which bears N00°36'00"E a distance of 2,611.39 feet from a found brass cap marking the West 1/4 corner of said Section 4;
Thence following the westerly line of said Northwest 1/4, S00°36'00"W a distance of 1385.13 feet;
Thence leaving said westerly line, S89°51'36"E a distance of 70.01 feet to a found 5/8-inch rebar marking the southwest corner of Southeast Corner Marketplace Subdivision No. 1 and being the **POINT OF BEGINNING**.

Thence following the southerly boundary line of said Southeast Corner Marketplace Subdivision No. 1, S89°51'36"E a distance of 479.48 feet to a set 5/8-inch rebar;
Thence leaving said southerly subdivision boundary line, S00°37'57"W a distance of 565.59 feet to a set 5/8-inch rebar on the northerly subdivision boundary line of Bach Subdivision;
Thence following the northerly subdivision boundary line the following two (2) courses:
1. N66°18'52"W a distance of 251.97 feet to a found aluminum cap;
2. S84°26'08"W a distance of 17.13 feet to a found 5/8-inch rebar marking the northwest corner of said Bach Subdivision;

Thence leaving said northerly subdivision boundary line, S84°26'08"W a distance of 114.63 feet to a found 5/8-inch rebar;
Thence N53°04'00"W a distance of 144.06 feet to a found 5/8-inch rebar on the easterly right-of-way line of N. Eagle Road;
Thence following said easterly right-of-way line, N00°36'00"E a distance of 391.77 feet to the **POINT OF BEGINNING**.

Said parcel contains 231,902 Sq. Ft. (5.324 acres), more or less, and is subject to all existing easements and/or rights-of-way of record.

All subdivisions, deeds, record of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.



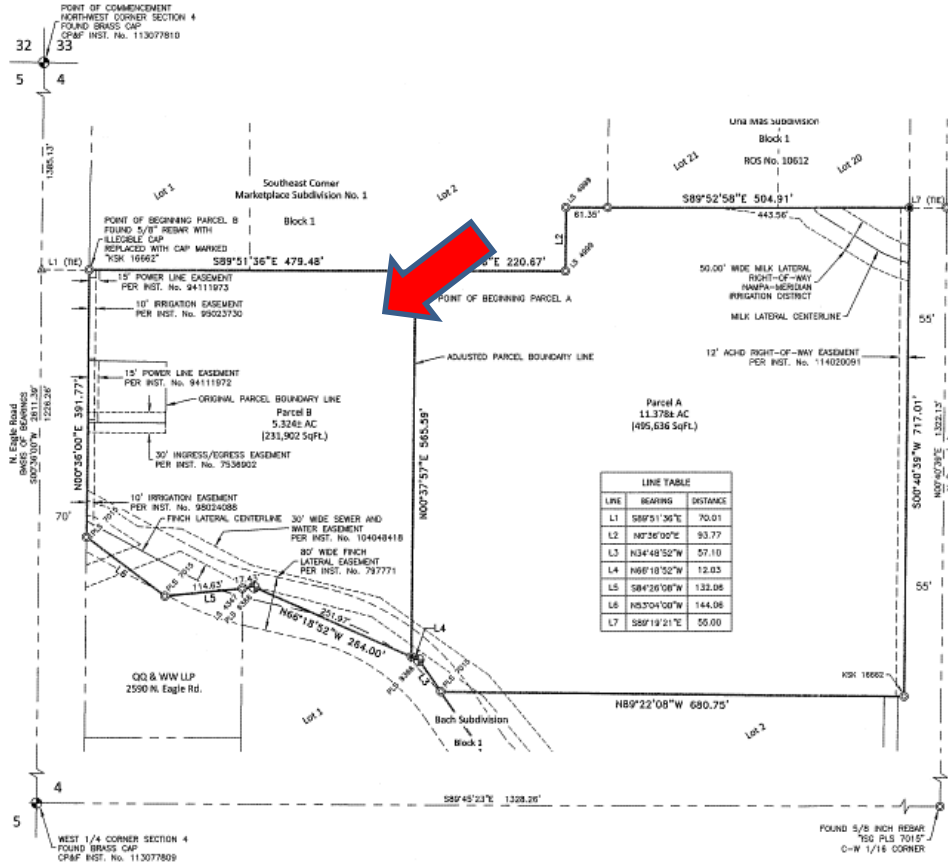
9233 West State Street • Boise, Idaho 83714 • 208.639.6939 • kmengllp.com

RECORD OF SURVEY
PROPERTY BOUNDARY ADJUSTMENT FOR
GFI - Meridian Investments, LLC.
 A PARCEL OF LAND SITUATED IN THE SOUTHWEST 1/4 OF THE NORTHWEST 1/4 OF SECTION 4,
 TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO.
 2020

ROS No. 12423



0 100 200 300
 Plan Scale: 1" = 100'



LINE	BEARING	DISTANCE
L1	S89°51'36"E	70.01
L2	N0°36'02"E	93.77
L3	N34°48'52"W	57.10
L4	N86°18'52"W	12.03
L5	S84°20'06"W	132.08
L6	N53°04'00"W	144.06
L7	S89°19'21"E	55.00

- LEGEND**
- ⊕ FOUND ALUMINUM CAP, AS NOTED
 - ⊙ FOUND BRASS CAP, AS NOTED
 - ⊛ SET 5/8-INCH REBAR MARKED "KSK 16662"
 - ⊗ FOUND 5/8" REBAR, AS NOTED
 - FOUND 1/2" REBAR, AS NOTED
 - △ CALCULATED POINT
 - PROPERTY BOUNDARY LINE
 - ORIGINAL PARCEL LOT LINE
 - - - SECTION LINE
 - - - ROAD/IRRIGATION CENTERLINE
 - - - ADJACENT BOUNDARY LINE
 - - - EASEMENT LINE, AS NOTED

- REFERENCES**
- R1. RECORD OF SURVEY No. 9883, RECORDS OF ADA COUNTY, IDAHO.
 - R2. PLAT OF BACH SUBDIVISION, BOOK 113 OF PLATS AT PAGES 18928-18910, RECORDS OF ADA COUNTY, IDAHO.
 - R3. PLAT OF SOUTHEAST CORNER MARKETPLACE SUBDIVISION No. 1, BOOK 101 OF PLATS AT PAGES 13253-13255, RECORDS OF ADA COUNTY, IDAHO.
 - R4. PLAT OF UNA HAS SUBDIVISION, BOOK 103 OF PLATS AT PAGES 13894-13896, RECORDS OF ADA COUNTY, IDAHO.
 - R5. WARRANTY DEED INSTRUMENT No. 2016-028305, RECORDS OF ADA COUNTY, IDAHO.

CERTIFICATE OF COUNTY RECORDER
 STATE OF IDAHO } SS
 ADA COUNTY }
 INSTRUMENT NUMBER 2020-0839874
 I HEREBY CERTIFY THAT THIS SURVEY FILED AT THE REQUEST OF AT 5:45 MINUTES PAST 12 O'CLOCK P.M. THIS 10th DAY OF July 2020, A.D., IN MY OFFICE AND WAS DULY RECORDED.
 DEPUTY Phil McCarone
 REC'D 510 EX-OFFICIO RECORDER

CERTIFICATE OF SURVEYOR
 I, KELLY HEDRER, DO HEREBY CERTIFY THAT I AM A REGISTERED PROFESSIONAL LAND SURVEYOR, LICENSED BY THE STATE OF IDAHO, AND THAT THIS MAP HAS BEEN PREPARED FROM AN ACTUAL SURVEY MADE ON THE GROUND UNDER MY SUPERVISION, AND THAT THIS MAP IS AN ACCURATE REPRESENTATION OF SAID SURVEY.

SURVEY NARRATIVE
 THE PURPOSE OF THIS SURVEY IS TO DEPICT THE ADJUSTMENT OF EXISTING PARCELS INTO PARCELS A AND B, AS SHOWN HEREON. THIS SURVEY IS BASED UPON THE RETRACEMENT OF RECORD OF SURVEY No. 9883 AND THE PLATS OF BACH SUBDIVISION, SOUTHEAST CORNER MARKETPLACE SUBDIVISION, AND UNA HAS SUBDIVISION, ALONG WITH A FIELD SURVEY OF EXISTING MONUMENTATION. MONUMENTATION RECOVERED WAS FOUND TO BE IN SUBSTANTIAL CONFORMANCE WITH THE RECORD.



VIII. CITY/AGENCY COMMENTS & CONDITIONS

Prior to action by the Commission on this application, Staff recommends revisions to the conceptual development plan consistent with the development guidelines in the Comprehensive Plan for the Mixed Use and specifically the Mixed Use – Regional FLUM designation, as follows:

- Submit a pedestrian plan that depicts pedestrian walkways between the building pads in the proposed commercial development and the future residential development to the east, and to the commercial properties to the north and south, for safe pedestrian access. Connectivity should also be provided to the multi-use pathway along Eagle Rd. *Pedestrian walkways should be distinguished from the vehicular driving surfaces through the use of pavers, colored or scored concrete, or bricks in accord with UDC 11-3A-19B.4.*
- Depict common, usable area such as a plaza or green space for an outdoor gathering area either centrally within the commercial portion of the development or between the residential and commercial uses in accord with the Comprehensive Plan.
- 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.
- Depict a minimum 25-foot wide buffer to residential uses along the eastern boundary of the site in accord with UDC [Table 11-2B-3](#) for the C-G district.
- Depict non-retail commercial, office or civic uses for a minimum of 50% of the development area between the residential and commercial retail uses to provide a transition in uses and to ensure retail commercial uses do not exceed 50% of the development area in accord with the Comprehensive Plan for MU-R designated areas. *Where the development proposes public and quasi-public uses to the support the development, the developer may be eligible for additional area for retail development based on the ratios noted on pg. 3-17 of the Comprehensive Plan.*
- The driveway connection to the access driveway from Eagle Rd. at the southern boundary of the site along the east side of Building B should be removed to reduce conflicts with two access points so close together and vehicles backing out from parking stalls on either side of the driveway.
- Remove the access driveway nearest Eagle Rd. at the northern boundary of the site; sole access to fuel sales facility/convenience store should be provided via the backage road.
- Rotate the fuel facility/convenience store so that the rear of the building isn't facing east to better integrate with the other commercial uses and residential development to the east.
- Rotate and/or relocate Buildings C, D and E to better integrate with the adjacent residential uses. A shared plaza/gathering area/green space will aid in integration of uses for consistency with the mixed-use guidelines.
- The site plan should be revised to more closely align with Figure 3D in the Comprehensive Plan for MU-R designated areas (pg. 3-17).
- Make any revisions necessary to the plat and landscape plan based on changes to the conceptual development plan.

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the Development Agreement (DA) (Inst. #[2022-065403](#), MDA-15-012) for Village Apartments and shall instead be subject to a new agreement. The new DA shall be signed by the property owner and returned to the Planning Division within six (6) months of the City Council granting approval of the amendment. The specific provisions for the new DA are as follows:
 - a. Development of this site shall be generally consistent with the conceptual development plan approved by City Council and the conditions of approval included in Section VIII.A.
 - b. The subject property shall be subdivided prior to submittal of the first Certificate of Zoning Compliance application for the site.
 - c. A 25-foot wide buffer shall be installed along the eastern boundary of the site adjacent to the future residential uses, landscaped per the standards listed in UDC [11-3B-9C](#), unless otherwise modified by City Council. Construction of the buffer may take place with lot development.
 - d. Pedestrian connections shall be provided between the subject property and the future residential development to the east, the commercial properties to the north and south and to the multi-use pathway along N. Eagle Rd./SH-55 in accord with the approved pedestrian plan.
 - e. Traffic calming shall be provided within the site between the subject property and the residential development to the east.
 - f. Provide trash enclosures within the development capable of housing containers for both solid waste and recyclable materials in accord with MCC [4-1-4](#).
2. The final plat shall include the following:
 - a. Include the recorded instrument of the existing 30-foot wide City of Meridian sewer and water main easement graphically depicted on the plat.
 - b. Depict the street buffer along N. Eagle Rd./SH-55 in a common lot or on a permanent dedicated buffer easement, maintained by the property owner, or business owner's association per UDC 11-3B-7C.2a.
 - c. Include a note stating direct lot access via N. Eagle Rd./SH-55 is prohibited except for the access approved with the plat. *Note: The proposed access via Eagle Rd. is required to be approved by City Council and ITD.*
 - d. Include a note stating all lots in the subdivision are subject to a cross-access/ingress-egress easement as graphically depicted on the plat.
 - e. Depict a 14-foot wide public pedestrian easement for the multi-use pathway along N. Eagle Rd./SH-55 if the pathway is located outside of the right-of-way; include the recorded instrument number of the easement.
3. The landscape plan depicted in Section VII.D shall be revised with submittal of the final plat, as follows:
 - a. Depict landscaping within the 25-foot wide buffer along the eastern boundary of the site adjacent to residential uses in accord with the standards listed in UDC [11-3B-9C.1](#); and safe pedestrian connections between commercial and residential uses as set forth in UDC [11-3B-9C.3](#). *Construction of the buffer may take place with lot development.*

- b. Depict landscaping within the 35-foot wide street buffer along N. Eagle Rd./SH-55 in accord with the updated standards listed in UDC [11-3B-7C.3](#); and pedestrian lighting and landscaping consistent with the Eagle Road Corridor study per UDC [11-3H-4C.3](#).
4. A reciprocal cross-access/ingress-egress easement shall be recorded between the subject property and the abutting property to the south (Parcel # S1104233802) in accord with UDC [11-3A-3A.2](#). A recorded copy of the agreement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
5. A reciprocal cross-access/ingress-egress easement shall be recorded between the subject property and the abutting property to the east (Parcel # S1104233730) in accord with UDC [11-3A-3A.2](#). A recorded copy of the agreement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
6. Submit details for the pedestrian lighting required along the multi-use pathway adjacent to N. Eagle Rd./SH-55 that demonstrate compliance with the specifications set forth in UDC [11-3H-4C.3](#).
7. If the multi-use pathway along N. Eagle Rd./SH-55 is located outside of the right-of-way, submit a 14-foot wide public pedestrian easement to the Planning Division for City Council approval and recordation prior to the City Engineer's signature on the final plat.
8. Future development shall be consistent with the dimensional standards listed in UDC Table [11-2B-3](#) for the C-G zoning district.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. Terminate water main with hydrant
2. Provide easement from end of water main to north property line for potential future connection.
3. Additional 271 gpd flow committed to model. WRRF declining balance is 14.35 MGD.
4. Max Slope of 8" line is 8%.
5. Adjust manhole #1 so it is not located in the curb/gutter.
6. Ensure that the existing manhole is not located in a curb/gutter.
7. For sewer and water in parallel, if sewer depth is greater than 15 feet, locate the water main 5 feet from the edge of easement and center the sewer main between the water main and other edge of easement.
8. Pedestrian decorative lighting will be required for sidewalk frontage along Eagle Road.

General Conditions of Approval

9. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
10. 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.
11. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via

- the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
12. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
 13. 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.
 14. 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.
 15. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
 16. 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.
 17. 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.
 18. 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.
 19. 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.
 20. 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.
 21. 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.
 22. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 23. Developer shall coordinate mailbox locations with the Meridian Post Office.
 24. 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.

25. 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.
26. 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.
27. 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.
28. 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.
29. 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.
30. 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. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272579&dbid=0&repo=MeridianCity&cr=1>

D. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=273745&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=272564&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat:

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

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

Staff finds that the proposed plat and subsequent development will be in substantial compliance

with the adopted Comprehensive Plan in regard to land use and transportation if the Applicant complies with the provisions in the staff report. (Please see Comprehensive Plan Policies in, Section IV of this report for more information.)

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

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

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

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

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

Staff finds there is public financial capability of supporting services for the proposed development based upon comments from the public service providers (i.e., Police, Fire, ACHD, ITD, 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 and ITD 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.