



CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, March 15, 2022 at 6:00 PM

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

Agenda

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/85423406329>

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

Webinar ID: 854 2340 6329

ROLL CALL ATTENDANCE

___ Jessica Perreault

___ Joe Borton

___ Brad Hoaglund

___ Treg Bernt

___ Liz Strader

___ Luke Cavener

___ Mayor Robert E. Simison

PLEDGE OF ALLEGIANCE

COMMUNITY INVOCATION

ADOPTION OF AGENDA

PUBLIC FORUM – Future Meeting Topics

The public are invited to sign up in advance of the meeting at www.meridiancity.org/forum to address elected officials regarding topics of general interest or concern of public matters. Comments specific to active land use/development applications are not permitted during this time. By law, no decisions can be made on topics presented at Public Forum. However, City Council may request the topic be added to a future meeting agenda for further discussion or action. The Mayor may also direct staff to provide followup assistance regarding the matter.

ACTION ITEMS

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 their project. Members of the public are then allowed up to 3 minutes each to address City Council regarding the application. Citizens acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners who have consented to yielding their time. After all public testimony, the applicant

is allowed up to 10 minutes to respond to questions and comments. City Council members may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard. City Council may move to continue the application to a future meeting or approve or deny the application. The Mayor is not a member of the City Council and pursuant to Idaho Code does not vote on public hearing items unless to break a tie vote.

- 1. Public Hearing** for Ordinance No. 22-1972: An Ordinance Repealing and Replacing Meridian City Code Section 1-7-1, Regarding Election; Districts; Terms of Office; Residency Requirement; Amending Meridian City Code Section 1-7-2, Regarding City Council Member Qualifications; Repealing and Replacing Meridian City Code Section 1-7-4, Regarding City Council Seat Vacancies; Adding a New Section to Meridian City Code, Section 1-7-11, Regarding Meridian Districting Committee; City Council Districts; Adopting a Savings Clause; and Providing an Effective Date
- 2. Public Hearing** for Budget Blinds Subdivision (SHP-2022-0003) by Stephanie Hopkins of KM Engineering, LLP, Located at 1850 W. Everest Ln., at the Southwest Corner of W. Chinden Blvd. and N. Linder Rd.
 - A. Request: Short Plat consisting of 2 commercial lots on 1.76 acres of land in the C-N zoning district.
- 3. Public Hearing** Continued from February 15, 2022 for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.
 - A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
 - B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.
- 4.** Findings of Fact, Conclusions of Law for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.
- 5. Public Hearing** for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.
 - A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
 - B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.

ORDINANCES [Action Item]

- 6.** Third Reading of Ordinance No. 22-1972: An Ordinance Repealing and Replacing Meridian City Code Section 1-7-1, Regarding Election; Districts; Terms of Office; Residency Requirement; Amending Meridian City Code Section 1-7-2, Regarding City Council Member Qualifications; Repealing and Replacing Meridian City Code

Section 1-7-4, Regarding City Council Seat Vacancies; Adding a New Section to Meridian City Code, Section 1-7-11, Regarding Meridian Districting Committee; City Council Districts; Adopting a Savings Clause; and Providing an Effective Date

- [7.](#) Ordinance No. 22-1973: An Ordinance (Aviator Springs – H-2021-0065) for Annexation of an Area of Land Being the Northeast One Quarter of the Southeast One Quarter of Section 32, Township 4 North, Range 1 West, Ada County, Idaho; and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 40.0 Acres of Land from RUT to R-8 (Medium Density Residential) (27.63 Acres); L-O (Limited Office) (1.64 Acres) and M-E (Mixed Employment) (10.72 Acres) Zoning District in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date
- [8.](#) Ordinance No. 22-1974: An Ordinance (Rackham East Annexation – H-2021-0075) for Annexation of a Parcel of Land Being Lots 13 Through 16, Block 1, Lots 8 through 12, Block 2 of Rolling Hills Subdivision (Book 18 of Plats At Page 1,202, Records of Ada County) and Unplatted Land Situated in a Portion of the Northwest ¼ of the Southeast ¼ of Section 16, Township 3 North, Range 1 East, Ada County, Idaho, and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 25.76 Acres of Land from RUT to C-G (General Commercial) (13.76 Acres) and R-40 (High Density Residential) (12.00 Acres) Zoning Districts in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Public Hearing for Ordinance No. 22-1972: An Ordinance Repealing and Replacing Meridian City Code Section 1-7-1, Regarding Election; Districts; Terms of Office; Residency Requirement; Amending Meridian City Code Section 1-7-2, Regarding City Council Member Qualifications; Repealing and Replacing Meridian City Code Section 1-7-4, Regarding City Council Seat Vacancies; Adding a New Section to Meridian City Code, Section 1-7-11, Regarding Meridian Districting Committee; City Council Districts; Adopting a Savings Clause; and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1972

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE REPEALING AND REPLACING MERIDIAN CITY CODE SECTION 1-7-1, REGARDING ELECTION; DISTRICTS; TERMS OF OFFICE; RESIDENCY REQUIREMENT; AMENDING MERIDIAN CITY CODE SECTION 1-7-2, REGARDING CITY COUNCIL MEMBER QUALIFICATIONS; REPEALING AND REPLACING MERIDIAN CITY CODE SECTION 1-7-4, REGARDING CITY COUNCIL SEAT VACANCIES; ADDING A NEW SECTION TO MERIDIAN CITY CODE, SECTION 1-7-11, REGARDING MERIDIAN DISTRICTING COMMITTEE; CITY COUNCIL DISTRICTS; ADOPTING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Idaho Code section 50-707A requires cities with more than one hundred thousand (100,000) inhabitants to establish City Council districts and elect City Council members by such districts; and

WHEREAS, the City Council of the City of Meridian finds that the following ordinance will serve the purposes of Idaho Code section 50-707A, related provisions of Meridian City Code, and the people of the City of Meridian;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MERIDIAN, IDAHO:

Section 1. Meridian City Code section 1-7-1 shall be repealed, and replaced with language to read as follows.

1-7-1. ELECTION; DISTRICTS; TERMS OF OFFICE; RESIDENCY REQUIREMENT.

A. Elections. General city elections shall be held on the first Tuesday following the first Monday in November, in odd numbered years.

B. City Council districts established. There shall be six (6) City Council districts in the City of Meridian. Pursuant to the provisions of Idaho Code section 50-707A and Meridian City Code section 1-7-11, following the release of federal decennial census data and the County Clerk’s establishment of election precincts, the Meridian Districting Committee shall establish and number six (6) City Council districts.

C. City Council seats established. There shall be six (6) City Council seats on the Meridian City Council. The Meridian Districting Committee shall number each City Council seat pursuant to this section and Idaho Code section 50-707. The number of each City Council seat shall correspond to the numbered City Council districts.

D. Terms. Each elected City Council member shall serve a term of four (4) years, or until his or her successor is elected and qualified.

E. Staggered terms. At each election, three City Council seats shall be open for election, alternating odd-numbered seats and even-numbered seats.

1. Election in 2023. In the 2023 general city election, the first election after the establishment of City Council districts in the City of Meridian, no candidate, including an incumbent candidate, may run for election or re-election to a City Council seat in a City Council district in which the candidate is not a resident. Incumbent City Council members who are serving in City Council seats 1, 3, and 5, as such seats were designated prior to the assignment of City Council seats to City Council districts, and who are running for re-election in 2023, must be residents of the respective City Council districts in which they are running. In order to preserve staggered terms, City Council members serving in City Council seats 2, 4, and 6, as such seats were designated prior to the assignment of City Council seats to City Council districts, shall serve the remainder of their terms in those seats, during which time they shall represent the City Council districts corresponding to their City Council seat numbers, regardless of whether they are residents of the City Council district to which their seat corresponds.

2. Elections in 2025 and thereafter. In the 2025 general city election and in each election thereafter, no candidate, including an incumbent candidate, may run for election or re-election to a City Council seat in a City Council district in which the candidate is not a resident.

F. Candidate to be resident of City Council district. Any candidate seeking election to the City Council shall file his or her candidacy for one, and only one, City Council seat. Except as otherwise set forth in Meridian City Code section 1-7-1(E)(1), the candidate must be a resident of the City Council district that corresponds to the City Council seat for which the candidate is running. City Council members shall be elected by the electors of the said City Council district. To be eligible to run for City Council, the candidate shall meet this and all other qualifications for the office of City Council member, as required by law.

Section 2. Meridian City Code section 1-7-2 shall be amended as follows.

1-7-2. QUALIFICATIONS; DEFINITIONS.

A. Any person shall be eligible to hold the office of City eCouncil member: 1) whose ~~domicile~~ residence is, at the time of declaration of candidacy or intent to seek election, and if elected, remains, ~~in the city limits of the city of Meridian~~ in the City Council district to which the City Council member is elected to serve; and 2) is a qualified elector as set forth in this section and within the City of Meridian under the constitution and laws of the State of Idaho.

B. ~~“Domicile-Residence,”~~ for the purposes of this section, shall have the definition as set forth in Idaho Code section 50-402(d) ~~mean that individual’s true, fixed and permanent home and place of habitation. It is the place where that individual intends to remain, and to which that~~

~~individual expects to return when that individual leaves without intending to establish a new domicile elsewhere.~~

C. “Qualified elector,” for the purposes of this section, shall mean a person who is at least eighteen (18) years of age, is a United States citizen, has resided in Meridian City Limits and the City Council district for which the City Council member is elected to serve for at least the thirty (30) days preceding the election at which he desires to be elected, and who is registered to vote in such jurisdiction as required by law.

Section 3. Meridian City Code section 1-7-4 shall be shall be repealed, and replaced with language to read as follows.

1-7-4. VACANCIES.

A. In the event a City Council seat becomes vacant through the death, resignation, or relocation of a City Council member, or any other cause, the Mayor shall appoint, with the approval of the City Council, an appointee to fill the City Council seat until the next general city election, at which time the vacancy shall be filled for the balance of the original term, if any, by a vote of the electors of the City Council district that corresponds to the City Council seat.

1. If an appointment is made prior to the establishment of City Council districts, the appointee shall satisfy the qualifications set forth in Idaho Code section 50-702, but need not reside in any specific geographic district within the City of Meridian.
2. If an appointment is made after the establishment of City Council districts, the appointee shall satisfy the qualifications set forth in Meridian City Code section 1-7-2 and reside in the City Council district that corresponds to the vacant City Council seat.

Section 4. A new section shall be added, Meridian City Code section 1-7-11, to read as follows.

1-7-11. MERIDIAN DISTRICTING COMMITTEE; CITY COUNCIL DISTRICTS.

A. **Establishment.** There is hereby established the Meridian Districting Committee, the purpose of which shall be to establish six (6) City Council districts and assign one (1) City Council seat to represent each City Council district, in accordance with applicable laws, available federal decennial census data, and principles of districting as are or may be established by law, policy, and custom governing the same.

B. **Duties and powers.** The Meridian Districting Committee shall be charged with, and authorized to:

1. Evaluate and apply federal decennial census data regarding the City of Meridian in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A; Title 1, Chapter 7, Meridian City Code; and all other applicable provisions of local, state, and federal law.

2. Assign City Council seats, numbering 1 through 6, to the corresponding numbered City Council districts, pursuant to the provisions of Idaho Code section 50-707 and Title 1, Chapter 7, Meridian City Code.
3. Act independently to make decisions regarding City Council districts and City Council seat numbers, without regard for the residency of elected officials or candidates running for municipal office of the City of Meridian.
4. Consult resources and experts in demographics and population distribution, including, without limitation, the Community Planning Association of Southwest Idaho, the United States Census Bureau, and their delegates and staff, as needed or desired.
5. Consult resources and experts in districting and apportionment, including, without limitation, the Idaho Secretary of State, the Idaho Commission for Reapportionment, the Ada County Clerk, and the delegates and staff thereof, as needed or desired.
6. Consult City of Meridian Geographic Information System and Planning staff for information and assistance with establishment of City Council districts and the preparation of maps.
7. Consult the City Attorney or designee regarding compliance with applicable Idaho Code and Meridian City Code provisions.

C. Meridian Districting Committee membership and qualifications.

1. The Mayor shall appoint, with the approval of the City Council, members to the Meridian Districting Committee. Should a vacancy subsequently occur on the Meridian Districting Committee, the Mayor shall fill the vacancy in a like manner within fourteen (14) days, or as soon thereafter as practicable. In addition to the names of the members so appointed, the resolution shall include the following directives to the City Clerk:
 - a. Directing the City Clerk to convene the Meridian Districting Committee.
 - b. Directing the City Clerk to post on the City of Meridian website the agenda and minutes of the Meridian Districting Committee meetings, as well as the census data used by the Meridian Districting Committee in the course of its charge under this section.

In the event that the Mayor fails to timely act pursuant to this provision, the City Council President shall so act.
2. Voting members of the Meridian Districting Committee shall include six (6) Meridian residents from diverse geographic areas of Meridian, to include at least one (1) individual who resides south of Interstate 84, one (1) individual who resides north of Ustick Road, one (1) individual who resides west of Meridian Road, and one (1) individual who resides east of Meridian Road. The six (6) Committee members shall be voting members, and shall serve without salary or compensation for their service.

3. The Meridian Districting Committee shall include the following ex-officio, non-voting members:
 - a. The City of Meridian Geographic Information System Manager or designee;
 - b. The City of Meridian Planning Manager or designee; and
 - c. The Ada County Clerk or designee.
4. The Meridian Districting Committee may include the following ex-officio, non-voting members, as may be hired by the City of Meridian: a statistician, a cartographer, and/or any other experts whose services may be helpful in the discharge of the Meridian Districting Committee's responsibilities.
5. A person who has served on the Meridian Districting Committee shall be ineligible to run for a Meridian City Council seat for five (5) years following such service.

D. Organization and meetings.

1. At the initial meeting of the Meridian Districting Committee, the Committee members shall elect a Chair and Vice Chair.
 - a. The Chair shall be a voting member of the Meridian Districting Committee and shall hold the same rights and privileges as any other Committee member. The decisions, statements, and/or actions of the Chair shall obligate, commit, and/or represent the Meridian Districting Committee only insofar as the Committee has specifically authorized. The Chair's duties shall include:
 - 1) Preparing Meridian Districting Committee meeting agendas in cooperation with the City Clerk or designee;
 - 2) Presiding over all Meridian Districting Committee meetings, and
 - 3) Signing all documents requiring an official signature on behalf of the Meridian Districting Committee, including the Meridian Districting Plan.
 - b. The Vice Chair shall perform the duties of the Chair in the absence of the Chair, and such other duties as may be delegated by the Chair.
 - c. A special election may be held at any time to fill a vacancy of the office of Chair or Vice Chair.
2. The Chair shall propose, and the Committee members shall adopt, a timeline of meetings and actions to timely complete the Meridian Districting Committee's work in accordance with this section and with Idaho Code section 50-707A.
3. The Meridian Districting Committee shall comply in all respects with the Idaho Open Meetings Law. The agenda for all meetings shall be prepared by the Chair in consultation with the City Clerk or designee. The City Clerk or designee shall assist the Chair with scheduling meetings, posting meeting and agenda notices, preparing meeting minutes, and distributing agendas, minutes, and other materials to Committee members prior to each meeting.
4. A majority of currently-appointed Committee members shall constitute a quorum for the transaction of any business of the Meridian Districting Committee.

5. Each voting member shall be entitled to one (1) vote on any matter before the Meridian Districting Committee. Except as otherwise designated herein, the vote of the majority of the voting members present at any meeting at which a quorum is present shall effectuate any decision of the Meridian Districting Committee. Voting shall be verbal and on the record; proxy voting, secret voting, and written voting shall not be permitted.
6. Scheduling of public hearings, public comment, or presentations before the Meridian Districting Committee shall be at the discretion of the Chair. The Chair may set rules to maximize efficiency and productivity of meetings, including setting a time limit for comments or presentations to the Meridian Districting Committee.
7. Upon the City Clerk's filing of the Meridian Districting Plan with the County Clerk as set forth in Meridian City Code section 1-7-11(H), the Meridian Districting Committee shall automatically dissolve and may be reconvened only upon appointment by the Mayor pursuant to Meridian City Code section 1-7-11(C)(1).

E. Procedure.

1. The Meridian Districting Committee shall evaluate and apply the federal decennial census data for the City of Meridian in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A; Title 1, Chapter 7, Meridian City Code; and all other applicable provisions of local, state, and federal law. To assist the Committee, one or more of the ex officio members set forth in Meridian City Code section 1-7-11(C)(3) shall prepare three (3) potential districting maps for the Committee's initial consideration. The Committee may utilize one of these potential districting maps, or the Committee may develop and utilize a different districting map.
2. Upon completion of a draft districting map, the Meridian Districting Committee shall designate each City Council district with a number from 1 to 6 pursuant to the provisions of Meridian City Code section 1-7-1(C) and this chapter. The draft map and numbered City Council districts shall constitute the draft districting plan. The Meridian Districting Committee shall hold a minimum of two (2) public hearings to receive public testimony on the draft districting map.
3. The Meridian Districting Committee shall act to establish, by resolution, the Meridian Districting Plan, to include the following documents, which shall be appended to the resolution, and incorporated into the same by reference:
 - a. A map of the City of Meridian showing the exact locations of the designated City Council districts, labeled with the district numbers and corresponding City Council seat numbers.
 - b. A description of the boundaries of the City Council districts, described by the names of streets or other established features or landmarks.
 - c. A declaration that the City Council seats shall be designated with numbers corresponding to the like-numbered City Council districts, in accordance with Meridian City Code section 1-7-1(C).

The resolution must be approved by at least four (4) voting members to be effective, and shall certify that the established City Council districts meet the criteria set forth in Idaho Code section 50-707A and other applicable statutes and laws.

- 4. The Meridian Districting Committee shall transmit its resolution to the City Clerk, and the City Clerk shall:
 - a. Schedule a public hearing before the City Council on the resolution;
 - b. Make the resolution available on the City of Meridian’s website; and
 - c. Publish a notice of hearing on the matter before the City Council.

- F. The City Clerk shall publish notice of the public hearing on the Meridian Districting Committee’s Meridian Districting Plan before City Council at least once prior to the date set for the public hearing, which notice shall solicit written and verbal testimony on the City Council districts as established by the Meridian Districting Committee, and shall include a link to the City of Meridian’s webpage with access to the resolution and documents described in Meridian City Code section 1-7-11(E)(3).

- G. The City Council shall conduct a public hearing on the Meridian Districting Plan as established by the Meridian Districting Committee, in accordance with the procedures set forth in Meridian City Code section 1-7-7. Following such public hearing, the City Council shall review the Meridian Districting Plan as established by the Meridian Districting Committee, and upon a finding that it meets the criteria set forth in Idaho Code section 50-707A, shall adopt it by ordinance as the final Meridian Districting Plan. Such act shall be a ministerial function of the City Council; modification of the Meridian Districting Plan established by the Meridian Districting Committee shall occur only upon remand to the Meridian Districting Committee. The City Council may remand the matter to the Meridian Districting Committee only upon a finding, supported by substantial evidence, that the Meridian Districting Plan established by the Meridian Districting Committee does not meet the criteria set forth in Idaho Code section 50-707A. Should the City Council fail to adopt the Meridian Districting Plan via ordinance at least one hundred thirty-five (135) days prior to the date of the next general city election, the Meridian Districting Committee’s last resolution shall comprise the final Meridian Districting Plan.

- H. The City Clerk shall file the Meridian Districting Plan with the County Clerk at least one hundred thirty-four (134) days prior to the next general city election, with a request that the County Clerk prepare ballots and establish polling places for all subsequent Meridian City Council elections in accordance with the Meridian Districting Plan.

Section 5. That all ordinances, resolutions, orders, or parts thereof or in conflict with this ordinance are hereby voided.

Section 6. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this ___ day of ____, 2022.

Item #1.

APPROVED by the Mayor of the City of Meridian, Idaho, this ___ day of ____, 2022.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO
ADEQUACY OF SUMMARY OF ORDINANCE NO. 22-1972**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance no. 22-1972 of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this _____ day of _____, 2022.

William L.M. Nary, City Attorney

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

CITY OF MERIDIAN ORDINANCE NO. 22-1972

An ordinance repealing and replacing Meridian City Code section 1-7-1, regarding election; districts; terms of office; residency requirement; amending Meridian City Code section 1-7-2, regarding City Council member qualifications; repealing and replacing Meridian City Code section 1-7-4, regarding City Council seat vacancies; adding a new section to Meridian City Code, section 1-7-11, regarding Meridian Districting Committee; City Council districts; adopting a savings clause; and providing an effective date.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Budget Blinds Subdivision (SHP-2022-0003) by Stephanie Hopkins of KM Engineering, LLP, Located at 1850 W. Everest Ln., at the Southwest Corner of W. Chinden Blvd. and N. Linder Rd.

A. Request: Short Plat consisting of 2 commercial lots on 1.76 acres of land in the C-N zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: March 15, 2022

Topic: **Public Hearing** for Budget Blinds Subdivision (SHP-2022-0003) by Stephanie Hopkins of KM Engineering, LLP, Located at 1850 W. Everest Ln., at the Southwest Corner of W. Chinden Blvd. and N. Linder Rd.

- A. Request: Short Plat consisting of 2 commercial lots on 1.76 acres of land in the C-N zoning district.

Information Resources:

[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/15/2022
 TO: Mayor & City Council
 FROM: Alan Tiefenbach, Associate Planner
 208-498-0573
 SUBJECT: SHP-2022-0003
 Budget Blinds Subdivision Short Plat
 LOCATION: 1850 W. Everest Ln



I. PROJECT DESCRIPTION

The Applicant proposes a Short Plat to create two (2) buildable lots on approximately 1.76 acres in the C-N zoning district.

II. APPLICANT INFORMATION

A. Applicant/ Representative:

Amanda Wiemiller – KM Engineering – 5725 N. Discovery Wy, Boise, ID 83713

B. Owner:

Quent Blodgett – 3230 N. Eagle Rd. STE 150, Meridian, ID 83646

III. NOTICING

	City Council Posting Date
Newspaper Notification	02/27/2022
Radius notification mailed to properties within 300 feet	02/28/2022

IV. STAFF ANALYSIS

The subject property was annexed into the City in 2002 and zoned R-4 as part of the 354.38-acre Lochsa Falls Subdivision (AZ-02-010, PP 02-009). Per the Lochsa Falls Development Agreement (Instr. 103012598) and CUP-02-012, a conditional use permit was required prior to any commercial development on the lot. In 2004 it was platted as part of Lochsa Falls Subdivision No 12 (FP-04-054), and in 2007 the subject property was rezoned from R-4 to C-N (RZ-06-008). When the property was rezoned to C-N, a Conditional Use Permit Modification was also approved to remove the requirement for conditional use permit approval (MCU-06-008).

The Applicant proposes to subdivide the subject property (Lot 41 Block 49 of the Lochsa Falls Subdivision 12) into a new plat consisting of 2 lots. The northern lot (Lot 2) will be 42,608 sq. ft. in size and is proposed for an 8,100 sq. ft. retail business. The southern 33,916 sq. ft. lot (Lot 1) is proposed for a future commercial lot.

Staff has reviewed the proposed short plat for substantial compliance with the criteria set forth in UDC 11-6B-5 and deems the short plat to be in substantial compliance with said requirements. As required per UDC 11-2B-3, a 35 ft. wide landscape buffer in a common lot has already been provided along W. Chinden Blvd, and there is already a 10 ft. wide residential buffer within a common lot provided along the southern property line as required by the development agreement. A landscape buffer is not required along the eastern property line as this is adjacent to a private driveway, but a 15 ft. wide easement for the north slough lateral is provided in this same area.

Access is shown to be provided by W. Everest Ln, a private road, which parallels the property along the south and east property lines, including access to W. Chinden Blvd. However, W. Everest Ln, along the eastern boundary of the property, is shown to be within the Knighthill Center Subdivision No 1 and 2. The applicant will need to provide proof of cross access to the properties to the east (Lot 3, Block 1 of the Knighthill Center Subdivision No 1 and Lot 6, Block 1 of the Knighthill Subdivision No 2) or configure future site plans for access only from the south. The applicant should be required to dedicate cross access easements from Lot 1 to Lot 2 as a condition of approval of this short plat.

Staff has reviewed the requested short plat proposal and has determined that it meets the criteria for approval per UDC 11-6B-5.

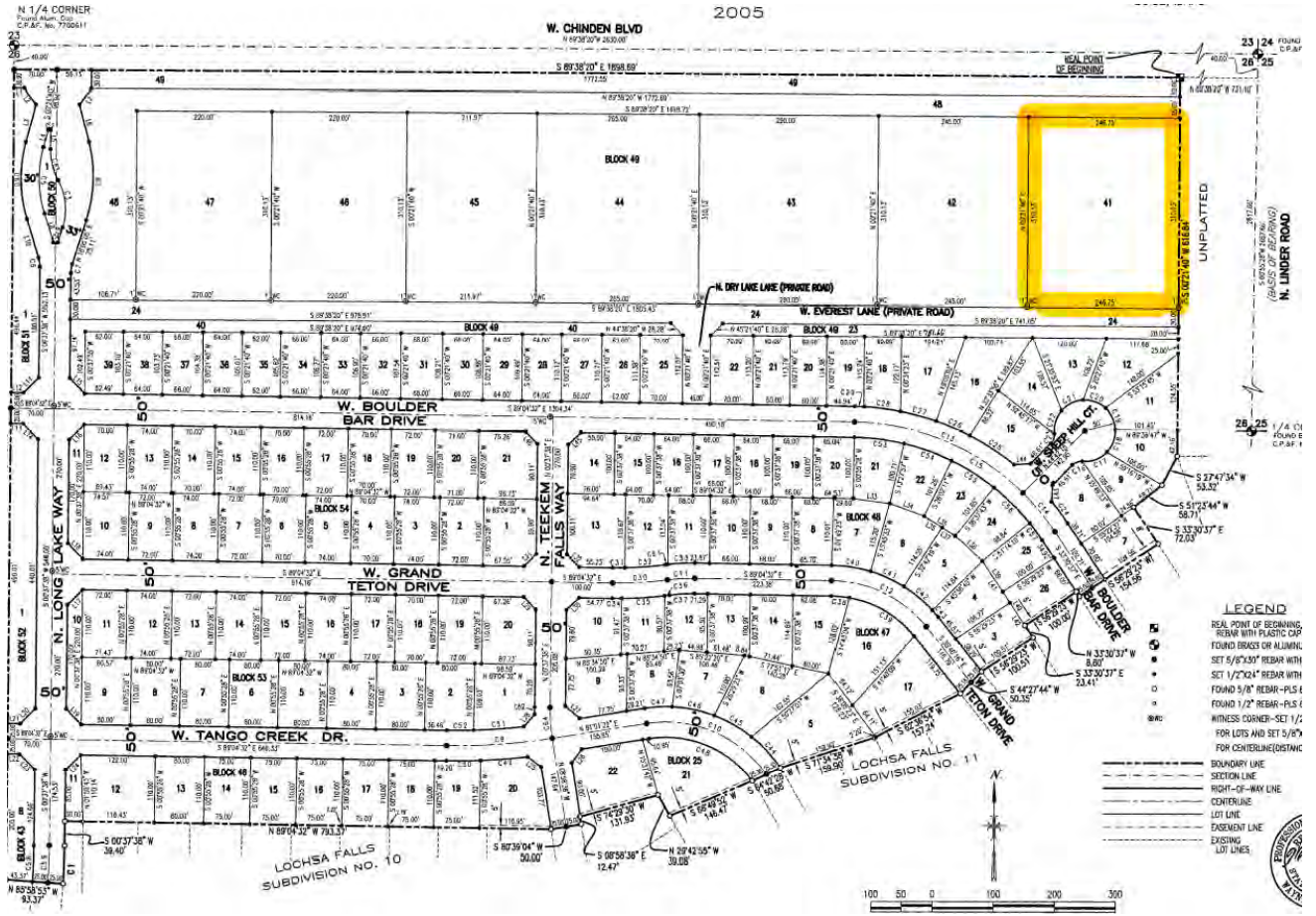
V. DECISION

A. Staff:

Staff recommends approval of the proposed short plat with the conditions noted in Section VII of this report.

VI. EXHIBITS

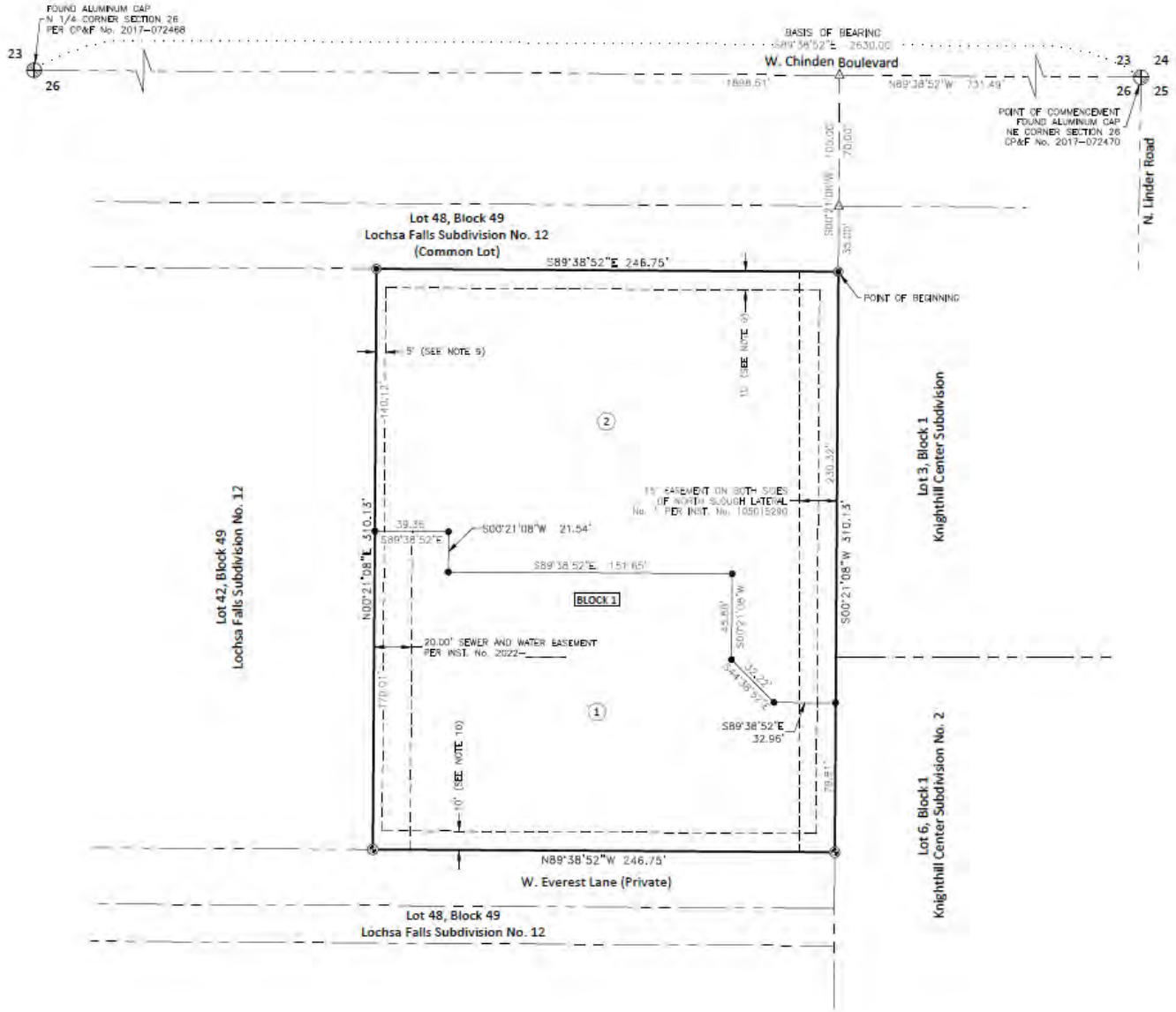
A. Existing Lochsa Falls Subdivision No 12



B. Proposed Short Plat (date: 1/26/2022)

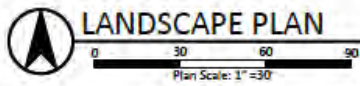
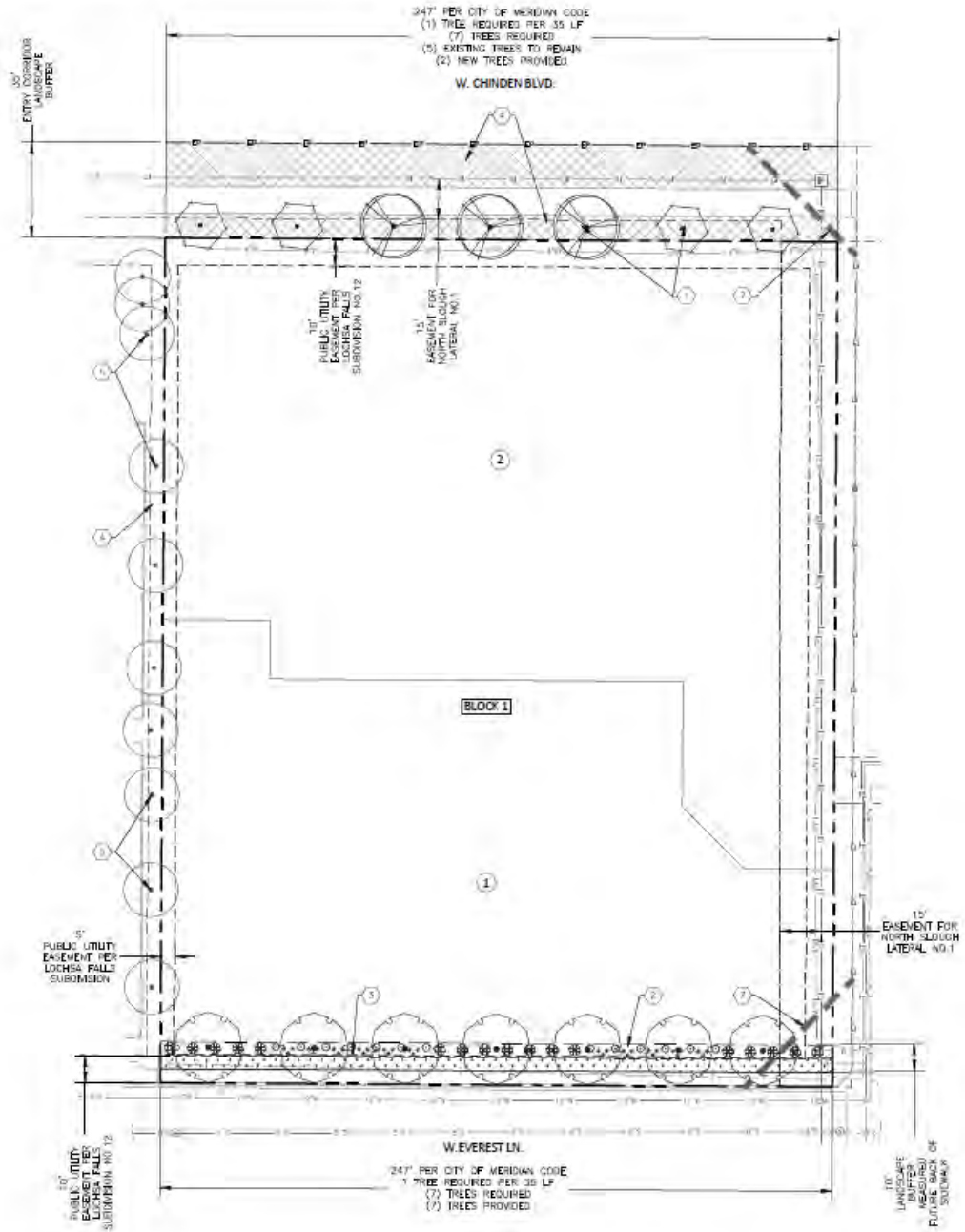
PLAT OF
BUDGET BLINDS SUBDIVISION

A RESUBDIVISION OF LOT 41, BLOCK 49, LOCHSA FALLS SUBDIVISION No. 12, SITUATED IN THE NORTHEAST 1/4 OF THE NORTHEAST 1/4, SECTION 26, TOWNSHIP 4 NORTH, RANGE 1 WEST, BOISE MERIDIAN, CITY OF MERIDIAN, ADA COUNTY, IDAHO
2022

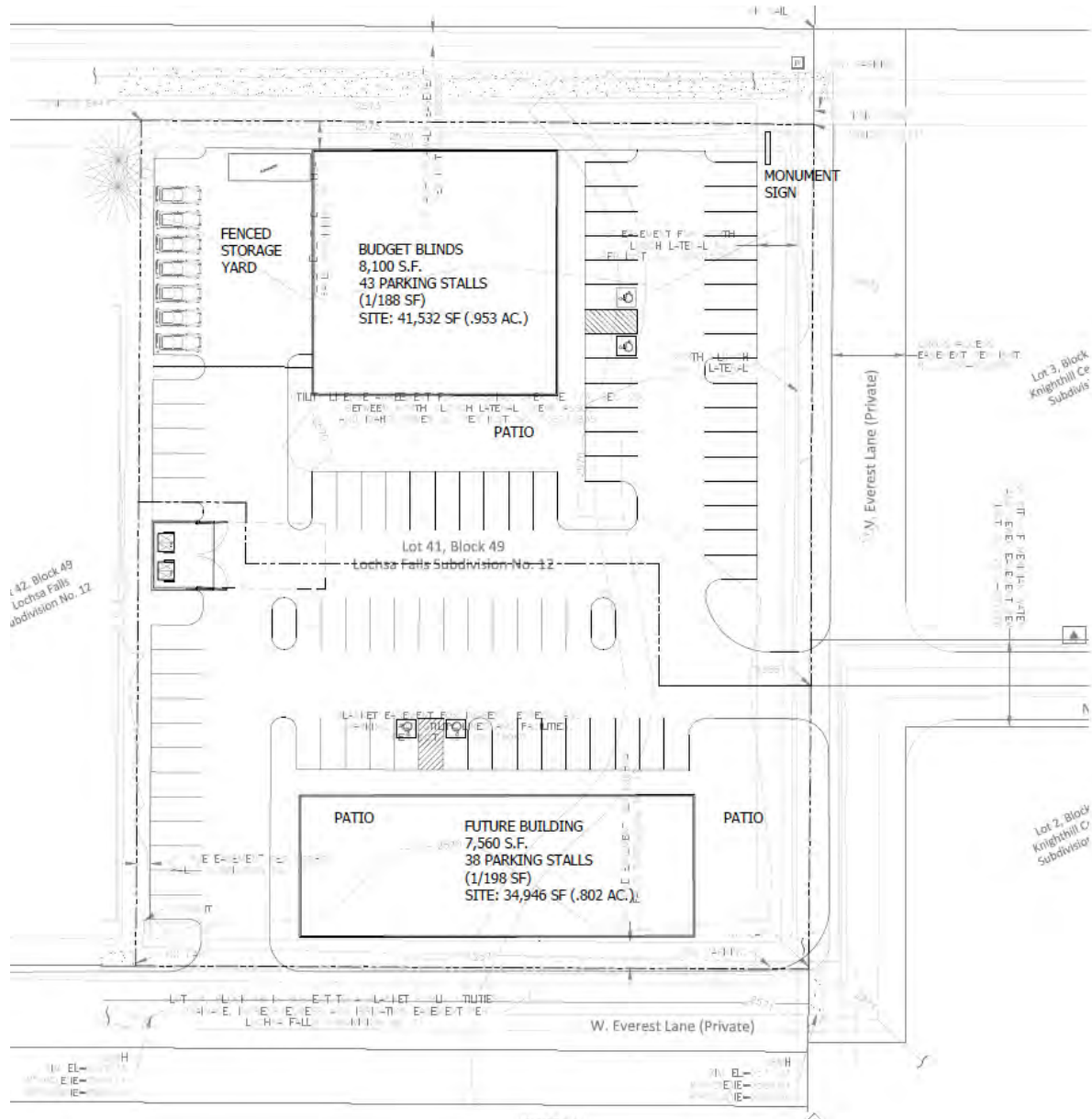


C. Proposed Landscape Plan (date: 1/28/2022)

ALL INFORMATION HEREIN IS THE PROPERTY OF
CITY OF MERIDIAN. NO REPRODUCTION OF THIS
INFORMATION IS PERMITTED WITHOUT THE EXPRESS WRITTEN
CONSENT OF THE CITY OF MERIDIAN.



D. Conceptual Site Plan



VII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. The short plat prepared by Kelly Kehrer of KM Engineering included in Section VI.B shall be revised as follows:
 - a) Add a note to the plat that specifies the shared access between the two lots or graphically depict a cross-access/ingress-egress easement between Lot 1 and Lot 2 in accord with the provisions of UDC 11-3A-3A2.
 - b) Applicant shall provide proof of cross access with the Knighthill Center Subdivision No 1 & 2 (at the east) or all access shall occur from the south.
 - c) Add a note to the plat that prohibits direct lot access to W. Chinden Blvd.
2. Applicant shall comply with all previous conditions of approval associated with this development (AZ-02-010, DA Inst. 104022054, PP 02-009, CUP 02-012, DA Instr. 103012598, MCU 06-002, RZ-06-008).
3. If the City Engineer's signature has not been obtained within two (2) years of the City Council's approval of the short plat, the short plat shall become null and void unless a time extension is obtained, per UDC 11-6B-7.
4. Development of any lot shall require submission of Certificate of Zoning Compliance and Design Review per UDC-11-5B-1 and shall meet all applicable requirements of City of Meridian code.
5. Existing landscape buffer along W. Chinden Blvd shall be protected during all construction activities.
6. A public access easement and sidewalk meeting the requirements of UDC 11-3A-17 shall be provided along the south side of Lot 1, Block 1.
7. Staff's failure to cite specific ordinance provisions or conditions from the previous approvals as noted in condition 3. above, does not relieve the Applicant of responsibility for compliance.

B. Public Works

(Common) SITE SPECIFIC CONDITIONS:

1. Developer is required to enter into a reimbursement agreement for the installation of one streetlight that was installed on Chinden Boulevard as part of the widening project. The developer is required to sign the reimbursement agreement and pay the installation amount of \$8,465.00 prior to signature of the plat.
2. No changes to public works infrastructure was shown with the application, any public works changes must be reviewed by public works engineering prior to approval or construction.

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 then alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
7. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.

12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). 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.

VIII. REQUIRED FINDINGS FROM THE UNIFIED DEVELOPMENT CODE

In consideration of a short plat, the decision-making body shall make the following findings:

A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;

The Comprehensive Plan designates the future land use of this property as Mixed Use Community. The current zoning district of the site is C-N. The proposed short plat complies with the Comprehensive Plan and is developed in accord with UDC standards.

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

Staff finds that public services are adequate to serve the site.

C. The plat is in conformance with scheduled public improvements in accord with the City’s capital improvements program;

Staff finds that the development will not require the expenditure of capital improvement funds. All required utilities are being provided with the development of the property at the developer’s expense.

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

Staff finds that the development will not require major expenditures for providing supporting services. The developer and/or future lot owner(s) will finance improvements for sewer, water, utilities and pressurized irrigation to serve the project.

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

Staff finds the proposed short plat will not be detrimental to the public health, safety or general welfare.

F. The development preserves significant natural, scenic or historic features.

Staff is not aware of any significant natural, scenic or historic features associated with the development of this site.



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from February 15, 2022 for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.

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

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



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: March 15, 2022

Topic: **Public Hearing** Continued from February 15, 2022 for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.

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

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

Information Resources:

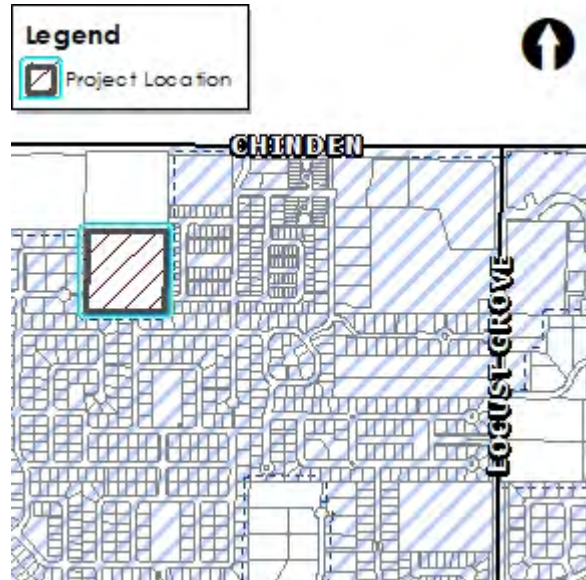
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/15/2022
 TO: Mayor & City Council
 FROM: Alan Tiefenbach
 208-884-5533
 SUBJECT: AZ, PP - H-2021-0083
 Friendship Subdivision
 LOCATION: 6168 N. Elk Ranch Ln, located near the southeast corner of N. Meridian Rd and E. Chinden Blvd.



I. PROJECT DESCRIPTION

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

II. SUMMARY OF REPORT

A. Project Summary

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

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

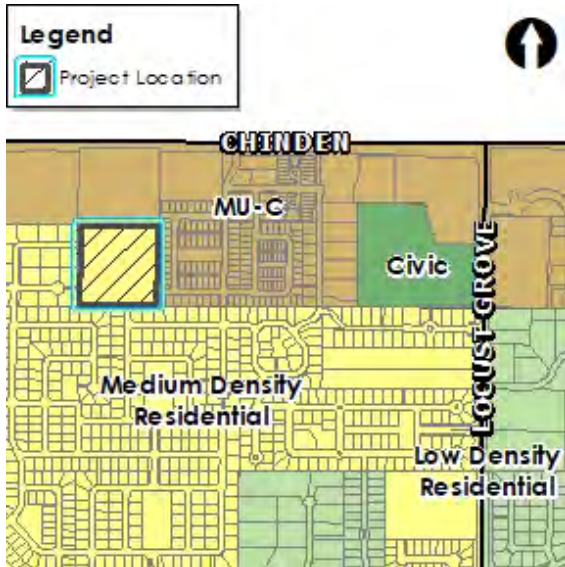
B. Community Metrics

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

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

C. Project Area Maps

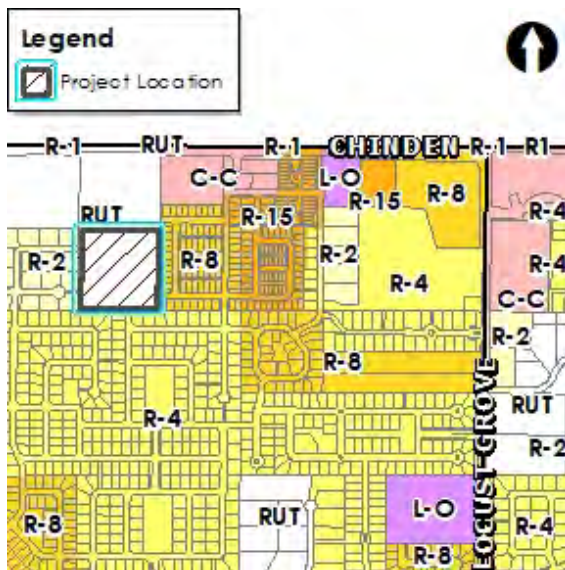
Future Land Use Map



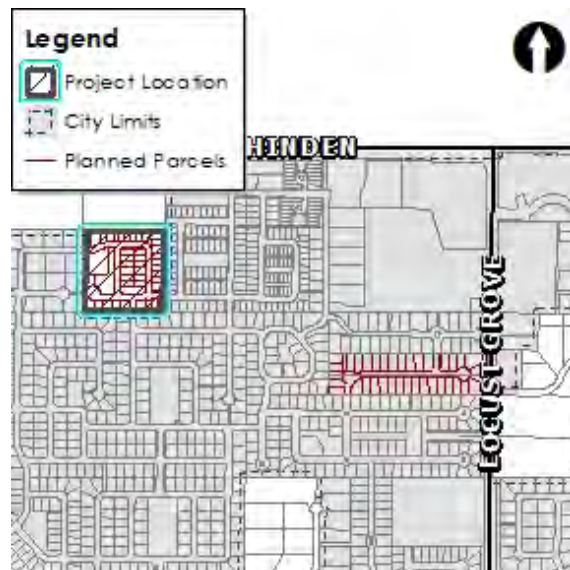
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

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

B. Owner:

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

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	12/21/2021	1/30/2022
Radius notification mailed to properties within 300 feet	12/15/2021	1/31/2022
Nextdoor posting	12/16/2021	1/31/2022
Sign Posting	12/20/2021	1/21/2022

V. STAFF ANALYSIS

A. Annexation:

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

B. Zoning

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

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

This property is designated Medium Density Residential on the City’s Future Land Use Map (FLUM) contained in the Comprehensive Plan. This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

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

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section IX.A. The DA is required to be signed by the property owner(s)/developer and returned to

the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

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

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

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

- With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

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

Qualified open space and amenities are discussed below.

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

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

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

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

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

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

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

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

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

E. Existing Structures/Site Improvements:

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

F. Proposed Use Analysis:

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

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

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

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

There are no common driveways proposed with this subdivision.

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

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

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

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

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

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

Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard this item on January 2, 2022. At the public hearing, the Commission moved to deny the subject annexation and rezoning request.

1. Summary of the Commission public hearing:

- a. **In favor: Joe Canning, Mike Homan**
- b. **In opposition: Several neighbors attending remotely expressed concerns with density.**
- c. **Commenting: Joe Canning, Mike Homan**
- d. **Written testimony: None**
- e. **Staff presenting application: Alan Tiefenbach**
- f. **Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. Density, why it was being proposed for R-8 versus R-4.
 - 3. Key issue(s) of discussion by Commission:
 - a. Commissioners discussed what amenities were being provided.
 - b. Whether a project meeting the “minimums” was premier.
 - c. Amount and location of open space, and whether more functional and useable open space could be provided.
 - d. Annexing the property as R-8 versus R-4.
 - 4. Commission change(s) to Staff recommendation:
 - a. As the Commission recommended denial, all staff’s conditions of approval had been stricken.
- C. The Meridian City Council heard this item on February 15, 2022. At the public hearing, the Council moved to approve the subject annexation and preliminary plat request.
- 1. Summary of the City Council public hearing:
 - a. In favor: Joseph Canning, Mike Homan
 - b. In opposition: Two citizens testified in opposition.
 - c. Commenting: Joseph Canning, Mike Homan
 - d. Written testimony: Mark Cleverley submitted a letter in opposition. The concern was zoning to R-8 verses R-4.
 - e. Staff presenting application: Alan Tiefenbach
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. Zoning to R-8 verses R-4
 - 3. Key issue(s) of discussion by City Council:
 - a. Council discussed whether R-4 or R-8 was appropriate.
 - b. There was discussion regarding school overcrowding.
 - c. There was discussion regarding the overall improvement in design and the open space and proposed trails.
 - 4. City Council change(s) to Commission recommendation:
 - a. City Council directed the applicant to reduce the subdivision by 2 lots, and return with the updated plat and draft development agreement at the March 15, 2022 meeting.

VII. EXHIBITS

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



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

**Friendship Subdivision
Boundary Description**

30 September 2021

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

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

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

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

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

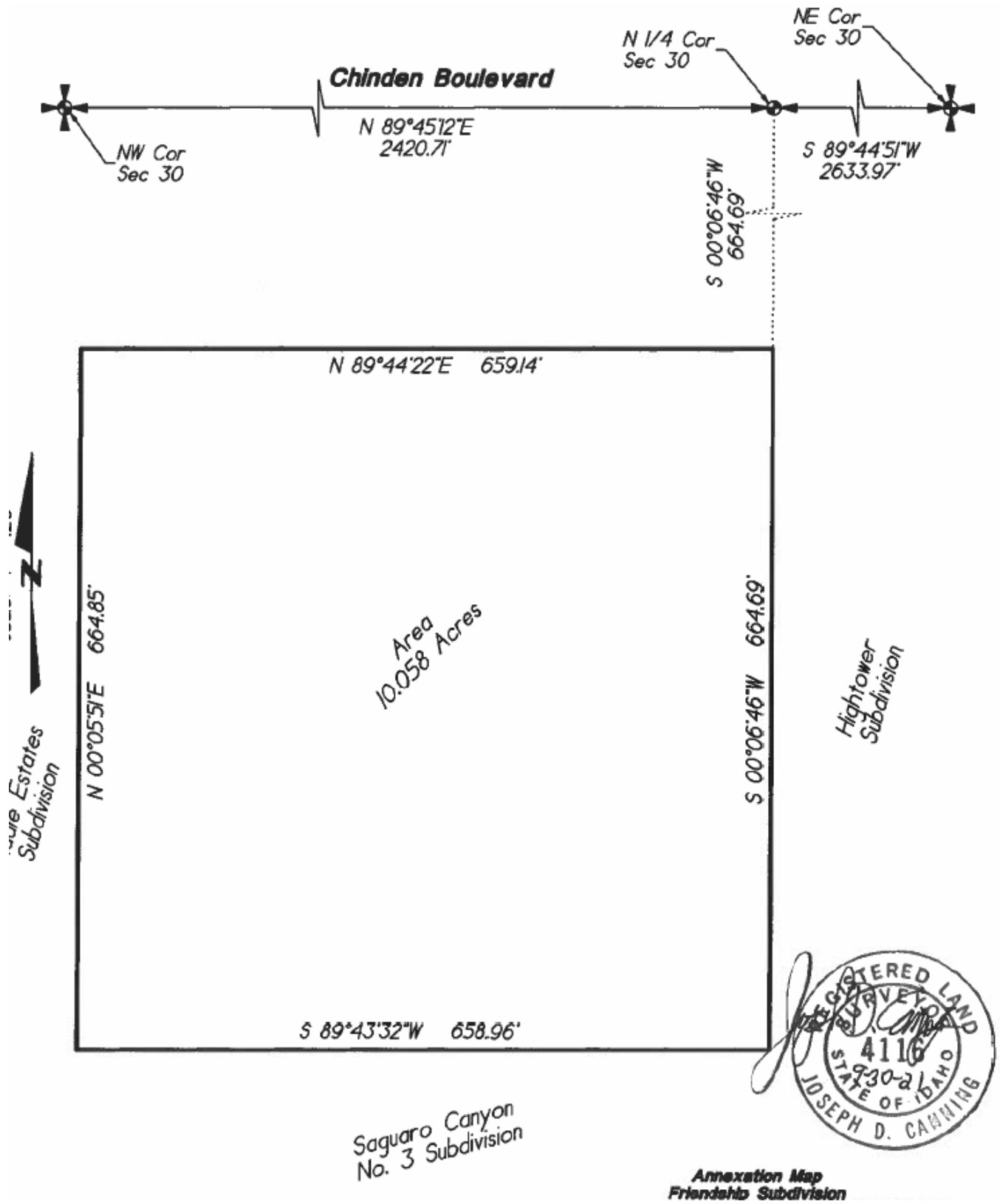
Thence N89°44'22"E, 659.14 feet along the northerly boundary of said Lot 2 to the **Point of Beginning**.

Comprising 10.058 Acres, more or less.

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



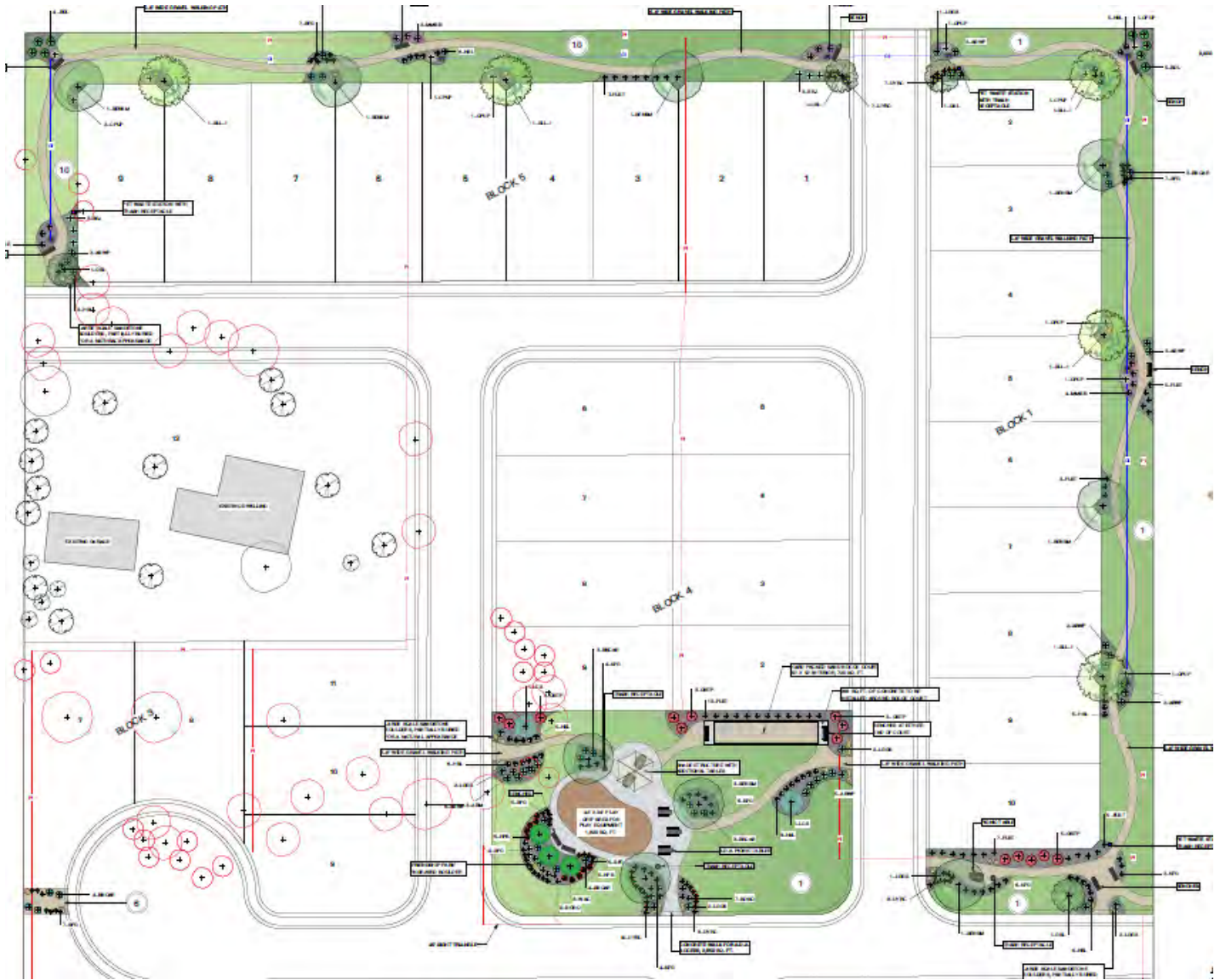
Proud to be Serving



B. Preliminary Plat (date: 12/17/2021 2/22/2022)




C. Landscape Plan (date: ~~12/27/2021~~ 1/31/2022)




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



E. Common Open Space Exhibit (date: ~~12/21/2021~~ 1/31/2022)

 QUALIFIED OPEN SPACE (11-3G-3.B.1.A)

 QUALIFIED OPEN SPACE (11-3G-3.B.1.E)



H. Conceptual Elevations



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

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

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

B. PUBLIC WORKS DEPARTMENT

SITE SPECIFIC CONDITIONS:

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

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

GENERAL CONDITIONS:

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

8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A

copy of the standards can be found at
http://www.meridiancity.org/public_works.aspx?id=272.

21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. MERIDIAN FIRE DEPARTMENT

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

D. NAMPA & MERIDIAN IRRIGATION DISTRICT

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

E. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=243227&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. ANNEXATION AND / OR REZONE (UDC 11-5B-3E)

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

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

Commission finds annexation of the subject site with an R-8 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

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

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

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

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

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

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

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

B. PRELIMINARY PLAT (UDC 11-6B-6)

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

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

Staff finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.

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

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

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

Staff finds the proposed plat is in substantial conformance with scheduled public improvements in accord with the City's CIP.

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

Staff finds there is public financial capability of supporting services for the proposed development.

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

Staff finds the proposed development will not be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

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

Simison: Councilman Hoaglund.

Hoaglund: I move approval of the adoption of the new fees of the Meridian Parks and Recreation Department, with the fees to reflect for the restricted sections for couples, senior and military and senior couple, that the restrictions apply to Monday through Friday, the golf is at anytime and for weekends and holidays it is restricted to after 12:00 noon.

Bernt: Second.

Simison: I have a motion and a second. Is there discussion?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mike, Steve, team, appreciate your guys' work on this. Mike, we talked about it last time I really struggled with creating these special classes right now as we are still kind of getting our grips with the -- with the course. So, I'm not supportive of the motion, but I appreciate the work that you are doing to try and invite a new customer base and look forward to seeing what we learn from this.

Simison: Is there further discussion? If not, all in favor signify by saying aye. Opposed nay?

Cavener: No.

Simison: One nay, the rest ayes, and the motion carries and we will see that back -- Mr. Nary? Next week? Okay.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

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

- A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots

Simison: So, with that we will move on to Item 3 this evening, which is a public hearing for Friendship Subdivision, H-2021-0083. We will open this public hearing with staff comments from Alan.

Tiefenbach: Good evening, Mr. Mayor, Members of the Council. This is Alan Tiefenbach,

associate planner with the City of Meridian. This is an application for an annexation and zoning to R-8 and a preliminary plat for 40 lots. Forty-one were originally -- well, actually, 42 were originally proposed, then, it went down to 41. So, now we are at 40. I will talk quickly about that. Okay. So, the site is located south of Chinden and west of Locust Grove.

Simison: Alan, do you have a visual that you were --

Tiefenbach: Oh, I'm sorry. I wasn't sharing. My bad. I guess it's helpful if you are looking at what I'm looking at. Okay. The site is located south of Chinden, west of Locust Grove. Brookdale Estates Subdivision is to the west, which is over here. The Hightower Subdivision is to the east over here. Saguario Canyon Subdivision is to the south and there is an existing church, which you can see in this aerial here. That's still zoned RUT in the county. Just a quick history on this property. So, this property was proposed for annexation of zoning to R-8 and plat for 48 lots is what was known as the Bull Ranch Subdivision and that was in 2015. This was subsequently denied by the Council with density being a primary concern and that R-4 zoning was more appropriate here than R-8. Comprehensive Plan recommends this for medium density residential, three to eight dwelling units per acre. So, this is an annexation, again, of ten acres of land with the R-8 zoning district and a preliminary plat to allow 40 building lots and seven common lots. North Elk Ranch Lane, which is what you see here -- this is a private road and this presently provides access from the subject property to Chinden, which is what you see up here. The subdivision proposes to connect to three existing local streets. So, it would be one, two, three different stubs. There is also another stub being provided eventually if the church property redevelops. Our code states that when a property has existing access from a state highway, again here, that if the applicant proposes a change or an increase in intensity of use, that they have to develop or otherwise acquire access to a street other than the highway and that this would be closed. So, the use of this -- staff is recommending as a condition of approval that the applicant vacate all their interests in North Elk Ranch Lane as, again, because the property already has three points of access and that's what the code requires. The plat shows the North Slough, which is what you -- find my pointer. The North Slough bisecting the property at roughly a 45 degree angle north to south and this is being relocated and piped in accordance with the code. According to an exhibit provided by the applicant, the ditch is being reconfigured towards the northwest part of the property. Obviously, this would need to be coordinated with the irrigation district. The applicant has submitted elevations of the single-family homes for this project. These homes appear to meet the design requirements for single-family homes and are consistent with the architecture of the surrounding neighborhood. Staff did express several concerns with this proposal. One of them was that we thought it was too dense on the south and they needed to take a couple of lots out on the south to make it fit better and transition better with the adjacent properties. What you are seeing here is actually an older version. So, the other comment that we had is that we thought they should line up the lot lines that are on the lots to the east. Since our earliest discussion the applicant has lost a lot -- the applicant has actually lost two lots and I'm going to talk about that here in a second. As of today as far as written testimony goes, we have only gotten one letter of opposition, but there were citizens that showed up to the Planning

Commission meeting. Now, the -- the plat does meet all the requirements of the UDC and it's consistent with the density designation. With that staff did recommend approval. When the Planning Commission happened at the Planning Commission this was on January of 2022 and the -- the Commission moved to deny the subject annexation and rezoning request. This was based on -- first of all, they preferred that it would be annexed as R-4, not R-8. They -- they had concerns about it barely meeting the minimums. Under the current code this -- this property would need to require 15 open space, but it got -- it slipped in right before the code was actually -- the -- the updates of the code was approved. So, if there is an application that's made prior to the newest version of the code we have to review it under the old version of the code. So, they -- they don't meet the 15 that would be required today, but they exceed the ten that was required at the time that the application was received. Planning Commission had concerns with -- with whether or not that was -- I think the word they used was premier. They also had concerns with whether or not there was good open space and -- and whether or not, again, they thought that the density wasn't quite there. Since this time of the Planning Commission -- what you see on the left was the landscape plan that was provided at the Planning Commission. It's pretty basic. What you see on the right is the landscape plan that I received about a week ago. For the difference -- first of all, since Planning Commission they have lost a lot. You will see that they have included a pathway sort of around the perimeter of the property that wasn't there before. They have increased the central open space. They have actually moved it -- the -- the open space -- all of their usable open space on the original version on the left was here. Since that time they have increased it more and put some amenities in there, which I'm sure they are going to talk about. This has decreased the open space that was originally shown on the first exhibit, which was about 14.6 percent. Their most recent exhibit shows 14 percent. But, again, the open space is more usable that they have now. With that, again, staff recommended approval because they met the code. The Planning Commission was not supportive of this and recommended denial. With that I will stand for any questions or comments from Council.

Simison: Thank you, Alan. Council, questions for staff?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. I do have a couple questions. Thank you. This practice of applying the current code at the time that an application is put in, is that just because of our current practice, how we handle things? Is that by code? Help me understand that.

Tiefenbach: I can see Mr. Nary's hackle starting to pop up. Just -- it's -- it's been land use law that's been established for many many years in the United States, not just here. But I will let Bill sort of speak to that.

Nary: Mr. Mayor, Members of the Council, no, he's correct. I mean that is -- that is the state of the law both here and everywhere else, that the application takes the code that exists at the time they file the application. So, that's the basis for it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Perfect. Thanks for that answer. And, then, my other question is how would this look different if it was an R-4, either in terms of the dimensional standards or the density. Could you walk me through -- maybe just to compare and contrast what this -- how this would be different if it was an R-4.

Tiefenbach: Well, R-8, Council Person and Mr. Mayor, the R-8 requires 8,000 square foot lots, if I'm correct. Going off the top of my head here. Somewhat bigger dimensional requirements. It was -- it sort of comes down to the same conversation that happened when we talked about Apex last month. You -- you know, if they went with R-4 would they really get less lots? Well, these lots are smaller than 8,000 square feet. Most of these lots just barely meet the minimums. So, yeah, it would probably be lower density under R-4.

Strader: Thanks.

Tiefenbach: I will double check -- I'm going to double check on those dimensional standards, because I'm not Bill and I don't have it memorized. So, if I'm wrong I will -- I will let you know.

Simison: Council, any additional questions for staff? Okay. So, would the applicant like to come forward. State your name and address for the record, be recognized for 15 minutes.

Canning: Yes. Mayor and Members of the Council, my name is Joe Canning and I'm employed by Centurion Engineers, formerly B&A Engineers, and the address is 2323 South Vista, Suite 206, in Boise, Idaho. 83705. And I am here tonight -- I think I'm going to do the main presentation. I am here with the applicant Mike Homan. Mike may want to come up and also say a few words after I am done. So -- and, then, also I submitted -- I did just three slides. I submitted before. We don't need those right away, I just want to make sure they are ready. I'm not sure how that gets loaded up and going. So, when I'm ready we can go ahead and put those up and they are pretty simple slides. Of course, we are here tonight seeking approval of this modified preliminary plat and modifications have been made per the comments that were made by the Planning Commission here a few weeks ago and Alan already discussed those, but just to reiterate, three main things we got was there was a suggestion that we should do an R-8 zone, instead of an R-4 zone. It was the quality of the amenities for the open space was an issue and the amount and location of the open space and I got the impression it really wasn't necessarily the amount, because we -- this -- this plat was submitted to the city I believe back in September. It's been around quite a while and that was before the new open space ordinance came in. So, I think there is a little bit of confusion there on which -- which ordinance applies. But I think we have really upped the game, so to speak, in the open space location and the quality of the amenities. So, annexation and zoning. So, why R-

8. The comp plan designation for this property is medium density residential, which is three to eight units per acre. The project is 40 home sites. Now, that's four units per acre. So, we are -- we are pretty much at the low end of that designation for the comp plan. And when I come up with the slides I'm going to talk a little bit about the existing house that really does impact some of that lot area requirements. So, it's -- it's possible in existing development. I'm -- this -- this is really kind of sandwiched in here. It's kind of an island. It's surrounded by Meridian currently on three sides. There is a variety of zoning in the area and I will talk about that in just a minute, but I also want to reiterate that there is a development agreement proposed for this project. So, even if the zoning was approved at R-8, there is a development agreement proposed that would limit it to the -- to the submittal for the preliminary plat that you are seeing tonight. So, if I could, I would like that first slide -- there it is right there. I see it. So, I just wanted to show this as some of the reason why we really think the R-8 is appropriate, particularly with the development agreement. Number one, to the north is the church. The Friendship Celebration Lutheran Church. Although that's in the county, it has a Meridian city comp plan designation of MUC. So, that could be probable commercial or high density residential. So, what we typically try to do is buffer those more intense areas that could happen with -- with a project of a little less intensity. So, whether R-8 is much less intensity or not I'm not too sure, but we feel that zoning is appropriate. Off to the east is the Hightower Subdivision. That's already zoned R-8. To the south is R-4 property, which is Saguaro Canyon Subdivision and, then, of course, to the west is Birkdale Subdivision, which is R-2. It's quite low density. But I think that part of the key here is how we are adjusting some of these lots to try to match that variety in zoning. So, if we could get the second slide, please. Thank you. So, this -- this was the prior preliminary plat, the one that the Planning and Zoning Commission first looked at and I just wanted to point out a few things on here. There is the existing home that's over on that west boundary. That home is very well landscaped, quite mature landscaping around it. It takes up quite a bit of property. So, that's part of the density issue we have is that parcel is big, it's existing, it's a very nice house. We are not really going to do too much to change that. Alan already mentioned the three existing stub streets that come into this property from the east, south, and the west. That's a real plus for the transportation network I think in the area. The Settlers Irrigation Facility North Slough does bisect this property. That was one of the challenges to the design was how to coordinate that piping and relocation and originally the open space was located more toward the west side. It was over by that existing house. Part of that reason was because of that relocation of the North Slough. It made that a little bit easier to do. However, there were objections to that. They wanted -- the Planning Commission really wanted that open space to be more centrally located. So, that was one of the changes we have made. And the original open space -- the -- the lock count popped up and down on this a little bit as it went through the process. I think the original that was actually submitted was about 13 percent open space. So, if we could go to the third slide. This is the landscape plan for the current proposal that's before you tonight. The big -- one of the big differences here is -- we think we listened pretty good and that canal relocation was still an issue. If we eliminated that open space over toward the west we had to figure out a new route for that canal relocation. So, the applicant did talk to Settlers and as long as that open space along that east side and north side is at least 30 feet wide, we are able to relocate that and it's a big pipe, it's a 36 inch pipe, in

that open -- in that open space. Plus we can use it as a -- I think a pretty quality amenity for the project. So, now we have I think a good -- a good proposal for that open space and the canal to be rerouted along that east -- north side and it really provides some open space in fairly close proximity to -- to everyone that would be in the subdivision. This current layout has open space approximately 14 percent. So, it's approximately the same as before, but a little bit more and, once again, I just wanted to remind everybody that this did come in under the original -- or the old ordinance. As far as amenities, that was one of the concerns -- quality amenities from the Planning and Zoning Commission. The larger area down there toward the south contains play equipment, a Bocce court, benches, a shade structure. There is walking paths throughout the project now and, of course, there is always pet and waste stations that are proposed, so you can walk your dog and have them taken care of. I think in general we can just lay out some of the project assets. Number one, a big item is we will be piping the Settlers Irrigation facility that runs through this project. This is an easy to serve property with existing access and infrastructure. City water and sewer is there. The stub streets are there. It's pretty easy to -- to serve. The stub street to the north going up to -- the private road to the north going to Chinden would be eliminated. So, I think that's a -- that's an asset for the project. I want to talk a little bit about adjusting the lot sizes. Off to the east is the R-8 property. So, we have kind of feathered these lot sizes. As you start on the east side you will find them more or less matching what's over on the -- the R-8 property to the east and, then, as you go south and west the lots get larger and in particular on the R-2 side, on the extreme west property, we have approximately the same number -- I think it is the same number of lots that abuts that property over there and a big part of that is that existing home. So, we have kind of feathered this -- these lot sizes to match those perimeter homes. To the south it's almost an R-4 layout. You will see the lot count there is quite similar to what's -- what's further to the south of it. Once again, I just want to mention that even though we are seeking an R-8 zone, a development agreement will cap this at four units per acre. So, we are really kind of the low end and almost at the R-4 density anyway. And as I mentioned, this is really surrounded by existing neighborhoods in Meridian. We think -- it's time to be annexed and brought in. It will provide much needed housing. I can't -- no one can say enough about the housing necessary for the area. We believe we have provided a much improved project over what was before the Planning and Zoning Commission and we certainly hope that Council agrees and we would hope they support the annexation, zoning and preliminary plat. Thank you. And, then, Mike, did you want to add anything? I will stand for questions.

Simison: Thank you. Council, any questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: One question for the applicant. Back in 2015, sir, you -- this body denied a project at the same density of R -- I guess I shouldn't say -- the same zoning of R-8. Is there a reason why you brought R-8 back -- a project that was R-8 instead of at a lower density than what was recommended by a previous Council?

Canning: Well, there is not a specific reason why, other than when we looked at the lot sizes in the R-4 zone it would have really reduced the density. There was a question earlier on what -- it would have an impact. It would reduce the number of lots in this by about 30 or 40 percent and we are not sure the R-8 really fits with the area. I mean it's already R-8 to the east. It's R-4 to the south. R-2. We tried to accommodate that difference by, number one, there are less lots than in 2015. We tried to feather these lots to match those other perimeter areas. I'm not sure that's a great answer, but that's -- that's why we did it.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Canning, I appreciate you bringing this kind of unique in-fill project. I remember the previous iterations before us back in -- in 2015 and while a lot's changed, a lot has also stayed the same and what's kind of caught my eye about your layout -- I really appreciate the pathway and the open space and I see this really cool play structure, which tells me, again, you are being thoughtful, you know young families will likely be a lot of the residents in this neighborhood. Over the past few weeks and months Council have really deliberated on projects, particularly those that bring students into a school that is over capacity and in looking at the letter from West Ada it looks like -- I think this would fit into a Rocky Mountain and Sawtooth Middle School and both of those are over capacity. So, help me kind of understand as a Council Member who have a lot of our residents who have really been pretty vocal about their concerns about the impact on the schools, how this project is a win for our community when it would put students at an over -- over capacity school.

Canning: Well, I can't speak too much to the overcapacity of the school, but I will tell you why I think it might be a win for the community. I personally love in-fill projects. I think they are the way to go and I would much rather see a project like this here than somewhere else farther out. I think that's the main thing. There is not much we can do about the schools. Perhaps we could go senior citizens. I don't know. But that wouldn't be what happens.

Simison: So, Joe, maybe I -- I missed this. What's with the little micropath at the end of the cul-de-sac to the property line?

Canning: I should have mentioned that. There is an existing micropath that goes off to the subdivision to the west that comes up to this property line, so we would continue that.

Simison: Okay. So, it has functionality?

Canning: Yes.

Simison: Okay. Thank you.

Canning: Yeah.

Simison: Council, any additional questions for the applicant? All right. Thank you.

Canning: Thank you.

Simison: Mr. Clerk, I assume some of these fine people are here to talk about this item this evening.

Johnson: Mr. Mayor, several fine people have signed in. The first is David Marsey.

Simison: When your name is called if you would like to come forward and state your name and address for the record and be recognized for three minutes.

Marsey: I'm David Marsey. I live at 768 East Pasacana Street, which backs up to the property. So, good evening, Mr. Mayor and Council. First of all, when we bought our house that backs up to the property five years ago we were absolutely told there was going to be development there and we said good. What -- what kind of development? Are we going to see a Walmart? What are we going to see back there? And they said, no, we expect to see no Walmart, we expect to see homes that are very similar to your homes and it would be classified as R-4 and I said, oh, fantastic. So, if it matches what is in our subdivision we were absolutely good with that. So, we were told they were going to be like homes, but now it appears the developer wants to make it R-8, so that we can jam more homes into that ten acre parcel. I'm a businessman as well. I understand the financial part and the reasons why someone would want to get more properties in there. I just ran some basic math looking at what our subdivision homes sell for and the -- the numbers are -- they are raw numbers, but they are real. R-8 it's worth about 26 million dollars and as R-4 it's worth about 16 million dollars. So, taking what the homes that are selling for in our subdivision, you know, I see the developer clearing about 16 million, minus all the expenses. So, that -- that was one thing where I said, okay, I get it. That's why I would want R-4 as the developer as well, because I stand to make more money. I'm very pro-growth. As matter of fact, I love the fact -- we have been in Meridian since 1993 and we have seen a lot of very good smart growth happen in the area, which makes me extremely happy, not only as a homeowner, but as a business owner as well. So, I like to see it. Planning and Zoning agreed that R-4 was the way to go. I believe that they denied it. Well, I believe -- they did deny it last month and I was in full support of it. So, I would hope, Mr. Mayor, that you would consider pushing it to an R-4 to match what is predominantly around in the other subdivisions. I do like what they have done. I think if they would have presented this to Planning and Zoning they probably would have got a check mark it looks great. But they didn't. So, it was denied by Planning and Zoning. So, I hope you would support holding to an R-4. So, thank you very much.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor? I appreciate your testimony. I didn't catch your name. I'm sorry.

Marsey: David Marsey.

Cavener: Mr. Marsey, thank you for your testimony and I guess something that would be helpful for me -- recognize that what's proposed with this is a development agreement that would essentially lock these units -- this amount of units in on this particular project. From your perspective what would you see differently in an R-4 that you are not seeing before you today? Help me understand -- I -- I understand an R-4 versus an R-8 and it's, oh, we don't get a lot of people that come and say bring on more density, so I can appreciate that argument. But help me -- as it pertains this project what would you like to see differently?

Marsey: Yeah. I mean I personally I think looking at going R-4 versus R-8, one -- I don't know if anybody travels Chinden or anybody travels any of the subdivisions near Chinden, the traffic is exponentially growing already. I regularly have to get on Chinden to take -- towards I-84 towards Caldwell. If I try at 8:00 o'clock I'm guaranteed it's ten minutes, 15 minutes to try to make a left turn. So, I -- I'm just looking at it from the sheer fact that we are going to just be placing more traffic and more burden into a pretty tight area already. I love the fact that you talked about the schools. I have grandkids -- we have four grandkids that live on Pasacana as well. Same thing, that the schools are overcrowded. So, I really liked -- even thinking about that, that is some -- something that hadn't crossed my mind. But that would be my take is the fact that we are just jamming more traffic into a tight box already.

Simison: All right. Thank you very much.

Marsey: Thank you.

Johnson: Mr. Mayor, next is Darrell Gallup.

Gallup: Good evening, Honorable Mayor and City Council Members. My name is Darrell Gallup. I reside at 554 East Pasacana Street in Meridian. 83646. As you have already heard, about six years ago this -- essentially the same subdivision was proposed to Council and turned down and Mayor de Weerd and Councilman Bird were especially against the project due to the high density of housing requested. I oppose the zoning of R-8 for this project. R-4 zoning is more appropriate for the subdivision, so as to be compatible with the R-2 zoning to the west of the project and R-4 zoning to the south of the project. R-8 zoning of this subdivision is too dense. It would create significant traffic on roads going in and out of the subdivision and would also potentially place a burden on neighborhood schools, which are already overcrowded. Thank you.

Simison: Thank you.

Johnson: Mr. Mayor, next is Greg Barron.

Barron: My name is Greg Barron and I live at 5997 North Senita Hills Avenue. When I purchased my home directly adjacent to the empty land and proposal, I was aware that

one day it would likely be built upon. I am not against growth. However, I do have significant concerns regarding the current zoning request of the R-8 for this project and my concerns are these: First and foremost is a significant influx of traffic that these 40 new homes would bring to the surrounding neighborhoods. That is likely to be at least 80 additional drivers making trips in and out of the Friendship Subdivision. Being that two of the three access points, Lockhart Way and Senita Hills Avenue would require a driver to make a lengthy trek through the adjacent subdivision to gain access to a main roadway, it is fair to assume that the Tallinn Street would be the primary point of entry-exit for the Friendship Subdivision. This street -- or this is the street most accessible from Chinden, which is the closest artery feeding into the area. Tallinn Street would become far too busy as a thoroughfare for these 40 new homes, significantly disrupting the quiet community made up primarily of retired people. The surrounding -- number two. The surrounding subdivisions, both to the south and to the west, are zoned as R-4 and R-2 respectfully. To insert a subdivision zoned as R-8 amongst these much larger lots would have a undesirable effect on the property values and aligning with the aesthetics of the surrounding communities. This higher density housing would mean that I would personally gain two new neighbors along my north property line. My neighbor to the west would gain three new neighbors along his north property line. This could all be rectified if zoning were mandated as R-4 to align with existing lot sizes in the current subdivision. I respectfully urge you to deny the zoning request for R-8 and, instead, require either R-2 or R-4 as the standard for this project. It should be noted that the zoning for R-8 was denied back in 2015 and, again, recommended for denial by Planning and Zoning just last month and the schooling issue was on my mind, too. Thanks for your time.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Barron? Mr. Barron, question. I just want to make sure I was following you there. On -- on Tallinn, that's the stub street that -- stub street that is stubbed currently to the west that comes in from the east, from the R-8 that is that way and, then, I am assuming to go to Chinden -- I -- I didn't catch the street you were mentioning, because I see looking on Google Earth North Saguardo Hills Avenue can lead out to Chinden. Is that the street you are referencing or where would people -- where were people going?

Barron: Tallinn Street --

Hoaglund: We don't have it here. I see where Tallinn Street is.

Barron: Right.

Hoaglund: Yeah. And it heads east and, then, they can take a left on North Saguardo Hills Avenue --

Barron: And then left.

Hoaglun: And then left. Okay. But there is not a light yet there at that intersection, although that is the half -- it looks like it's the halfway point --

Barron: Yeah.

Hoaglun: -- ACHD typically -- and ITD go at that half mile for when they eventually do a light. So, that -- that would be the --

Barron: It looks like halfway in between Locust Grove and Meridian.

Hoaglun: Right. So, the normal spot.

Bernt: I think there is a coffee shop right there. Is that where Bright Eyes is?

Hoaglun: That is where Bright Eyes is, yes. So -- okay. I just wanted to make sure I was -- I was following your -- your directions there on that, because it's -- I didn't understand the street --

Barron: Right.

Hoaglun: Okay. Thank you, sir.

Barron: Thank you.

Johnson: Mr. Mayor, the only other person saying they wanted to speak was the applicant.

Simison: Is there anybody else that would like to provide testimony on this item? If so please come forward at this time. Or anybody online, if you would like to provide testimony, please, use the raise your hand feature. Seeing none, ask the applicant to come forward for final comment.

Canning: Thank you, Mayor. Again, Joe Canning and Mike is still here if he needs to add anything at the end. I'm going to make one more pitch I think for that R-8 and I think it has to do with the future planning. Please keep in mind that the properties to the north is set up in the comp plan as MUC. I personally don't really think it's appropriate to have an R-4 zone that close to an MUC. The R-8 is actually a fairly low density transition from those commercial or high -- potentially high density residential projects. We already have R-8 to the east and, like I say, we have tried to feather this so it really does feel like larger lots, particularly at the south and the west. Just, please, keep in mind that future area to the north. The church has quite a large area behind it. We are seeing churches redevelop some of those properties. They typically have to wait until water and sewer gets there. We will be providing water and sewer to that church property, along with this stub street. So, that's the main thing I want to comment on the R-4 versus the R-8. Regarding traffic, there are three access points, even if everyone uses the same access point, there will be less than 400 vehicle trips per day from this project. The ACHD had no issue with the

project, so -- and, once again, this is not an uncommon issue with in-fill projects. These folks have to go somewhere. We are going to be closing that access out to -- out to Chinden. I really think that is about all I have to respond. I would be more than happy to answer any other questions that Council has.

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Mr. Canning, you touched on this a couple of times and so it's at least piqued my interest. Is the -- is the church trying to be sold? Are they trying to sell their lot and move someplace else? Is that what's warranted kind of -- you keep referencing the -- the designation for that land, but it is -- it's still a church that's in operation as far as I know.

Canning: Yes. Mr. Mayor, Council Member, yes, it is still a church. We are just stirring that as planners. Our office planners have been looking at it and saying there is a good chance something will happen there and the big issue is water and sewer provided to that parcel. We did a recent project with Zamzow's just to the west on Chinden and they were sure wishing they had water and sewer. So, that -- we just expect it. It happens.

Cavener: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thank you. Curious that -- I'm just looking -- it looks like you made a lot of positive changes in response to comments and it looks like on the west -- the westernmost side you lined up the lot lines from what I can tell. It looks like on the east side you did. I guess I'm curious in the southwest part, Lots 1 through 5, why you didn't try to match up -- did you -- or did you consider matching those lot lines with the neighbors?

Canning: We -- we did. Mayor and Council Member, we did look at that. Part of the -- part of the issue there is there is a couple of those lots that are around the corner in Saguaro Canyon, so they are -- they are huge lots, because they are -- they are -- they are kind of like a segment off of a curve. So, it was nearly impossible to -- to really match that without just making an enormous lot.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I'd just like to follow-up. I think in the past on this exact property City Council has been -- it sounds like pretty emphatic in wanting to see R-4. I guess I'm

surprised that you wouldn't -- and these in-fill projects are really hard, so I -- I empathize a lot. But I guess I'm surprised that you wouldn't lose like two lots in that southwest corner to try to say, hey, look, we have lined up exactly with R-4 on three sides. Maybe you put some more density in the middle. But I think that would have buffered the neighbors a lot more. I guess I would be curious if that's something that you would consider down the line or if you feel like this is what makes the most sense for the project.

Canning: It probably makes the most sense. That question specifically probably have to be addressed to the -- to the applicant. Mike? It looks like he wants to --

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. This is a -- been a difficult project being an in-fill. We had that huge ditch to deal with going across it and we finally talked to Settlers Irrigation about moving it up and around and piping it and, then, we are doing it 30 feet wide where it can work as a pedestrian path and they will be able to get around that and, then, we really stepped our game up centralizing the common area with the Bocce court and several other amenities. Joe, where is -- they were talking about where we are not matching up yet? I'm sorry to --

Canning: It would be this area.

Homan: Right here? Yeah. We have already dumped a lot to the west there and over to the east we are matching -- that's R-8 and we are matching their lot lines and, again, Joe mentioned the north that could be redeveloped into apartments or other things. So, we are good there. I would be willing to drop a lot on the west if that helps getting approved. And, then, again, our development agreement, we are locked into the lot count, which would be at four lots to the acre. So, right now we have got 30 -- huh? We got 40 -- counting the existing house. Yeah. So, on the west there to be more compatible I would be willing to drop a lot and that would be to the west of the property.

Canning: This might be an opportunity also to complain a little bit perhaps. When we do in-fill projects we typically get these stub streets that come into our projects. That south stub street certainly isn't where I would have preferred it. If it would have been in a different location we would have been much better off and just to say one more word about the R-4 zoning, to get that 8,000 square feet we are probably not going to be able to meet offset separations to intersections that ACHD requires, because of that south stub street. It's going to pretty much ruin that alignment of those lots over on the east side. We have to provide so many feet from that north-south road to that stub street and it's really marginal right now. So, going to R-4, just 8,000 square feet, it's -- it's going to be a heck of a density.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, just to delve into this a little bit more. So, under the R-4 zone I think we have a different new open space requirement as well, but I guess I would be curious if

you could compare -- if this was under the R-4 zoning -- previously you mentioned you would have to reduce the number of lots by 30 to 40 percent. That seems really high to me. I'm surprised it actually makes that big of a difference. What would be the dimensional standards of R-4 lots if -- you know, just to compare with whether it's 8,000 square feet --

Homan: Yeah. So, the R-4 my understanding is a minimum lot width of 60 feet wide and a square footage of 8,000 and so those ones where we dropped a lot already, the ones to the south, our lots there are 101 deep by 76, somewhere right in there. So, if I take another lot out there it would be more compatible. Some of those lots that back up to us are flag lots where they are super wide in the back and narrow on the front. But I would be -- we have worked real hard on this project to try to get everything to work and so I think where we got R-8 to the east there, we are compatible to the north. We are compatible. And, then, just this west property line, if we drop a lot out of there, those on that bank of lots, we would be over the square footage requirements there and be compatible. But, again, we will have it locked in in a development agreement that's holding us to 39 buildable lots.

Canning: And if I may maybe I could address that a little better. And a lot of that has to do with that offset difference between the intersections. In the R-8 zone you need 8,000 square feet. We can't really move the east boundary of that north-south road on the east road further to the west, because we will be getting too close to that stub street, so that means those lots along that west side -- or excuse me -- the east side, as an example, would have to be 80 feet wide to get to that 8,000 square feet. So, it makes a heck of a difference on the -- on that east side and similarly on that interior row of lots that would be a similar thing there. You would have to keep shoving that west road further and further to the west and that may be doable there.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: One more thing I would like feedback on -- I personally have really been struggling with annexations because of the overcrowding in the school system. This area is very acute. I personally have been an advocate for continuing projects for a couple months while we continue to have these conversations with the West Ada School District to at least get an understanding of their plan to cope with future growth. You know, is -- is that something that you are open to if this process takes longer for you to perhaps work on and come back with something a little different? Just wondering what your feedback is in terms of your timing and --

Homan: Yeah. Unfortunately, I'm about out of time on my purchase agreement with the seller and if there is a way that I could drop another lot on the west or to be more compatible and, then, the rest of the subdivision I think -- you know, we got R-8 to the east. We are good there. To the north with the church. Then we were real sensitive on that west property line to put very few lots in there. We only got two lots -- two new lots.

Yeah. Sorry. But drop another lot if it makes it easier for you guys.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I apologize. I'm not trying to hog the mic. I guess it's -- it's hard without a different plan being in front of us to react to it. Yeah, there was one gentleman who was up here who was saying, you know, he will have three neighbors now. I mean can you tell us like more specifically if you drop one lot, like kind of how that would line up? I honestly was suggesting that you drop two lots, which I'm sure you wouldn't love that idea, but that would exactly match up, then; right?

Homan: Okay. Sorry. Yeah. Just out of time. So, I mean if -- I would be willing to drop two lots to the west and line them up to be able to try to --

Strader: Thank you for the feedback.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I don't know if this is a question for Joe or Mike, but in -- in your -- your redesign are those lots on the east going to line up? You have got them one for one and if you go a lot wider now does that devalue the property that you are developing, because supposedly they don't line up now and there is going to be two houses -- I have two houses behind my lot. I have got a big lot. It is what it is. I mean are the houses that are on Tallinn that -- that face Saguaro, since there is -- yeah, people are matching two lots, how -- I -- I -- I don't know. You know, with your -- with your -- your pathway between there, you have got the easement if you put in the -- the canal and the ditch through that and pipe it, then, you have got some buffer. So, I think that -- that would help. But is there going to be any concern now if you change that and move those lots around, does that devalue the lots, because you are up against R-8? I mean you are -- Joe, I have to say, I was surprised you say you like in-fill. I think we are really hard on in-fill, because you got different people wanting different things and you can't really make it work for everybody. So, you have my sympathy, but --

Homan: To the east there when we had our neighborhood meeting we were -- before we had -- did the stub road to the church, we had one big lot back there. The neighbor behind there says I don't want a monster house behind me, you know. Can you readjust it. And I was like, oh, okay. So, we did when we put that stub road there, so their lot sizes -- we are matching the width that they are and, then, down here on the -- the only thing is to the south, you know, if we take two more lots out, we will be over the dimensional standards for the R-4 and, again, we are tied to that development agreement to -- that we can't, you know, add lots. So, just because we have the R-8 zoning, we are not putting eight lots in. You know, we would be -- right now we are at four and with his property, to

make everybody happy, I -- I think that if we drop a couple lots -- our lots are bigger than the R-4 standards.

Hoaglun: And Mr. Mayor -- oh.

Canning: If I may, I think Mike's talking about two lots on that south row and you are referring to the -- the R-8 lots?

Hoaglun: East side. Yes.

Canning: Yeah. And that was one advantage of putting that open space over there is that the units to the east in that subdivision are substantial structures. They are big and there is not much to set back to the side lot lines. So, when we first thought we -- we -- we tried to offset those property lines so that at least folks could look down at some kind of a corridor. But now with the open space there it's even we think much more attractive. We have pulled them further away from those buildings over there and they -- they are substantial structures.

Hoaglun: Okay. Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: My question for Alan -- and kind of for the benefit of people out there. If -- if we reach an agreement with -- on certain things and it goes into a developer's agreement, which when we refer to as DA, that's what we are talking about, that locks that property to that proposal, so if by chance Mike decides I'm going to sell, that DA goes with that property; is that correct?

Tiefenbach; Council Person Hoaglun, Mr. Mayor, Members of the Council, Alan Tiefenbach. That's correct. The DA is -- is -- the -- the staff report, the concept plans, the elevations, the landscape plan, all that is tied to the DA. That's the project that has to get built. As long as they substantially comply to that, like maybe they lose a lot, but it's the same general configuration, they could still build. They couldn't add another lot though.

Hoaglun: So, Mr. Mayor and Alan, to follow that, then, so if someone comes in, it's R-8, they can't now go, hey, we are going to do eight units, you know, to the acre. They have to follow that DA.

Tiefenbach: They can do less, but not more.

Hoaglun: Right. Okay. Thank you.

Simison: Council, any additional questions, comments?

Canning: If I could for just a moment. The only reason I like in-fill projects is I think from a planning perspective they make sense. They are hard to do.

Simison: Joe -- and I think -- if I could -- I'm going to speak up for the applicant just a little bit on this is if we are asking people to do in-fill there is give and take and I think we have seen that our zoning standards have not made sense in some of the applications we have seen, whether they are in-fill or whether they are on odd-shaped parcels. Sometimes zone matters, sometimes design is more important than zoning. I'm not going to say which one is appropriate here, because right or wrong some of your challenges are because you have an existing home that has chosen to stay there. If that home wasn't there, how would this design be different even from that standpoint. You know, we can't say from that standpoint, but you are dealt the circumstance you are with and you try to make it work and sometimes zoning matters, sometimes design is more important. I will let you guys sit down now, but I would sit in the front row.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Kind of kick off discussion a little bit. You know, that's the interesting thing about in-fill projects is they are -- they are a challenge, because you do have different interests and different things and -- and this is -- this is interesting, just because it's actually following the comp plan and how many times do we get developers coming in wanting to change the comp plan and everyone around it is saying follow the comp plan. You are not following your own plan. So, you know, we are -- we are following our plan here, but we are thinking what -- well, we might need to change it, when, you know, that's what we try not to do. And we also know that topography, man-made features, in this case a canal, make in-fill projects a challenge. How it's designed. As you noted, Mr. Mayor, the existing house. They have already decreased the -- from the 48 to 40, which is a, what, 16, 17 percent decrease in the number of homes. There is that challenge to the -- to the north of what will that be someday. Is that going to be commercial? Is it going to be something else? The willingness of the applicant to fix that -- what would that be, the southwest corner with lots, making that match makes it more attractive. The other hard part is in-fill is the most inexpensive impact to the city when it comes to sewer, water, police, fire. It's all in place. Roads, they are -- they are there. They are ready to go. It just -- that's why I'm always -- when we don't do an in-fill project that's a good project, it just kind of weighs on me a little bit just from the fact that, man, everything is there, the cost is -- it's as low as we can get it and -- to make it work and, yes, there is an impact to the schools, we have got them coming. I think staff for the first one on the 22nd and, then, other officials later on. But for our lane, for city services, this -- this -- it makes sense to -- to do in-fill projects like this. It just -- it works. But, you know, depends on what the whole Council wants to do.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will dovetail on Councilman Hoaglund's comments. This is quite different. It's progressed from 2015 to today, even from P&Z to today and -- and even through today's

hearing I think the applicant's made a couple of concessions, which do assist in that transition and capture some of the characteristics of some R-4 lot size design, at least to that south, southwest. So, I -- I thought with the concession of removing those two lots -- I understand the road setback issue. I -- I think it's a good project, quite frankly. It's -- it meets the mark in my eyes. The setback -- or excuse me. The open space around the perimeter also provides some buffer and setback to the east and also to the north. So, all in all these in-fills -- Councilman Hoaglund is correct -- are difficult. I'm glad that we take our time and grind through them, because they are hard, but they are very important to get done right and I think the applicant with the -- the changes that were provided today in my eyes it meets the mark. I know we don't have findings of approval, so I think if something were to proceed my sense is it still has to come back for conditions, but I think it's met the mark.

Simison: Yes, Alan.

Tiefenbach: Mr. Mayor, Members of the Council, Alan Tiefenbach. Staff did draft conditions of approval. Those are in the staff report and those are crossed out. So, if you were inclined to approve this tonight you could just overturn what the Planning Commission struck and resustain the conditions of approval. They have already been written.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Does the applicant agree to -- if this were to be approved -- the conditions of approval that were struck out?

Canning: Mayor, Council Member, yes. The one exception is I think Alan, yeah, talked about the offsets on the east side.

Tiefenbach: That's correct. That's the only one they didn't agree with was lining up the side lot lines with the subdivision to the east. Staff mentioned at Planning Commission that we weren't going to die on the sword for that one.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: So, Members of the Council, if you were to go that direction we would need a new plat map, though, because this -- with the two less lots they have agreed to remove on the southwest.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You know, I originally was -- after reading the application was pretty dead set against this, but I do feel you have made a lot of changes. I appreciate the concession the key concession of losing two lots to the southwest. I think that's going to make a big difference for the neighbors, you know, look, in-fill development is really tough. I think we all know that the city is growing. I think when you are looking at medium density residential in your future land use map, probably the best transition you could ask for as a neighbor, if I were in your shoes, that I would be hoping for is to have the lot lines match up or very close. I think that the applicant hopefully will be able to accomplish that with this change and it's a very small -- relatively small project compared to some of the ones we look at at ten acres. Given that it's in-fill I think I could probably stomach it, although I'm still upset about the school issues, but I think we are definitely making a lot of progress on setting up some meetings on that and certainly 20 kids is not going to make or break it anytime soon. I think we have time to work through that. So, that's where I'm at. I think I'm supportive of it now with that change.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: The public hearing is open. I -- I tend to agree. What I -- I appreciate, honestly, the -- the communication from our Planning and Zoning Commission and the applicant being responsive. Sometimes when P&Z says go one way and the applicant shows up not taking that into consideration, that really -- I think at least irritates me as a Council Member. So, I appreciate, one, taking the feedback from the Planning and Zoning Commission to heart and the feedback from the public tonight. I was pretty opposed to this project mostly for the student piece. I think, honestly, with the -- with the loss of two lots we get much closer to -- I think what the residents would envision around an R-4. I do think these homes would mirror similar to what's around the neighborhood and, obviously, being tied to the developer agreement gives me enough comfort and I agree with the sentiments that in-fill is so hard and I -- I think that we -- we tend to be a little more critical of -- of in-fill than -- than other projects. But I think this does meet the mark and I could be supportive of it in light of the reduction of lots.

Simison: Well, as was mentioned -- I don't want to presume, but I'm -- do we need to continue this to give time to redo the plat?

Canning: Mayor and Council, as far as adjusting that plat, that will be just a few days. I'm not moving any streets, so that's pretty easy.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. The -- your part is easy. Our -- getting on our schedule is the hard part. Chris, I -- I don't have the agendas in front of me from future meetings and Alan's got some different things.

Tiefenbach: Mr. Hoaglund, Members of the Council, Mr. Mayor, my only comment would be that we have code now that says that if they are making revisions to plans they should be 15 days in advance at least.

Hoaglund: That would -- Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: What -- what does our schedule look like, Mr. Clerk, for mid -- mid March?

Johnson: Mr. Mayor, Councilman Hoaglund, looking at the hearing calendar, mid March, the 3/15 hearing, appears to be pretty light. 3/22 as well. 3/8 you have three -- three public hearings that are quite large already scheduled.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund?

Hoaglund: Mr. Homan, March 15th, knowing that -- where we are headed, does that work for you and your situation that you find yourself in from a timing standpoint?

Simison: You will have to come up to the mic, Mr. Homan. Thank you.

Homan: Looking at it with losing two lots there on the south side, those lots go from 76 to about 85 on width. If there is a way that -- that we could -- I'm really tight on my time frame on my offer, but if not that will work, you know, with that date.

Hoaglund: I guess, Mr. Mayor and Mike, you know, I mean the Council is talking about, you know, the changes that you have made looks acceptable and, you know, with everything coming in the way we think it's going to come in would -- would be favorable over moving forward, so --

Homan: Correct.

Hoaglund: -- on the public record does that help you in your situation?

Homan: Yeah. Yeah. It would. Thank you.

Hoaglund: Okay.

Simison: Okay. Then with that do I have a motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we continue the public hearing for Friendship Subdivision, H-2021-0083, to March 15th.

Strader: Second the motion.

Simison: I have a motion and a second to continue the public hearing until March 15th. Is there any discussion? If not, all in favor signify by saying aye. Opposed nay? The ayes have it and the public hearing is continued.

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: To add one more -- so, since Alan said the previous findings were for approval and if he can adjust those for the 15th, I don't like to have the development agreement done before the findings are approved, but if we feel that we are going to be comfortable with that we can have the development agreement also ready, so that if that can be approved with Mr. Homan's signature, then, it will be only one additional week to add the ordinance.

Simison: Alan, would you like to rebut that?

Tiefenbach: I don't want to rebut, but just to clarify, how many lots did we land at?

Hoaglund: Minus -- minus two.

Tiefenbach: So, we are at 38 lots? That's the agreement? Okay. Fine with Mr. Nary. I mean he's the attorney. They would be the one drafting the agreement. I would just be doing pretty simple work with the conditions of approval.

Simison: Okay. All right. Joe, see you back on the 15th with whatever you can get accomplished.

ORDINANCES [Action Item]

- 4. Ordinance No. 22-1969: An Ordinance (H-2021-0066 – Red Aspen) for Annexation of a Parcel of Land Lying in the NW ¼ of Section 24, Township 3 North, Range 1 West, Ada County, Idaho, and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City Of Meridian; Establishing and Determining the Land Use Zoning Classification of 2.99 Acres of Land from RUT to C-G (General Retail and Service Commercial) Zoning District in the Meridian City Code; Providing That Copies of this Ordinance Shall Be**

McCarvel: It has been moved and seconded to recommend approval for H-2021-0092 with modifications. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Would the Commissioners like a five minute break?

(Recess: 7:58 p.m. to 8:06 p.m.)

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

- A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
- B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.

McCarvel: All right. We will resume with H-2021-0083 and we will begin -- Friendship Subdivision and we will begin with the staff report.

Tiefenbach: Good evening, Madam Chair, Members of the Commission. This is Alan Tiefenbach, associate planner, City of Meridian. Okay. This is an application for an annexation and zoning to R-8 and preliminary plat for 41 lots. The property is located south of Chinden and west of Locust Grove. The Brookdale Estates Subdivision is to the west, which is here. The High -- and that's zoned R-2. The Hightower Subdivision is to the east. That's here. That's zoned R-8. The Saguaro Canyon Subdivision, which is down here, is zoned R-4. There is an existing church that is located here. This property was proposed for annexation and zoning to R-8 in a plat for 48 lots. That was the Bull Ranch Subdivision. That was proposed in 2015. That was subsequently denied by the Council with density being cited as the primary concern. This property is recommended for medium dense -- or excuse me -- designated for medium density residential, which is eight to 12 dwelling units per acre. This application is for annexation of just a little over ten acres of land with the R-8 zone district and a preliminary plat, like I said, to allow 41 building lots and seven common lots. North Elk Ranch Road, if you can see my pointer, if I'm not doing it too quickly, this is a private road and it presently provides access from the subject property, which right now is a house, which is here, to Chinden Boulevard. This subdivision proposes to connect to three existing local streets, which already stub at the property. So, one of them will be East Lockhart Street to the west. That would be here and you can see it down here, but I will show you on the plat here. East Lockhart to the west, East Tallinn to the east. This is from here. And North Senita to the south, which is down here. They are also providing a stub to the church to the north, just in case that property develops in the future. The Uniform -- Uniform Development Code states that when a property has an existing access from a state highway and an applicant proposes a change or increase in intensity of use, the owner shall develop or otherwise require

access to a street other than the state highway. In this case they already are showing three existing accesses and one stub. As a condition of approval staff recommends the applicant vacate all the interest in North Elk Ranch Lane, which, again, would mean they could no longer use it for access, again, because the property already has three existing points of access and will have a fourth. The plat shows the North Slough is bisecting the property at approximately a 45 degree angle. That's what you see here. There were some discussions about how it was going to be rearranged, but we have worked it out and the owner will reconfigured this toward the northwest corner of the property. This will be coordinated with the irrigation district. The applicant has submitted elevations of the single family home for this project. These homes appear to meet design requirements for single family and they are consistent in general with the architecture of the existing surrounding residences. Staff has expressed several concerns in the staff report. Two of these included -- well, first one was including removing a lot at the south to be more consistent with the lots in the Saguaro Canyon Subdivision No. 2 to the south. The other concern was for the applicant to reconfigurable Lots 1 through 10, Block 1, along the eastern perimeter, so that the property lines will align with the lots in the subdivision to the east. The applicant submitted plans today which show a lot has been removed from the south and that's when I showed you the arrows, if this makes sense. So, this is what was -- this is what you saw on the staff report. There were four lots down here. This is what you see today. So, they have taken away one of those lots and they have moved that lot up to here, which was previously open space. When I go to here you will be able to see the difference with the open space exhibit. So, the one on the left where you see Block 3, that was the open space before. What you are seeing there on the right is now the second open space, because this new lot has been moved here. So, they did increase the lot sizes on the south to be more consistent with the adjacent subdivision, but it also decreases the open space from almost 15 percent to a little more than 12 percent. Now, the -- under the current code that's in effect now they would be required to provide 15 percent open space, but this came in at the time when only ten percent was required. So, they are still slightly over what they would have been required had they -- when they submitted under the previous code, but they are under what would be required under today's code. As of this morning staff has received one letter in opposition and this was from the property owner -- or from one of the developers of the property to the west. This was concern in regard to the amount of properties that are being zoned R-8. They were proposing that it would be more appropriate to be zoned to R-2. About the lots to the east. And I will back up so you can see these. One of our concerns were all of these lots onto the east, the way that they line up with the property here, they are slightly offset. It's not a deal killer, but staff's concern with that is that, first of all, the fence lines would be really kind of weird and it would also make the ownership kind of funky, because it wouldn't -- you wouldn't be able to just logically figure out where your property ownership is, so they are slightly offset. Staff has mentioned that was a concern to the applicant. The applicant is moving forward with the configuration as is. I will leave it to the Planning Commission to decide if that is an issue to them or not. But with that this plat does meet all the requirements of the UDC. It is consistent with the designation of the Comprehensive Plan. They have met the minimum requirements for the open space and the amenities. With that, then, staff recommends approval with the conditions that are in the staff report. We would support the site plan that they submitted today. But, again,

we think that the lots to the east should be configured with the lots next to them. With that I'm done and would stand for any questions or comments.

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

Tiefenbach: Oh, sorry. I was just -- I was just corrected and sorry about that. I did make a typo. The density there is three to eight dwelling units per acre, not eight to 12. That was my bad. I just missed that in my presentation. So, they are still within their designation. It's a little on the high side, but three to eight is what they are allowed, not eight to 12. So, I stand corrected.

McCarvel: Thank you.

Canning: Madam Chair, Members of the Commission, my name is Joe Canning and I'm with Centurion Engineers in Boise, Idaho. 5505 West Franklin Road. And I am here tonight with the applicant Mike Homan and we may share part of this presentation if he thinks I missed something. So, we will see how that goes. So, Mike is here. I just wanted to briefly note the staff report. Thank Alan for his efforts on this. I must admit that in an effort to react to the staff's suggestions in the original staff report we have been pushing stuff around here the last couple of weeks and with the holidays it's been a little bit tough, but he did get the correct or current layout in the presentation tonight, so we appreciate that. And we have to apologize, it's been a little hectic here lately, so my apologies on that. And Alan did mention -- I think the two things that were in the staff report that were particular issues for us. Number one was delete the lot along that sound boundary in that southeast corner. However, we agree with that. The other issue was the lot lines along that east boundary, getting them to align with the lot lines to the project to the east and I will discuss that a little more later. I did want to comment on the comp plan designation. The comp plan designation is for medium density residential, which is three to eight -- eight units per acre. We are proposing 41 units at about 4.1 units per acre. So, we are actually at the low end of the comp plan designation for that medium density residential and I think it's worth a moment just to talk about the property to the north. The Friendship Celebration Lutheran Church is there. The comp plan has that designated as an MUC. It's currently in the county. If annexed and further developed the project will probably come forward as a mixed use of maybe R-15, R-40, and commercial. I think that's kind of key to the use in this project that we are proposing tonight and how we try to transition from the existing neighborhoods up to what could happen to the north and even if it doesn't develop there are some significant open areas to the north of this project that are the church's, of course, but certainly be a benefit to the Friendship Subdivision occupants. And the other important thing I think I need to note here is that there is a Settlers Irrigation District lateral through here. That slough. That has a notable impact to the site design. Actually, it's a quite large impact to the site design. There is approximately 1,200 feet of pipe necessary to relocate that lateral. That's 36 inch pipe. It's reinforced concrete. It's a considerable expense to the project. And it did lay out some of the goals of what we tried to do when we did the layout for the subdivision, such as -- some of those -- we wanted to place those in a minimum of 30 foot common areas, because Settlers has told us they want a minimum 30 foot easement for that pipeline. So, all of our goals -- we tried

to put that pipe in at least a 30 foot common area. We wanted to place it near the street. We have had issues in the past where laterals had to be torn up in backyards and neighborhoods. Rather large pipe. It's a heck of a mess. A war zone. If this pipe would ever have to be replaced its access from the public streets is, in my opinion, huge. It really helps the future use of that lateral maintenance by the crews of the Settlers Irrigation folks. It's a real asset to the operation of that lateral. And the goal was to minimize utility crossings. That's part of why we picked the common areas as we did. There is only one sewer crossing -- a private sewer service that has to go to that existing house that will cross that lateral. The main lines will cross under it and all the services are going to avoid it. That was a huge -- a huge part of the impact we had on the design to the project. The staff report issues, transitions of lots size, this is where I get back to the two comments in the staff report that we did -- we were concerned about. One was to remove one lot at the southeast corner of the project. We agree with that. We did that and that's the layout that Alan showed you tonight. However, we did move that lot to the interior of the project by that cul-de-sac at the southwest corner. The other issue was aligning the lot lines along the east side of the project with existing lot lines to the east. We were a little puzzled by that comment. The structures that are east of us are rather large. They take up almost all the width of the lots. Our first thought was, actually, an offset property line may be better, because at least the occupants of Friendship would have a little corridor that they can see down on the buildings from the east. However, the main driving factor was the Settlers Irrigation lateral. If we didn't line up those lot lines to the east, the common area that's to the east of us along that south road -- it's only -- it's less than 20 feet wide. One of our goals was to maintain a 30 foot easement minimum for the Settlers. That's why we have that large -- rather large common area on the south side of that road along the side of the project was to make for sure that that irrigation lateral relocation and would not interfere with any of the homes that could be built within Friendship. So, I think the real issue with the comp plan is compatibility of -- of neighborhoods and they have 9.5 lots adjoining our property. We have nine building lots. So, I think it -- I think it's quite compatible and I just wanted to mention that this is a little bit of a difficult site to develop. The cost of that irrigation lateral is signified and not that cost is a matter or an issue for approval of the subdivision, but it certainly is to make it possible to develop. That's one of the main reasons we opted just to move that one lot from that southeast corner back into that open space. There is more than adequate open space for the project to meet the code when it was submitted, so we are really trying to maintain those 41 building lots. It's quite important to the success of this -- of this project. Construction costs are through the roof. I can't even imagine right now what it's going to cost to put that 1,200 lineal feet of 36 inch pipe in, but it's going to be quite significant. A few other things. There is an existing pathway on the west boundary near the southwest corner. It comes over from the subdivision from the west. Of course, we are going to connect to that, bring it into where our cul-de-sac is. We are posing a new pathway to the church property at our northwest corner. To be honest, part of that is to cover the irrigation lateral -- the irrigation lateral runs in that area, but, once again, the goal is to make sure it was in a common area. Friendship Subdivision is surrounded by development. It's, essentially, an island in the city that could provide much needed housing to the area. We believe we have proposed a quality style of project that will help fill the need for housing. We respectfully hope that the Commission supports the annexation and zoning and preliminary plat and

with that I will end. I don't know if Mike wants to add anything. Apparently he is okay. So, I would stand for any questions of the Commission.

McCarvel: Any questions for staff or the applicant? Commissioner Seal?

Seal: Madam Chair, yeah. Just -- what are the amenities that are being provided with this?

Canning: Yes. Madam Chair, Commissioner Seal, I hadn't looked at the landscape plan for a while, but there are some -- I believe there is some picnic areas proposed. There are, of course, some pathways proposed that will be going in. Those are the primary amenities.

Tiefenbach: Mr. Seal, I believe that there is a -- there is a playground or like a tot lot, a picnic table, and a bench. That was my understanding.

Canning: Yeah. I think you are right, Alan. There is a tot lot with the -- with the -- with the picnic area. Correct.

Seal: Thank you.

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

Canning: Thank you.

McCarvel: Do we have anybody signed up to testify on this application? Chris, we have Caleb running to the back of the room, but do you have anybody online?

Johnson: Madam Chair, we had nobody sign up in advance. There are some people in Zoom that if they want to raise their hand if they wish to speak.

McCarvel: Okay. We have one person on the list here that's indicated a need to testify. It's Mike Homan. Okay. That being said -- so, we -- do you have some on Zoom that have raised their hand?

Johnson: Madam Chair, nobody's raised their hand, but there are people watching, so I just wanted to tell them if they do wish to speak they can raise their hand.

McCarvel: And is there anybody in the room that wishes to testify on this application? Okay. Come forward.

DeGrazia: Hi. I'm Karen DeGrazia. I live at 6297 North Rosa Springs Avenue in the Hightower development. I have a question. Why are they rezoning it from an R-4 to an R-8? That's my question. Thank you.

McCarvel: Any other questions -- any other -- anyone else wishing to testify online or in

the room? Okay. With that would the applicant like to come forward? Oh, Alan.

Tiefenbach: I was assuming that the Commission was quite versed to be able to answer that, but just to clarify, this is being annexed. The property is not in the city at present, so it's not being rezoned from R-4 to R-8, it's being annexed into the city from county zoned property and being zoned to R-8.

McCarvel: Okay. Does the applicant have anything to add or do we have questions for the applicant?

Canning: Madam Chair, I don't really have anything to add. I would be more than happy to answer any other questions.

McCarvel: Any other questions or do we have a motion to close the public hearing?

Seal: Madam Chair, just one question. I know you made the -- you're meeting the minimums for what used to be, but you are not there for what is now, so -- you know. And I'm not looking at anything extraordinary that I would give you a pass on for today's standards, so would you be willing to get rid of that -- that house that you moved in order to increase the common area and --

Canning: I think I would have to direct that to the applicant, rather than myself. Mike.

McCarvel: Yeah. I would pile on, since we are chatting about that. I mean at least some significant -- something other than a tot lot. I mean something significant in that open space, since it is minimal, if not removing that lot.

Homan: Mike Homan. 6820 West Randolph Drive, Boise, Idaho. 83709. What was your question, sir? I'm sorry.

Seal: My question was on the -- the common space and, basically, it meets the requirements of what was, not what is. So, if I was looking at something today that was, you know, essentially, on the requirements of today I wouldn't give this a pass, not meeting the 15 percent, much less we are down to 12 percent. So, instead of adding that lot back in that was moved over to Block 3, Lot 8, there, would you be willing to forego that, so that the common space meets the 15 percent requirement of today?

Homan: When we did that, you know, it was at ten percent. That's what we negotiated the property for. Then we got this huge ditch that we got a pipe -- concrete pipe and that. It's been a really challenging site to do for an in-fill and we were thinking we would be about right in the center half of -- you know, to what -- we are at about 12 -- between ten and 15 percent and, then, we were going to do a tot lot and, then, picnic tables and have some features in there and, then, again, to the north is that church. We even named the subdivision -- we had a really good meeting with them and we named our subdivision Friendship and stuff. So, it's a tight project to do and if I didn't have to do that big pipe I would just say, yeah, one lot is nothing, you know, to lose, but we are really tight on this.

I would like to keep it if I could, to answer your question.

Seal: Okay. Thank you.

McCarvel: Yeah. Would you have any thoughts on some other significant amenity, instead of just a picnic table or --

Homan: We would look at adding, you know, more to that, if it was something --

McCarvel: To make it substantial.

Homan: Yeah.

McCarvel: Any other --

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

Cassinelli: And this is -- this is more for staff. Why -- since this project is -- is still at this stage, why -- first of all, when did it switch from 15 to ten? And why are we looking at the old requirements versus the current requirements when -- when we are not even approved yet?

Tiefenbach: Caleb would know the date that it actually was approved, because he's smarter than me and he was here and, secondly, generally when you make an application before the new code goes into effect we have to review it under the old standards, not the new standards. This was submitted before that happened. When the pre-app had started it was before the new -- the new code was in effect. Caleb, do you remember when it was passed? Was it July'ish? Time moves fast here.

Hood: Madam Chair, Members of the Commission, no, it wasn't that long ago. It was just this fall, so -- but, yeah, as Alan stated, you are vested with the laws that are in effect when you submit the application, not when you get to hearing. So, they have been in the queue and are reviewed against the plans -- laws in effect at the time of submittal. So, that's why the discrepancy there between the ten and 15 percent. I can find the -- the exact date that it went to effect, but, yeah, it was just this fall.

Cassinelli: Okay. Thank you.

McCarvel: Any other questions for the applicant or staff? Okay. Thank you. Can I get a motion to close the public hearing on H-2021-0083?

Cassinelli: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to close the public hearing on H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

Yearsley: I will step up. I understand the applicant's plight of having to install the drain, but I still like the idea of having that 15 percent open space and losing that lot. I don't know, I just -- I -- it's for me it's still fairly dense and having that one lot and having that open space to me makes it more palatable.

McCarvel: Yeah. I guess I'm concerned a little bit more about the open space than I am about aligning those lots on the east. I think -- I mean those look fairly tight anyway from what's on the other side of it and I would -- I would hate to see them try to finagle those even tight -- the ones on -- on their side that tight.

Yearsley: Madam Chair, I agree. I think you would end up having to lose a lot there to make those line up and --

McCarvel: Uh-huh.

Yearsley: -- I would prefer to keep -- maximize my open space than to try to have the lots line up.

McCarvel: Yeah. I'm more appreciative of them losing the lot on the south side and making that fit in better with what's on the south.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would like to see a little bit more in terms of how this lays out with where the amenities are going, what's going on, and I'm going to say something that I don't think I have ever said in the two plus years or whatever I have been on here. I -- I -- I think I would almost rather see this be R-4 than R-8 in -- in how it's laid out, just because it's landlocked, but --

McCarvel: All right. That's it. It's not a rally.

Grove: -- I don't know. I have some issues with the general layout and I don't know how to describe it quite yet.

McCarvel: Commissioner Cassinelli.

Cassinelli: I will go with the easy one. I don't have a problem with the east property lines lining up. I -- in my subdivision -- internally in my subdivision I don't line up and I actually like -- I can see between the houses when I look out my backyard. So, I think that's a -- that's a plus and I don't think it's a -- there is any negative to not lining up, other than if everybody chooses a different fence style it's a little weird, but that's the easy one. I understand that the -- the density wanting to transition into the mixed use community on the -- on the north and to the -- to the east. That entire -- with the exception of the R-2 there that's right next to it, everything else surrounding it is R-4. It almost makes sense to -- to maybe look at it as an R-4 for that reason, just because -- and -- and the other thing is I look at -- if Council -- and, granted, it was a different Council at the time, but if Council didn't like the -- the R-8 before -- I mean we are only -- we are talking seven lots in there, you know, would they -- would they like it at this. So, it's odd to me why maybe they didn't come back as an R-4, as opposed to that. And, then, with regards to the open space, I guess we can -- I guess, you know, it was ten percent, so that's -- that's I guess how we have to look at it. I would, however, want to see more when it comes to the amenities. I don't think a tot lot and a picnic table is -- and in a couple paths are enough, frankly. So, I would want to see more there. I would like to see that -- that one lot -- I -- personally I would like to see some of the lots on -- I'm not looking at the layout of it right now, but I would like to see the -- the -- maybe the lots on the -- on the north -- maybe some open space up there, because those are pretty tight up there. That's how I would look at it.

McCarvel: I know that they are trying to get the open space to -- you know, where that pipe is running, but it seems like the open space is real close to all the bigger lots and it would probably be more useful --

Cassinelli: Well, if they kept that one that they have moved over there and, then, opened up something along the -- it looks like it's Block 5 up there. I'm not sure. But one of those -- you know, those lots up there, if they open up one of those for some more common space up there or I would be willing to trade -- trade that -- again, I would like to see a little bit lower density in there, but I would trade off better amenities for the same open space. I just -- I don't -- I don't think the amenities are -- are strong enough. I don't know what that looks like, but I would want to see an improvement there. Oh. And I did have a question for staff. The house -- the existing house that's there -- is Elk Road -- Elk Ranch Road is gone all together? Is that house not going to take access off the -- off Lockhart?

Tiefenbach: Correct. Conditional approval of this is that they vacate the entrance, so the house -- the existing house would no longer be able to take access from Chinden.

Cassinelli: Okay.

Tiefenbach: They would have to -- they would have to vacate their interest in that easement.

Cassinelli: Okay. Thank you.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: This is one of those -- I like to call this a have your cake and eat it, too, because it seems like the house -- the remaining house that there is kind of selling the land around it. I don't know if that's the case here, but it seems that way. So, you know, trying to have your cake and eat it, too, here, so -- the layout is -- to me it looks like they are taking all available land and trying to put everything that they can on it and the open space is just an afterthought. So, I think it's unfair to the people that are going to have to live there. I know they put some thought into where the sewers are going to run and I understand there is a huge expanse in -- in piping that ditch, but at the same time it just -- you know, it's unflattering, basically. It just looks like it is done to maximize the return on investment and there is just not a lot going for it after that. I mean it's basically just going to be a place for people to park their cars and, you know, more garage farms. So, I don't know if it's appropriate at this time for where we are at. I know -- you know, I mean compared to 2015 I know we have a lot higher tolerance for a lot more density, just because the way the city is growing and so I mean it's not multi-family, you know, or we would probably have a fleet of people in here arguing this. So, I just don't think that it's -- you know, it's -- I don't think it's maintaining that kind of premier atmosphere that we are trying to do -- you know, get for Meridian, so -- you know, Meridian in and of itself is landlocked. There is no more land out there that we are going to accommodate. So, what we have we have to do it and we have to do it right and I just don't think this is -- this is it.

McCarvel: Comments? Motion?

Yearsley: I'm just amazed that my fellow Commissioners -- I'm always up for R-4. Yeah. Over R-8. So, I'm just kind of amazed that my fellow Commissioners have made that comment, so I'm very supportive of an R-4.

Cassinelli: So, do we continue this and --

McCarvel: If you are going to -- we have to reopen --

Cassinelli: We would have to reopen --

McCarvel: Yeah. Let's reopen. Need a motion to open H-2021-0083.

Cassinelli: So moved.

Seal: Second.

McCarvel: It's been moved and seconded to open H-2021-00083. All in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Would the applicant like to come forward.

Homan: Mike Homan. 6820 West Randolph Drive. Mike Homan. I would -- would agree to lose one lot. You guys could decide where it was best to lose the lot. Your idea to the north was -- you know, kind of had more -- some space over there.

Grove: Madam Chair?

McCarvel: Commissioner Grove.

Grove: I would prefer not to redesign this here --

McCarvel: On the fly. Yeah.

Grove: I would say we either continue or deny, but trying to sit up here and design and figure out which lot to remove doesn't make sense to me.

McCarvel: I -- yeah. I would say probably have it come back with a little more -- some thought on making it usable open space and not just open space as a buffer to the existing home. I think that's what we are seeing. And I think that's where the hang up is. If you are going to have the subdivision, you know, built out it needs -- the amenities need to benefit this subdivision, not just be a buffer to the existing house. Yeah.

Homan: What about if it was approval subject to -- you know, where I agreed to lose one building lot and leave it up to City Council?

McCarvel: Yeah. I just -- I'm guessing -- I don't -- not thinking you're understanding. It's not just about losing one lot, it's about making this open space functional and usable to the subdivision. Am I -- am I saying that -- I don't want to put words in my fellow commissioners' mouths, but --

Seal: I think you have said it eloquently.

McCarvel: Okay.

Homan: With that extra lot that I would take out, remove, I would be in compliance, I believe, with your 15 percent. Yeah. So, what I'm saying is with agreeing to drop another lot for common space, I should be in compliance with your new ordinance, with the 15 percent, and with an in-fill piece -- this is a challenging site. It had that ditch going through there. We had an existing house. It's a pretty nice home, it's not a scraper house, or -- and we are just trying to work with what we can work with and I think if we left it up to City Council to -- you know, we will agree to drop a lot and, then, submit to Alan some plans with a -- you would have a chance to review them and so this wouldn't be the final say. City Council would have a chance to review it and Alan would again and -- we are just really tight on time as -- on our purchase agreement. So, we would like to keep it, you know, moving forward, but agree to make a concession and lose another lot if -- it's

financially tight, but as -- anyway, I will agree to that if that helps at all.

Seal: Madam Chair, it sounds to me like -- I mean I think we are kind of all on the same page, so if the applicant wants to gamble with City Council I think we can move it forward with a denial and he can take his chances with City Council.

Homan: It would be nice to have an approval. There -- you know, a recommendation. I would -- maybe can we leave it up to City Council has another say so on it and staff -- Alan's going to be there for the City Council thing saying that we have, you know, worked out it.

McCarvel: Yeah. You know, we are -- just we are the recommending body and we are kind of here to have staff and the applicant and the public and everybody's opinions kind of come together and we try to clean it up real nice, so it goes to City Council with everything worked out, but I'm thinking we are kind of not on the same page here about what we are asking for as far as the open space and not just being one less lot. It's about being functional open space and so if -- you know, if you are not wanting a continuance to bring it back to us, we can recommend denial and the reason for our denial and, then, you can take that information and move forward to City Council and, you know, if you have changed a few things that you think meet what our denial reason was, then, City Council may take a look at that and -- and say, okay, yeah, they -- he met the spirit of what Planning and Zoning was thinking or they may have their own -- I mean, yeah, we are just -- it's a recommending and so if we deny it we will give a reason why and so if you fix that reason by the time you get to Council, if you are on a tight time frame, then, that's -- that's kind of where we are at. Otherwise, we can recommend a continuance if you want to bring back a different design, but I think if your thought is you are just going to lose a lot somewhere, I think that's really not what we are asking for.

Homan: What would meet your new ordinance, you know, with the 15 percent and we can put some thought to work with Alan where is the best place, because we don't really -- we want to do the best thing for the subdivision and get some input and so we are agreeing to do what you guys want, we would just like the opportunity to work it out with Alan before our City Council thing and not have a denial on our thing and that's -- and try to do the best we can with the circumstances on the property that we are working with and sometimes it's challenging with ditches and other stuff. But I would be willing to really work with you guys if you give me a chance to.

McCarvel: Yeah. And a denial doesn't mean that we are not -- you know, that you don't have the chance to work with it. It certainly gives you -- it gives City Council our thoughts and definitely you would have a chance to fix it and move on.

Homan: Okay. Thank you.

McCarvel: Uh-huh. Do we have any other questions for Alan?

Tiefenbach: Hi. Ms. Chair, but not for long, and Members of the Commission, even though she is tenured and she will be here forever. Just a quick note for the applicant,

probably, is if this does get continued we are talking -- and I will have to defer to Chris, but the second -- the next one in January is totally full --

McCarvel: Yeah.

Tiefenbach: -- and February I think is filling up. So, we are talking about, you know, at best the first week in February and I will defer to Chris Johnson if we can even make that hearing.

McCarvel: Right. I mean --

Tiefenbach: Because it has 15 days in advance to get the plans to you. So, you know, it's not going to be quick. More than a month.

McCarvel: Yeah. I think at this point, then, based on the applicant's preference to keep moving forward in his timeline, I would think it would be best to move forward with a denial and recommendations on why we are denying -- why we are recommending denial and that would give him the opportunity to fix it and let City Council go on from there.

Seal: Agreed.

McCarvel: Okay. So, at this point, if we have no more questions for staff or the applicant, we need to close the public hearing on H-2021-0083.

Seal: So moved.

Cassinelli: Second.

McCarvel: It has been moved and seconded to close public hearing on H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend denial of the City Council file H-2021-0083 as presented during -- during the hearing on January 6th, 2022, for the following reasons: So, that they can provide more open space and more functional open space that is integral to the subdivision and, then, is better suited for R-4 and not R-8.

Yearsley: Second.

McCarvel: It has been moved and seconded to recommended denial of H-2021-0083. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

McCarvel: Okay. We have one more item on the agenda. No, we are not done. We will address this one. I would love to nominate Commissioner Seal as president for the 2022 --

Cassinelli: I will second that nomination.

McCarvel: -- Chairman.

Cassinelli: I will second that.

Yearsley: I know -- I think you have done a great job in filling in, Commissioner Seal, and I think you would be a great Commissioner --

Seal: Thank you. Appreciate that.

McCarvel: It has been moved and seconded to recommend Commissioner Seal as our new chair. All those in favor say aye. Opposed? Motion carries.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I don't get a vote?

McCarvel: Nope.

Yearsley: Well, you can, but --

McCarvel: You can, but you have been outvoted.

Johnson: Madam Chair, can you repeat who made the motion? I put down Commissioner Seal made the motion and I'm sure that's not correct. I want to get that correct on the record.

McCarvel: Former Chair McCarvel made the motion.

Johnson: Thanks.

McCarvel: Former Chair McCarvel would also like to move that Commissioner Grove be the new vice-chair.

Seal: Second.

Cassinelli: Third.



AGENDA ITEM

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

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



In the Matter of the Request for Annexation of 10.06 Acres of Land with the R-8 Zoning District and Preliminary Plat to allow 38 building lots and 7 common lots, by Centurion Engineers.

Case No(s). H-2021-0083

For the City Council Hearing Date of: March 15, 2022 (Findings on March 15, 2022)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 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 City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 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 Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of March 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 City Council’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 annexation and preliminary plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 15, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

Please take notice that approval of a preliminary plat, combined preliminary and final plat, or short plat shall become null and void if the applicant fails to obtain the city engineer’s signature on the final plat within two (2) years of the approval of the preliminary plat or the combined preliminary and final plat or short plat (UDC 11-6B-7A).

In the event that the development of the preliminary plat is made in successive phases in an orderly and reasonable manner, and conforms substantially to the approved preliminary plat, such segments, if submitted within successive intervals of two (2) years, may be considered for final approval without resubmission for preliminary plat approval (UDC 11-6B-7B).

Upon written request and filed by the applicant prior to the termination of the period in accord with 11-6B-7.A, the Director may authorize a single extension of time to obtain the City Engineer’s signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the Director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of Meridian City Code Title 11. If the above timetable is not met and the applicant does not receive a time extension, the property shall be required to go through the platting procedure again (UDC 11-6B-7C).

Notice of Development Agreement Duration

The city and/or an applicant may request a development agreement or a modification to a development agreement consistent with Idaho Code section 67-6511A. The development agreement may be initiated by the city or applicant as part of a request for annexation and/or rezone at any time prior to the adoption of findings for such request.

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement

to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

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 March 15, 2022

By action of the City Council at its regular meeting held on the _____ day of _____, [year].

COUNCIL PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL VICE PRESIDENT JOE BORTON VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER TREG BERNT VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office



AGENDA ITEM

ITEM TOPIC: Public Hearing for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.

B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: March 15, 2022

Topic: **Public Hearing** for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

- A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
 - B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.
-

Information Resources:

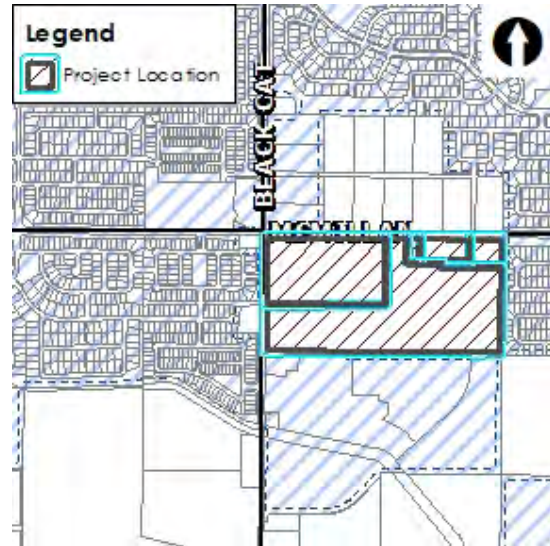
[Click Here for Application Materials](#)

[Click Here to Sign Up to Testify at the City Council Public Hearing](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/15/2022
 TO: Mayor & City Council
 FROM: Alan Tiefenbach
 208-884-5533
 SUBJECT: AZ, PP - H-2021-0074
 Jamestown Ranch Subdivision
 LOCATION: Parcels S0434223150, S0434212970, S0434212965, S0434212920, and 4023 W. McMillian Rd, located at the southeast corner of the N. Black Cat / W. McMillian Rd intersection.



I. PROJECT DESCRIPTION

Annexation with the R-8 zoning district, and preliminary plat to allow 294 building lots and 25 common lots on 80.3 acres of land.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	80.3
Future Land Use Designation	Medium Density Residential 8-12 du/acre
Existing Land Use(s)	Vacant and 2 single family residences
Proposed Land Use(s)	Single Family Residential
Lots (# and type; bldg./common)	294 building lots, 25 open space lots, 15 access lots
Phasing Plan (# of phases)	2 phases
Number of Residential Units (type of units)	294
Density (gross & net)	3.66 du / ac gross, 6.17 du / ac net
Open Space (acres, total [%]/buffer/qualified)	11.63 acres of qualified open space (14.5%)
Amenities	Two large parks, each with a swimming pool and clubhouse, a pickleball court, several pocket parks and internal landscaped trail connections.
Physical Features (waterways, hazards, flood plain, hillside)	Lemp and Creason Lateral run along the western property line, Lemp Lateral also runs along the northern property line.
Neighborhood meeting date; # of attendees:	July 21, 2021 – 5 attendees

Description	Details
History (previous approvals)	None
B. Community Metrics	

Description	Details
Ada County Highway District	Report Pending, preliminary comments submitted
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) Stub Street/Interconnectivity/Cross Access	N. Black Cat Rd and W. McMillian Rd Three internal connections – two aligning with N. Bartok St. and N. Grand Lake Wy. at the Quartet Northeast No 2 subdivision to the south, and one aligning with W. Viso St. from the east through the Volterra Heights subdivision.
Existing Road Network	N. Black Cat Rd. and W. McMillian Rd
Existing Arterial Sidewalks / Buffers	None along the subject property. There is a 25 ft. wide buffer and 5 ft. wide sidewalk on the west side of N. Black Cat Rd installed with the Oak Creek No 3 Subdivision.
Proposed Road Improvements	No right-of-way dedication is required along W. McMillian Rd as it will be offset to the north when widened in the future. ROW dedication of 50' from centerline will be required from N. Black Cat Rd. The applicant will be required to construct westbound turn lane on McMillian at the collector.

Fire Service	
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Resource Reliability Risk Identification Accessibility Special/resource needs Water Supply Other Resources 	2.7 miles to Fire Station 5 > 5 minutes > 80% 2, resources are not adequate Yes Aerial device will be required 1,000 gpm required None

Police Service		
<ul style="list-style-type: none"> Distance to Police Station 	7.4 Miles	
<ul style="list-style-type: none"> Police Response Time 	P3 4:11 P2 8:16 P1 12:57	
<ul style="list-style-type: none"> Calls for Service 	792	
<ul style="list-style-type: none"> % of calls for service split by priority 	% of P3 CFS % of P2 CFS % of P1 CFS % of P0 CFS	1.4% 72.2% 25.5% .9%
<ul style="list-style-type: none"> Crimes 	59	
<ul style="list-style-type: none"> Crashes 	27	

Wastewater	
• Distance to Sewer Services	Directly Adjacent
• Sewer Shed	North Black Cat Trunkshed
• WRRF Declining Balance	14.22
• Project Consistent with WW Master Plan/Facility Plan	Yes
• Comments	<ul style="list-style-type: none"> • Flow is committed • Do not have mains in common driveways. There are multiple common driveways for 2 or 3 lots. These should all have sewer services run from the main in the street. • Do not extend sewer main outside of Right-of-Way. Instead run services from main that reside in the road to each lot. • Sheet PP2.3 at the bottom left corner has a sewer line running through a common lot and part of a residential lot. The City does not want sewer in common lots or residential lots. Reconfigure so sewer is in Right-of-Way. • Angle of pipe going into/out of manhole in the direction of flow needs to be a minimum of 90 degrees. This is not the case for manhole at intersection of Doctor Brunn Ln and Cattleman Way. • Applicant to ensure that no sewer services cross infiltration trenches.
Water	
• Distance to Water Services	Directly Adjacent
• Pressure Zone	1
• Water Quality	No concerns
• Project Consistent with Water Master Plan	Yes
• Comments	<ul style="list-style-type: none"> • Remove water mains in common driveways and run services to the lots, place meters in Right-of-Way. • There are no water main sizes listed on the plans. Make sure that the water main in N Grand Lakes Way is 12”. • Remove the water main in the alley in Sunday Loop. Place water meters at the Right-of-Way and then run water services to houses in the alley. Each phase will need to be modeled to make sure minimum pressure is met at each phase

C. Project Area Maps

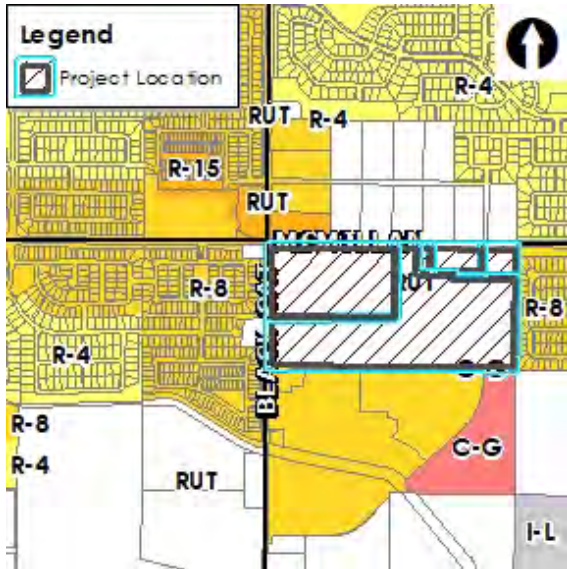
Future Land Use Map



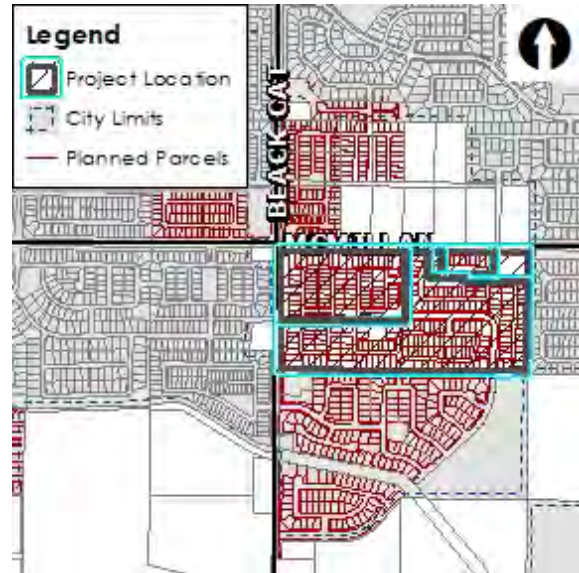
Aerial Map



Zoning Map



Planned Development Map



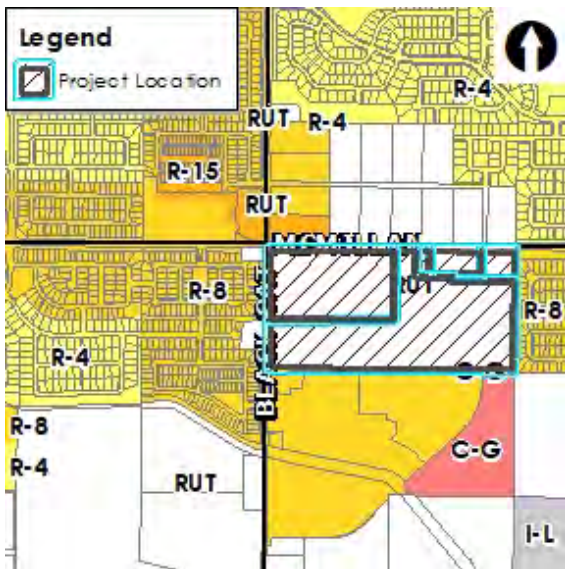
Future Land Use Map



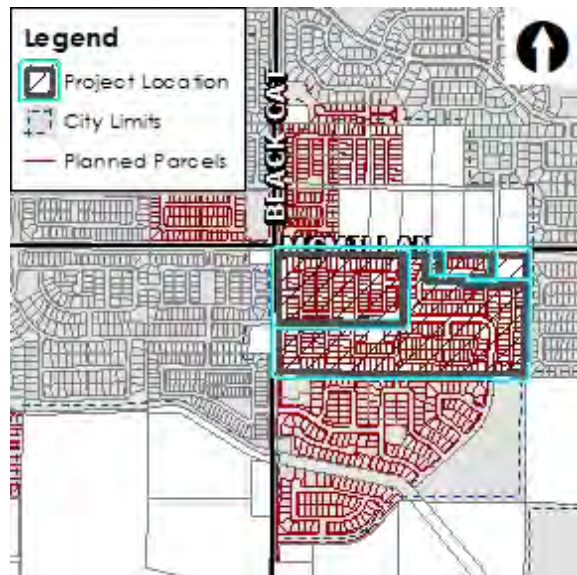
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

Stephanie Hopkins, KM Engineering LLP – 5725 N. Discovery Way, Boise, ID 83713

B. Owner:

Walsh Group – PO 1207, Eagle, ID 83616

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	11/2/2021	2/27/2022
Radius notification mailed to properties within 300 feet	10/27/2021	2/28/2022
Nextdoor posting	11/28/2021	2/28/2022
Sign Posting	10/29/2021	2/28/2022

V. STAFF ANALYSIS

A. Annexation:

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

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

This property is designated Medium Density Residential on the City’s Future Land Use Map (FLUM) contained in the Comprehensive Plan. This designation allows for dwelling units at gross densities of three to eight dwelling units per acre. Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.

The annexation area is near existing public services and is surrounded on three sides by the City limits. The proposed land use of single-family residential is consistent with the recommended uses in the FLUM designation. The proposed project has a gross density of 3.66 du/ac, meeting the required density range listed above. Therefore, Staff finds the proposed preliminary plat and requested R-8 zoning district to be generally consistent with the Future Land Use Map designation of Medium Density Residential.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section IX.A. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

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

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

The proposed traditional single-family detached and alley-loaded homes will contribute to the variety of residential categories in the City; however, there is no variety in housing types proposed within the development. Daphne Square Subdivision (zoned R-15) and single-family homes in the County (zoned RUT) are across W. McMillan Rd. to the north. To the south is the Quartet Subdivision (zoned R-8). To the east is the single family detached Volterra Heights Subdivision (zoned R-8) and across N. Black Cat Rd. to the west is the Oakcreek Subdivision (zoned R-8). Given the property is completely surrounded by single-family detached, single family detached with comparable lot sizes is appropriate for the subject property.

With new subdivision plats, require the design and construction of pathway connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities.” (2.02.01A)

The proposed plat depicts 5 ft. wide detached sidewalks on both sides of roads internal to the subdivision. There are also 5 ft. wide detached sidewalks along N. Black Cat Rd.

This is the same width provided along N. Black Cat Rd. by the Quartet Northeast No 1 Subdivision to the south and the Daphne Square Subdivision to the north. 10 ft. wide pathways are provided along W. McMillian Rd, which is consistent with the pathway alignment shown on the Pathways Master Plan, and along one side of N. Grand Lakes Wy (the internal collector).

Staff does believe there are portions of the development where there could be more direct non-motorized connectivity to the amenities and common open space within the development as well as to the detached sidewalk along N. Black Cat Rd. Staff has red-marked these recommended connections on the landscape plan below.

As will be mentioned in the Qualified Open Space and Amenities Sections below, the applicant proposes several connected common open space areas and amenities throughout this development.

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

As mentioned above, 5-ft. wide detached sidewalks are provided along all internal roadways, along N. Black Cat Rd, and 10 ft. wide pathways are provided along W. McMillian Rd and N. Grand Lakes Way. Staff is recommending several additional micro-pathway connections as a condition of approval.

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

The development can be adequately served by critical public facilities and urban services. Water and sewer will be extended along W. McMillan Rd. to the south.

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

Daphne Square Subdivision (zoned R-15) and single-family homes in the County (zoned RUT) are across W. McMillan Rd. to the north. To the south is the Quartet Subdivision (zoned R-8). To the east is the single family detached Volterra Heights Subdivision (zoned R-8) and across N. Black Cat Rd. to the west is the Oakcreek Subdivision (zoned R-8). These subdivisions have comparable densities to what is being proposed.

*This development proposes architecture consisting of one and two-story homes with pitched roofs, stone bases and / or lap siding with gabled roofs and dormers comparable to what has been approved with adjacent subdivisions. **In order to ensure compatibility and quality of design with existing and approved residential uses surrounding the property, staff recommends a condition that rear and/or sides of 2-story structures on facing W. McMillan Rd, N. Black Cat Rd. and N. Grand Lakes Wy. 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. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.***

- Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity. (6.01.02B)

There are presently 3 accesses off of W. McMillian Rd., two of which are being used by existing single-family residences. There is one access on N. Black Cat Road at the south property line.

This proposal would remove two of the W. McMillian Rd. accesses and provide a new collector access approximately halfway between the east and west property lines. The N. Black Cat Rd access would be shifted to the north to align with W. Quintale St. in the Oak Creek Subdivision. There are three internal accesses – two aligning with N. Bartok St. and N. Grand Lake Way. from the Quartet Northeast No 2 to the south, and one aligning with W. Viso St. from the east through the Volterra Heights Subdivision.

D. Existing Structures/Site Improvements:

There are two existing single-family residences on the subject properties. One residence (4023 W. McMillan Rd.) is proposed to remain on a 76,888 sq. ft. lot.

E. Proposed Use Analysis:

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

F. Dimensional Standards (UDC 11-2):

The preliminary plat and future development is required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 district. All proposed lots and public streets appear to meet UDC dimensional standards per the submitted preliminary plat. This includes minimum lot size of 4,000 sq. ft., and required street frontages of at least 40 ft. Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3.

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

Eleven common driveways are proposed with this subdivision. The applicant has provided common drive exhibits which demonstrate no more than 3 units are served whereas a maximum of 4 units are allowed. The common driveway meets the minimum width of 20’ and does not exceed the maximum length of 150’. Solid fencing adjacent to common driveways is prohibited, unless separated by a minimum five-foot wide landscaped buffer.

G. Access (UDC 11-3A-3):

W. McMillian Rd along the property frontage is 2 lanes with no curb, gutter or sidewalk. N. Black Cat Rd is 2 lanes with a 5’ detached pathway on the western side (Oak Creek Subdivision).

This development proposes five points of access. The primary access will be a collector street off W. McMillian Rd. (N. Grand Lakes Wy.) approximately midway between the east and west property lines, making an “S” curve through the property and connecting into Quartet Northeast No 2 at the southeast corner of the property. The other three accesses would be local streets - one is a western access to N. Black Cat Rd. which aligns to W. Quintale St., an eastern access which

connects to W. Viso St. from the Volterra Heights Subdivision, and an additional southern access which connects to Sunnyside Ave., also in the Quartet Northeast No 2.

N. Grand Lakes Way (the collector) does not align with N. Joy St. to the north as is shown on the ACHD Master Street Map. Instead, it is offset approximately 985 feet to the west. This offset occurs because there are existing utility poles obstructing the ACHD-preferred alignment with N. Joy St. During preliminary discussions ACHD has responded that they support this proposed alignment.

Although ACHD is still working on a staff report, staff has been in communication with them regarding this project. All roads in this development are proposed to be built to ACHD standards. ACHD will not be requiring any additional dedication along W. McMillian Rd. because it will be shifted to the north during a future widening project. ACHD is requesting ROW dedication along N. Black Cat Rd. of 50 ft. from centerline. The applicant will be required to construct a westbound turn line at the intersection of the collector with W. McMillian Rd. Staff is recommending as a condition of approval that required frontage improvements along N. Black Cat Rd and W. McMillian Rd including pathways, landscape buffers, detached sidewalk and left turn lane shall be constructed with the first phase of development.

The applicant proposes pavers on the local roads instead of standard pavement. The applicant states pavers will not only help to alleviate some of the challenges associated with the high groundwater present in the area, but will foster an exclusive and high-quality charm for future residents. ACHD is still discussing whether they will support this alternative.

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

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

A 10 ft. wide detached pathway is reflected along W. McMillian Rd. which is consistent with the alignment shown on the Pathways Master Plan. There is also a 10 ft. wide detached pathway along one side of N. Grand Lakes Way. (the internal collector) which connects to the W. McMillian Rd. pathway. Several micro-pathways are reflected providing connectivity to internal portions of the development. As mentioned in the Comprehensive Plan analysis above, to improve more direct pedestrian connectivity, staff is recommending additional micro-pathway connections (red-marked on the landscape plan below).

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

Five-foot detached sidewalks are proposed along internal streets in accord with the standards listed in UDC 11-3A-17 (except for a 10 ft. wide pathway along one side of N. Grand Lakes Way). There is also a 5 ft. wide detached sidewalk provided along N. Black Cat Rd. This 5 ft. width is consistent with the width of the sidewalk along N. Black Cat Rd. provided by Quartet Northeast No 2 to the south as well as the Daphne Square Subdivision to the north.

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

Parkways are provided between the detached sidewalks and road on both sides of all local roads except for Sunday Loop (Lot 1-27, Block 5). All parkways meet the requirements of 11-3A-17 and 11-3B-7 including at least 8 ft. in width and landscaped with at least 1 tree per 35 feet.

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

UDC 11-2A-6 requires 25 ft. wide buffers along arterial roads (N. Black Cat Rd. and W. McMillian Rd.) and 20 ft. wide buffers required along collector roads (N. Grand Lakes Way). The landscape plan reflects a buffer from the N. Black Cat Rd. edge of pavement ranging in width from between 70 ft. from the at the south to 120 ft. wide at the north. The Creason Lateral and the Lemp Lateral as well as a maintenance road are both located within this buffer, although there is an additional landscape strip width of 25 ft. wide between the laterals and the exterior property fences. Along W. McMillian Rd. to the north, there is a buffer ranging in width from between 64 ft. and 80 ft. in width. The Creason Lateral is also located in this buffer; there are landscape strips of at least 25 ft. in width between this lateral and the exterior property fences. Both arterial buffers meet the minimum requirement for at least one tree per 35 ft. in width; the areas containing laterals are shown to be sod. Buffers of at least 30 ft. in width are provided along N. Grand Lakes Way (20 ft. is required). 8 ft wide landscaped parkways are provided along most of the internal local streets with the exception of the Sunday Loop at the NE portion of the site. The landscape plan includes 11.63 acres of qualified open space (14.5%) as will be discussed in the Qualified Open Space and Amenities sections below.

The landscape plan indicates there are no healthy existing trees meeting the preservation requirements on the property.

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

14.5% (11.63 acres) of qualified open space is shown. This includes 1.19 and 2.42-acre neighborhood parks, several smaller pocket parks, landscaped pathways, 8 ft. parkways and 100% of the collector buffers.

The common open space exhibit indicates the arterial buffers as “non-qualified open space” whereas ½ of this area can be counted as qualified open space per UDC 11-3G-3.

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

Based on the area of the proposed plat (80.3 acres), 4 amenities are required (one for the first 5 acres, one for each additional 20 acres). The subdivision provides two large parks, each with a pool and clubhouse (counting as six amenities because the parks are at least 20,000 sq. ft. in excess of the minimum 5,000 sq. ft. requirement). A pickleball court is provided within one of these parks (Lot 7, Block 5). There are two pocket parks (Lot 6, Block 9 and Lot 46, Block 2). There is also an additional 4% of open space beyond the required 10% and internal pedestrian and bicycle pathways bisecting several of the blocks which are not required pathways. The proposed development exceeds the minimum requirements.

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

The Creason Lateral runs along the western property line paralleling W. McMillan Rd. and connecting through the Quartet Subdivision to the south. The Lemp Canal adjoins with the Creason Lateral along the property’s frontage adjacent to McMillan and continues to travel south along Black Cat Road. Both laterals will be piped per UDC 11-3A-6. Maintenance roads are indicated along both laterals. Coordination will be ongoing with the irrigation districts managing the waterways to meet their requirements.

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

The landscape plan includes a fencing plan. 6 ft. high solid vinyl fencing is provided along the entire perimeter of the property and along the sides of most residential lots that are adjacent to detached sidewalks (with visibility from the road maintained). 5 ft. high open vision fencing is provided around the open spaces, a 6 ft. high open style fence is provided around both pools, and

there a 4 ft. high open style fence is provided around the pickleball court. The fencing appears to meet the requirements of 11-3A-6 and 11-3A-7.

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

Public services are available to accommodate the proposed development. Water and sewer will be extended along W. McMillan Rd to the south. There appears to be an Idaho Power utility easement indicated on the public utility plan that is not shown on the plat. All easements should be shown on the preliminary plat and only Class I trees may be planted within these areas per UDC 11-3B-5.

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

The Applicant has submitted a large number of elevations of the single-family homes for this project as well as the clubhouses (see Section VI.F below).

The single-family homes are depicted as one and two-story structures with attached garages, and a variety of architectural elements and finish materials including gabled roofs, covered porches, dormers, stone wainscoting, and lap siding. The submitted sample elevations appear to meet design requirements for single-family homes but do not include elevations of the sides or rears of structures.

As noted in the Comprehensive Plan section, a large number of the houses will be very visible from W. McMillian Rd. N. Black Cat Rd. and N. Grand Lakes Wy. Therefore, staff recommends a condition that the rear and/or sides of 2-story structures that face W. McMillian Rd. and N. Black Cat Rd. 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. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation, zoning and preliminary plat with the conditions noted in Section IV. per the Findings in Section VIII.

- B. The Meridian Planning & Zoning Commission heard this item on November 18, 2021 and continued this item until February 17, 2022. The Planning Commission continued the item to allow time for ACHD to submit a staff report, and for the applicant to consider reducing common driveways, aligning the collector street with N. Joy St on the north side of W. McMillan Rd, and realigning micro-pathways. At the February 17, 2022 public hearing, the Commission moved to deny the subject annexation and preliminary plat request.
1. Summary of the Commission public hearing:
 - a. In favor: Elizabeth Koeckeritz, Ron Walsh, Joe Pachner
 - b. In opposition: Rachelle Watts
 - c. Commenting: Elizabeth Koeckeritz, Ron Walsh, Joe Pachner
 - d. Written testimony: Mike Wardle, Michael and Rachelle Watts
 - e. Staff presenting application: Alan Tiefenbach
 - f. Other Staff commenting on application: None
 2. Key issue(s) of public testimony:
 - a. Rachell Watts expressed concerns with proposed collector alignment oriented directly toward their house.
 3. Key issue(s) of discussion by Commission:
 - a. Commission discussed concerns with traffic, particularly that the traffic study that had been used was already 4 years old, that a significant amount of development had been approved since this time, traffic was already an issue, the ACHD staff report showed W. McMillian would be LOS "F" with the development, and improvements to W. McMillian Rd and N. Black Cat Rd were still many years off.
 - b. The Commission discussed whether or not the proposed collector should align with N. Joy St.
 4. Commission change(s) to Staff recommendation:
 - a. As Commission recommended denial, all staff's conditions of approval have been stricken.

VII. EXHIBITS

A. Annexation and Rezoning Exhibit (date: 9/17/2021)

September 17, 2021
Project No. 21-048
Jamestown Ranch Subdivision

Exhibit A
City of Meridian Annexation Legal Description

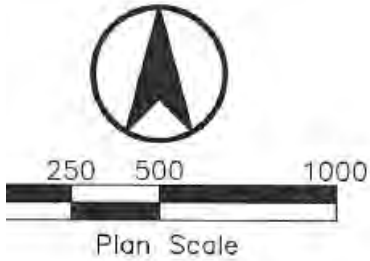
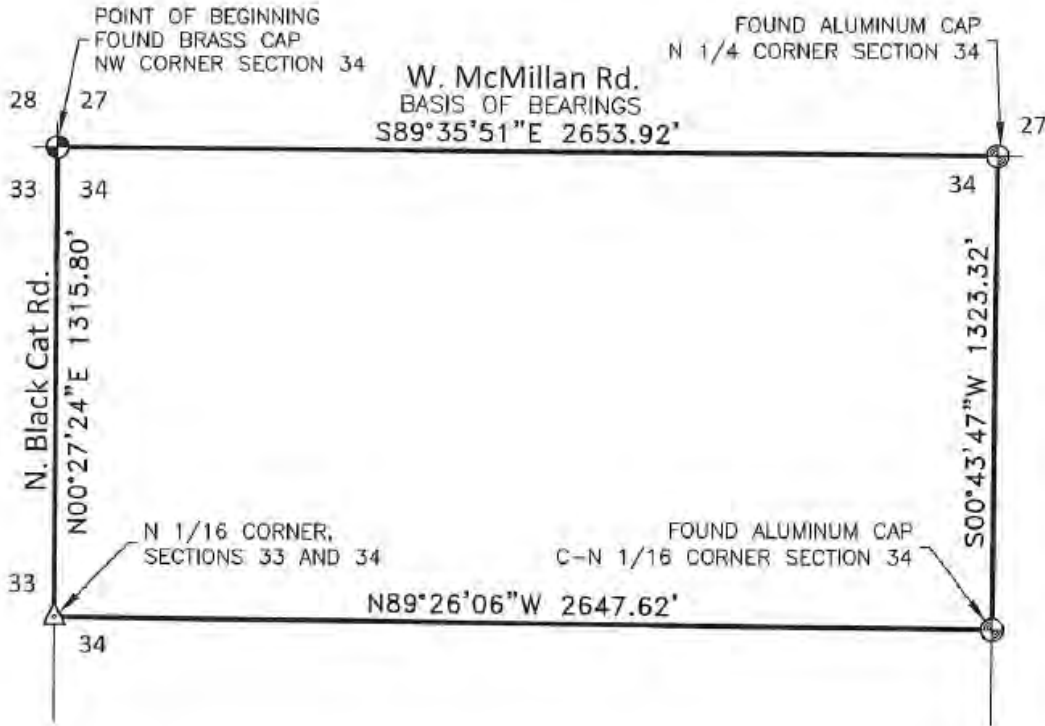
A parcel of land being all of the North 1/2 of the Northwest 1/4 of Section 34, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

BEGINNING at a found brass cap marking the Northwest corner of said Section 34, thence following the northerly line of said Northwest 1/4, S89°35'51"E a distance of 2,653.92 feet to a found aluminum cap marking the North 1/4 corner of said Section 34;
Thence leaving said northerly line and following the easterly line of said Northwest 1/4, S00°43'47"W a distance of 1,323.32 feet to the Center North 1/16 corner of said Section 34;
Thence leaving said easterly line and following the southerly line of said North 1/2 of the Northwest 1/4, N89°26'06"W a distance of 2,647.62 feet to the North 1/16 corner of Section 33 and said Section 34;
Thence leaving said southerly line and following the westerly line of said Northwest 1/4, N00°27'24"E a distance of 1,315.80 feet to the **POINT OF BEGINNING**.







Said parcel contains 80.299 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

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

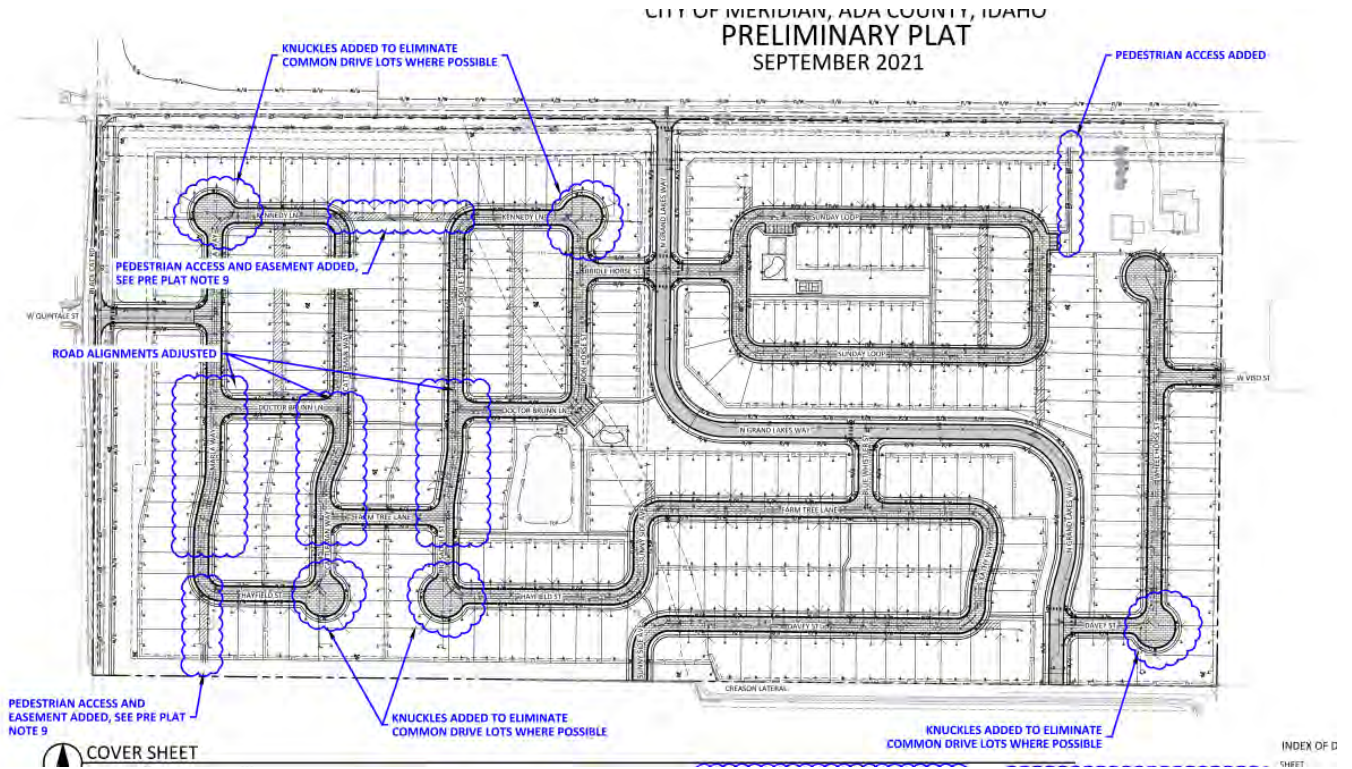




LEGEND

-  FOUND ALUMINUM CAP
-  FOUND BRASS CAP
-  CALCULATED POINT
-  SECTION LINE
-  ANNEXATION BOUNDARY
-  SURVEY TIE LINE

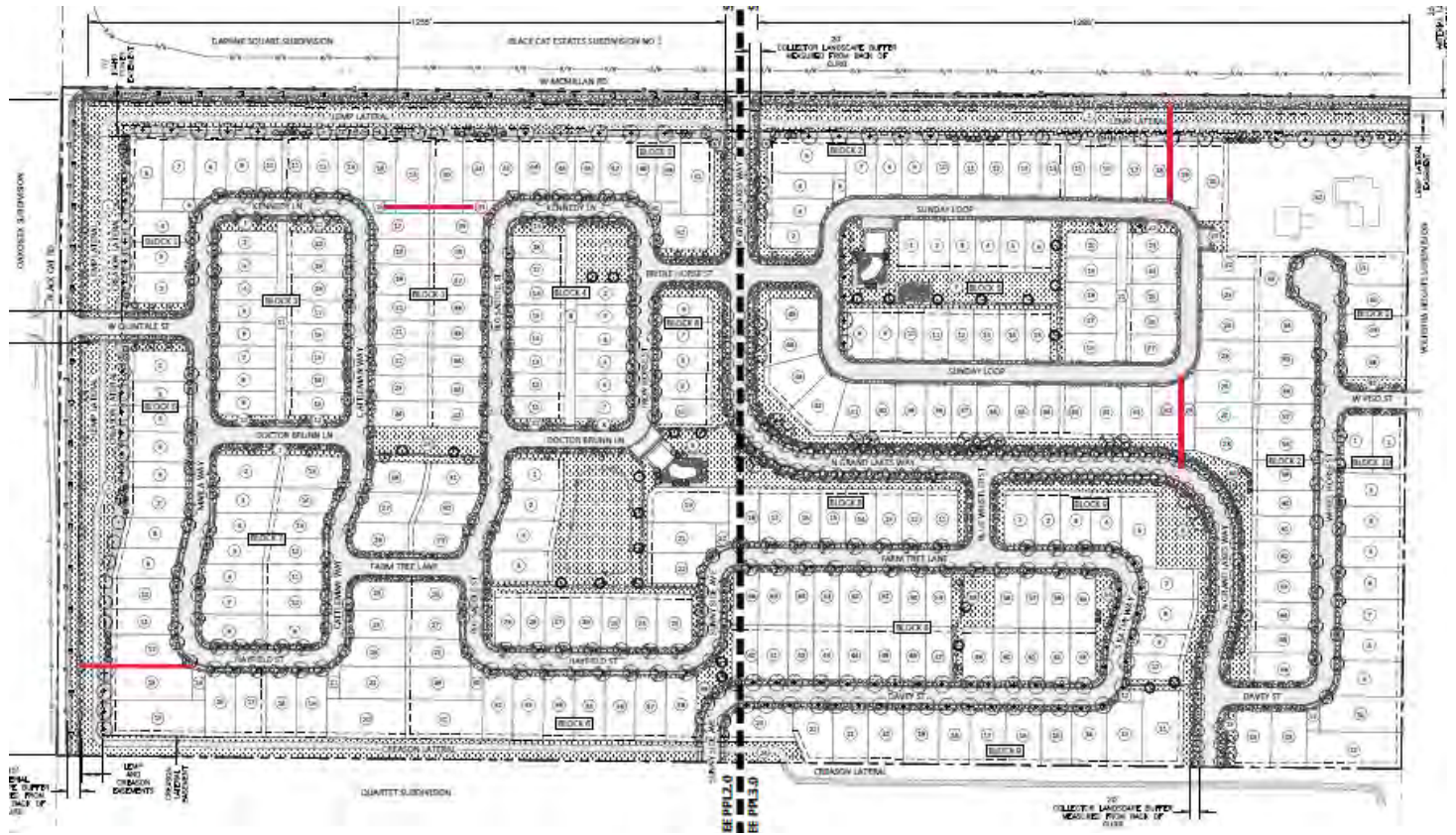
B. Preliminary Plat – Annotated with Changes in Response to PC Concerns (date: 9/9/2021-1/18/22)



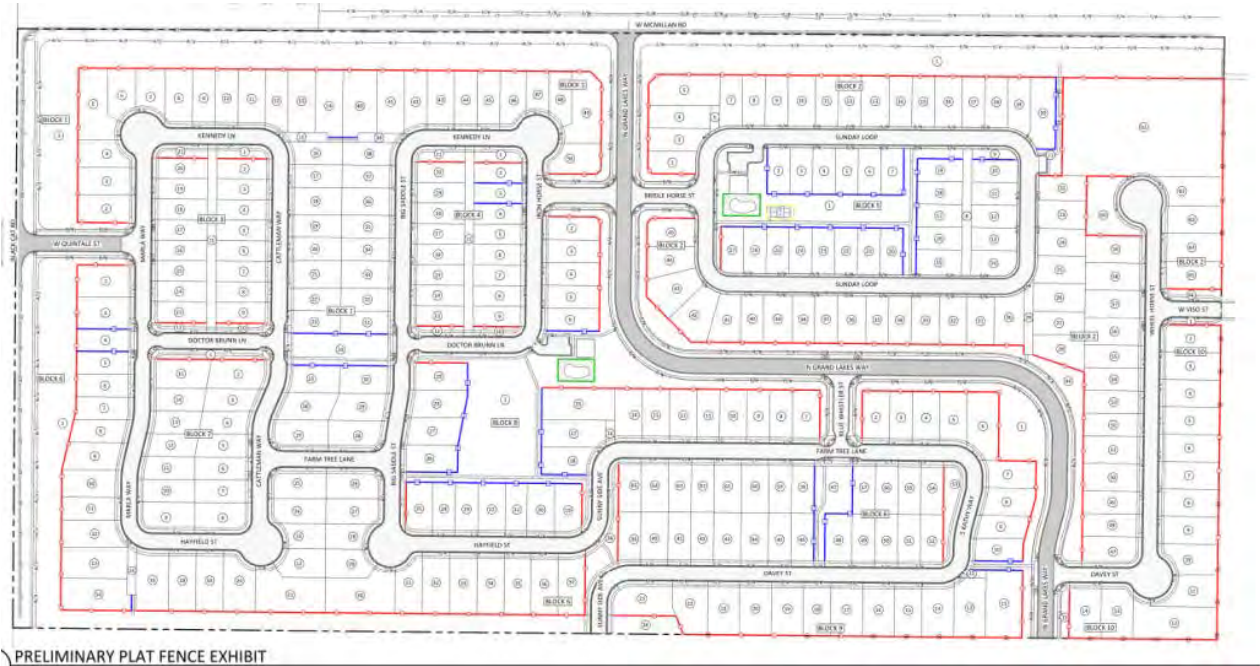
C. Color Landscape Plan (date: ~~9/9/2021~~ 2/7/22)



D. Landscape Plan Marked Up with Recommended Pathway Connections (date: 9/9/2021)



E. Fence Exhibit (date: 9/9/21 2/3/22)



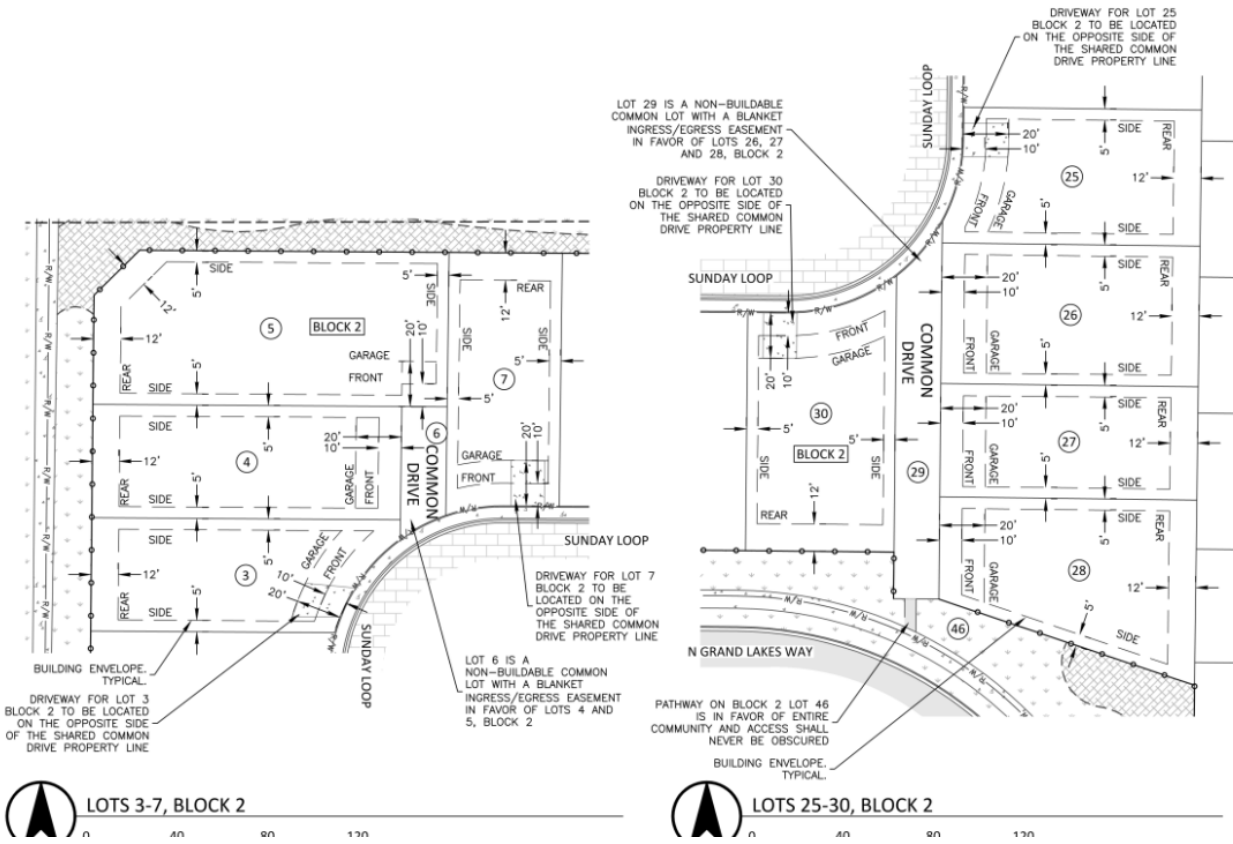
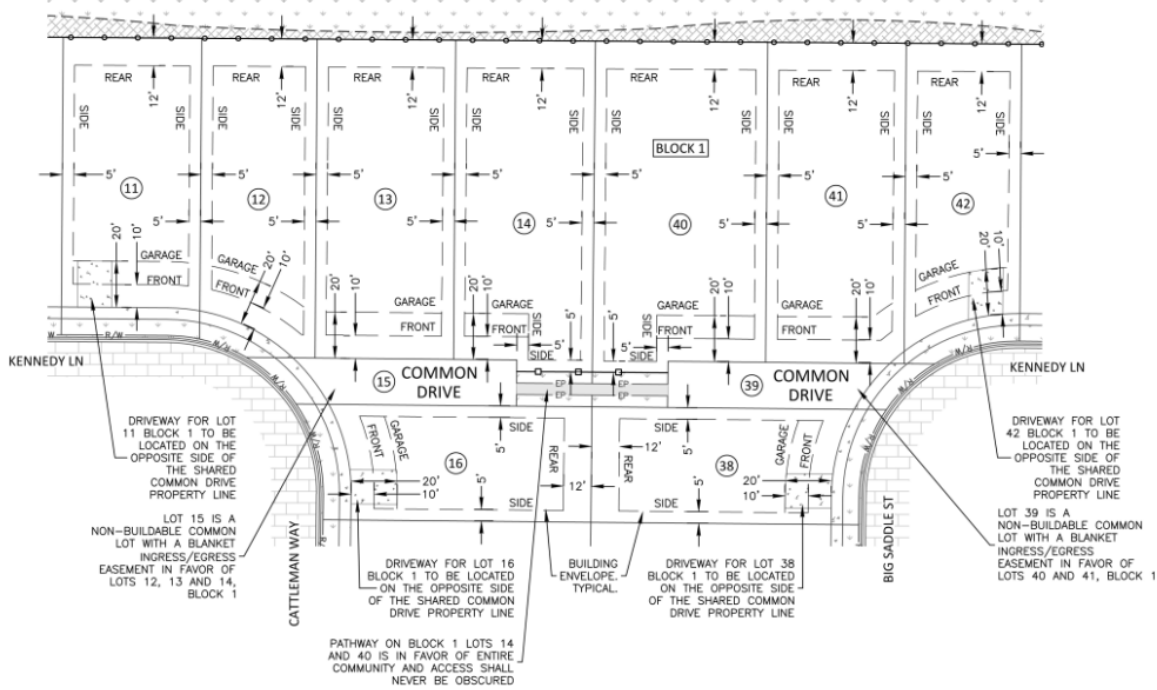
FENCE SCHEDULE

- 6' SOLID FENCE. SEE PPL4.0-4
- 6'-8' POOL FENCE. SEE PPL4.0-5
- 5' OPEN VISION FENCE. SEE PPL4.0-6
- 4' PICKLEBALL OPEN VISION FENCE. SEE PPL4.0-7

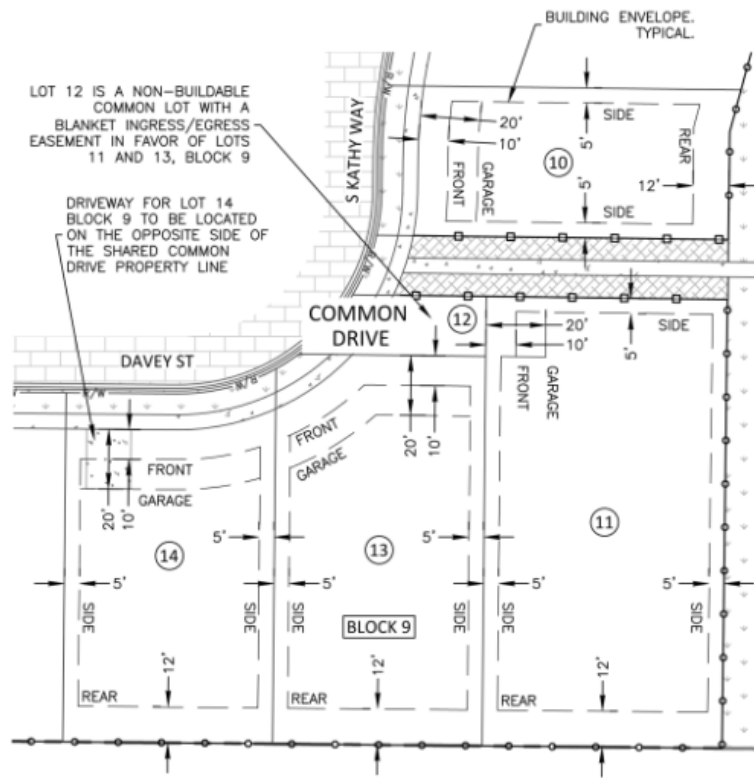
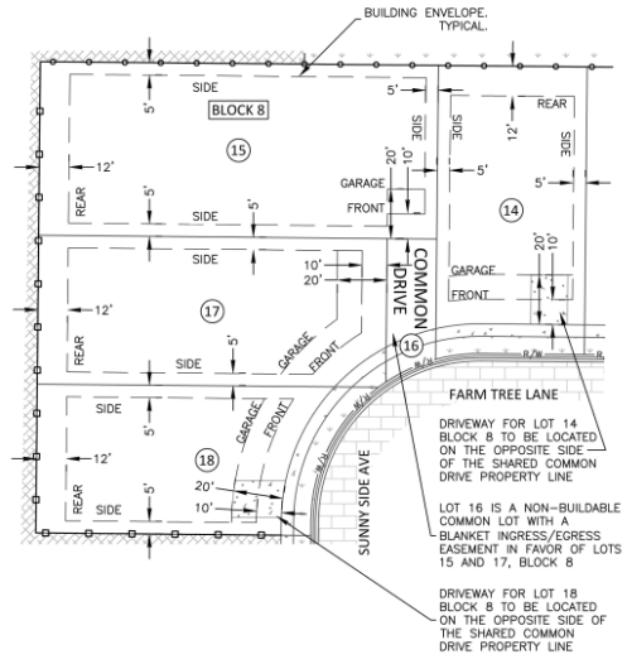
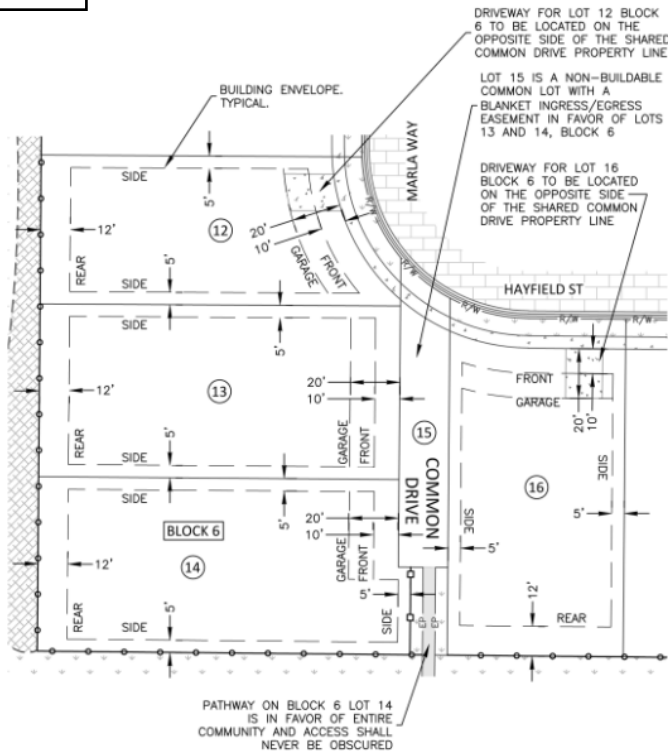
F. Common Open Space Exhibit (date: 9/9/2021 2/3/22)



G. Common Drive Exhibits



Item #5.



H. Conceptual Elevations



Item #5.



Item #5.



I. Clubhouse Elevation



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

- a. ~~Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single family dwellings included in Section VI and the provisions contained herein.~~
 - b. ~~The rear and/or sides of 2-story structures that face N. Black Cat Rd., W. McMillian Rd and N. Grand Lakes Wy 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. Single story structures are exempt from this requirement. Planning approval will be required at time of building permit.~~
 - c. ~~Required frontage improvements along N. Black Cat Rd and W. McMillian Rd including pathways, detached sidewalk, landscape buffers and left turn lane shall be constructed with the first phase of development.~~
2. ~~The Preliminary Plat included in Section VI, dated 9/9/21, is approved with the following revisions:~~
- a. ~~All utility easements reflected on the utility plan shall be included on the plat.~~
 - b. ~~All pathways and micropathways shall be within a separate common lot or easement as required per UDC 11-3A-8.~~
3. ~~Prior to final plat, the Landscape Plan included in Section VI, dated 9/9//21, shall be revised to reflect the red marked pathway connections as illustrated in Exhibit D.~~
4. ~~Prior to issuance of Certificate of Occupancy/signature on the final plat by the City Engineer, the applicant shall submit a public access easement for the multi use pathway along W. McMillian Rd and N. Grand Lakes Wy. to the Planning Division for approval by City Council and subsequent recordation.~~
5. ~~The applicant shall construct all proposed fencing and/or any fencing required by the UDC, consistent with the standards as set forth in UDC 11-3A-7 and 11-3A-6B, as applicable.~~
6. ~~The existing residences being retained will be required to abandon well and septic systems and connect to City water and sewer with development of the property.~~
7. ~~The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.~~

- ~~8. The development shall comply with standards and installation for landscaping as set forth in UDC 11-3B-5 and maintenance thereof as set forth in UDC 11-3B-13.~~
- ~~9. The ditches to the west, south and north shall comply with the provisions for irrigation ditches, laterals, canals and/or drainage courses, as set forth in UDC 11-3A-6.~~
- ~~10. Pathway and adjoining fences and landscaping shall be constructed consistent with the standards as set forth in UDC 11-3A-7A, 11-3A-8 and 11-3B-12C.~~
- ~~11. The development shall comply with all subdivision design and improvement standards as set forth in UDC 11-6C-3, including but not limited to driveways, easements, blocks, street buffers, and mailbox placement.~~
- ~~12. Off street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single family detached dwellings based on the number of bedrooms per unit.~~
- ~~13. All common driveways shall meet the requirements of 11-6C-2-D including a perpetual ingress/egress easement being filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment.~~
- ~~14. The Applicant shall have a maximum of two (2) years to obtain City Engineer's signature on a final plat in accord with UDC 11-6B-7.~~
- ~~15. The Applicant shall comply with all conditions of ACHD.~~

~~C. PUBLIC WORKS DEPARTMENT~~

~~Site Specific Conditions of Approval~~

- ~~1. Sewer mains should not be run in common driveways or out of Right of Way to serve building lots. Mains should be constructed in Right of Way and service lines extended within common drives or through Right of Way to serve each lot.~~
- ~~2. Sheet PP2.3 shows a sewer main being extended through a common lot and part of a residential building lot. Sewer mains should not be extended through these areas. Reconfigure so sewer mains are located in Right of Way.~~
- ~~3. Angle of pipe going into/out of manholes, in the direction of flow, need to be a minimum of 90 degrees. The manhole at the intersection of Doctor Brunn Lane and Cattleman Way currently does not meet this requirement.~~
- ~~4. Sewer service lines should not run through infiltration trenches.~~
- ~~5. Water mains should not be run in common driveways to serve building lots. Mains should be constructed in Right of Way and service lines extended within common drives or through Right of Way to serve each lot.~~
- ~~6. Water main sizes are not listed on the plans. The water main in North Grand Lakes Way should be 12" diameter.~~
- ~~7. Remove water main in Sunday Loop (alley). Place water mains in the Right of Way and run service lines to each house in the alley.~~

8. ~~Each phase will need to have water modeling completed to verify minimum pressure is met for each phase.~~

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.

D. MERIDIAN FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239381&dbid=0&repo=MeridianCity>

E. MERIDIAN POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239381&dbid=0&repo=MeridianCity>

F. SETTLERS IRRIGATION

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239143&dbid=0&repo=MeridianCity>

G. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240462&dbid=0&repo=MeridianCity>

H. COMPASS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=240472&dbid=0&repo=MeridianCity>

I. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239400&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;

Commission finds annexation of the subject site with an R-8 zoning designation is consistent with the Comprehensive Plan MDR FLUM designation for this property, if the Applicant complies with the provisions in Section VII.

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

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

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

Commission finds that the proposed zoning map amendment would be detrimental to the public health, safety, or welfare. Commission recommends Council consider any oral or written testimony that may be provided when determining this finding.

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

Commission finds that the proposed zoning amendment could result in adverse impact upon the delivery of services by any political subdivision providing services to this site.

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

Commission finds the proposed annexation is not in the best interest of the City.

B. PRELIMINARY PLAT (UDC 11-6B-6)

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

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

Commission finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the conditions of approval in Section VII.

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

Commission finds public services may not be available to the subject property and will not be adequate to accommodate the proposed development.

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

Commission finds the proposed plat is not in substantial conformance with scheduled public improvements in accord with the City's CIP.

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

Commission finds there is public financial capability of supporting services for the proposed development.

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

Commission finds the proposed development will be detrimental to the public health, safety or general welfare.

6. The development preserves significant natural, scenic or historic features. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

There are several laterals along the property that will be piped, but are not natural features. According to the landscape plan, there are no healthy trees onsite meeting the requirements for preservation.

Seal: It has been moved and seconded to continue Vanguard Village, H-2021-0081, to the date of March 17th, 2022. All those in favor? Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

3. Public Hearing Continued from January 20, 2022 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

- A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.

Seal: Now we would like to continue the public hearing for Jamestown Ranch Subdivision, H-2021-0074, which was continued from January 20th, 2022, and we will begin with the staff report.

Tiefenbach: Good evening, Commissioner -- Commissioner Seal and Members of the Commission. Alan Tiefenbach, planner with -- with the City of Meridian. So, yes, this was continued originally from November 18th. This is an annexation with the R-8 zoning district and a preliminary plat to allow 294 lots on 80 acres. Just to real quickly, again, reorient you with the property. Again, it's about 80 acres of land. It's zoned RUT right now. It's located at the southeast corner of the North Black Cat, West McMillan intersection, recommended by the Comprehensive Plan for medium density residential, which is three to eight dwelling units per acre. So, again, this is a -- this was a -- that the original request was an annexation with the R-8 zoning district and a preliminary plat to allow 294 building lots. It's presently two single family residences on the property. It's recommended for three to eight dwelling units per acre. Minimum lot size that is being proposed is just a little under 5,000 square feet. These are comparable to the adjacent subdivisions and this particular subdivision proposes five points of access. At the November 18th Planning Commission meeting the Planning Commission continued this application. They did this for the applicant to consider the following: To consider reducing the number of common driveways. To cooperate with ACHD in aligning the collector street with North Joy Street. Originally it was offset to the middle. The consensus was to look at lining it up with North Joy Street, which I will show you in a minute. They wanted to be able to receive an analyze the ACHD staff report. We didn't have that at the time of the hearing and they also wanted the applicant to consider realignment of the micro pathways. What I have here was provided by the applicant. This is a description of what the changes have been. But, in general, it's the addition of five knuckles. That's what you see plotted there, rather than the -- the common drives. They made these knuckles so that's reduced the number of common drives. They have added some pedestrian pathways. You can see some of those circled right here. Connections. They have

adjusted the rural alignments, but this was the road here that the Planning Commission had the issue with. North Joy Street is roughly -- I'm guesstimating -- right about over here. So, there was discussions about shifting this to the east. So, that's not occurred. The applicant has still not done that. They have removed one residential lot and two common lots have been added. They have added some additional landscaping. They have added some additional pedestrian access and the open space has increased. It was 14.5 at the last meeting. It's now been increased to roughly 16 percent. To go on a little bit, here is a -- the conceptual drawing of the subdivision. Real quickly I want to talk about what happened with the ACHD staff report. The first thing I will make a point of clarification in the memo that I wrote. I commented that the ACHD staff report said that McMillan Road from the site to Ten Mile is presently a level of service F. It was brought to my attention before the hearing it actually said -- which is correct -- it's a level of -- level of service D, but it would be F with the addition of this project. So, it's not functioning at F yet, but ACHD found that it would be if this project were done. The reports show that the intersection of West McMillan and North Black Cat is scheduled for the installation of a traffic signal in 2022. West McMillan Road -- it's listed to be widened to three lanes from Black Cat to Ten Mile. Now, the ACHD comments that the applicant's traffic study recommends five lanes, but ACHD responded that five lanes is not going to happen. It's only going to be three lanes. That's due to numerous things, not the least of which would be just geographically speaking they have got a pinch point there they can't fit five lanes in. North Black Cat is listed to be widened to five lanes from Ustick to West McMillan between 2031 and 2035. The applicant will be required to construct a westbound left turn lane on McMillan at -- and Grand Lakes Way. ACHD did support the offset of Grand Lakes Way. So, ACHD was supportive of the road being shifted to the west. ACHD has commented that they would also support the alignment of the road to North Joy Street. So, they didn't have a strong opinion either way. They could be okay with it towards the center. They would be okay with it lining up with Joy Street. With that that is all the updates that I have. Staff has received two letters of testimony. One was from -- well, there is two letters that were received from Mike Wardle with Brighton. He originally had some concerns about the offset, but my understanding is that those concerns have been satisfied. There was also a letter of testimony that we received in regards to the people that live directly across from where that new access would be. They also brought this issue to the Planning Commission at their meeting about that the -- the traffic would be pointing directly at their house, basically, if the alignment was changed as it is proposed. With that those are all of the changes and staff's analysis. If you have any questions.

Starman: Mr. Chairman, before we get into the questions -- before we get into questions or testimony from the applicant or the public, I just want to mention for the record that we -- I had spoke with Commissioner Stoddard before the meeting and the chairperson took part in that as well. So, Commissioner Stoddard acknowledged she did not participate in the previous discussions relative to this project, but she has reviewed the record in total and that she feels comfortable participating this evening. I just wanted to get that on the record and I would invite Commissioner Stoddard to affirm that and, then, we can proceed from there.

Stoddard: Yes. I have reviewed it up to this point and feel comfortable participating tonight.

Seal: Thank you very much. Okay. And at this point would the applicant like to come forward and state your name and address for the record and the floor is yours.

Koeckeritz: Thank you. Elizabeth Koeckeritz. I'm with Givens Pursley for the applicant. 601 Bannock Street, Boise. I have a presentation coming up. Thank you for having us here tonight. I am pleased to present part two of the Jamestown Ranch Subdivision. I was not here for our first meeting on November 18th, but it sounds like quite a few also were not and have been -- there has been a lot of switches and moves since then. What Jamestown Ranch really is is a really high quality development. It's multi-generational. It has a 55 plus component, 283 lots, and it's really just a great -- it's become an in-fill location within the city of Boise in this rapidly developing, high priority area of -- I apologize. I said Boise. Of Meridian. Last time we were here, as was just mentioned, we were asked to look at reducing the number of common drives. We also made a few plat updates at that time. There was also a question about the division of open space between the over 55 component of the project and the market rate area and there was a big discussion about the location of the collector road, Grand Lakes Way, and, then, also, as mentioned, we just didn't have the ACHD staff report, so it was difficult to really discuss what they were suggesting at that time. So, since then we have received the preliminary plat. We have taken all of the comments really to heart that we received from the city -- from the council -- from the commissioners and we have made some pretty -- we have made this a much better -- we think a much more walkable, better environment for all of the future residents and residents of the City of Meridian. As you can see in yellow on this we removed five common drives and replaced them with knuckles. So, that really does eliminate the number of the common drives. That leaves seven common drives remaining on this lot. However, four of those common drives are used now as pedestrian pathways and so they are a dual purpose. They are a pedestrian pathway and the common drive and only three of -- and three of the common drives are really short, they only have a couple homes on them. They really are minimized. One of the other questions that came up last time was do common drives make good neighbors and there was some discussion about -- well, I don't know, if you have got the trash collector backing down the common drive, that seems like a terrible situation for a neighborhood. Well, that's not actually the way it works -- is the trash collector, the mail, all of that, they -- they are out on the streets and so you don't actually have trash -- just all of that backing up down these short driveways, but, rather, the residents drag out their trash, recycling, that sort of thing, to the main road. There is also -- the question came up about the parking and historically there has not been, in the Walsh Group's experience, an issue with individuals parking on the private drives. They are pretty -- they are wide, but they are not so wide that you would feel comfortable necessarily parking there, but also as a term in the HOA, a condominium declaration, it does talk about no parking is allowed on those private drives and so that really reduces any issues that they have historically ever experienced. They just feel like that's not been something that's come up in the past. In addition, there are two new grassy open spaces. You will see one up in the northeast area where the green -- where the house remaining is located. That was a residential lot

before, it is no longer. There is also one over on the western side that also at one point was a residential lot, but now has become additional green space. In speaking with ACHD they felt that the roads are too straight and so they have put in these -- not knuckles, these bulb outs, which are depicted in purple, which will really help slow down the traffic and, then, what's nice -- and you don't necessarily see it on this one, but where all those knuckles are, then, there -- where all those bulb outs are, then, there is grassy space connecting across through them, either to the south or directly horizontal, but it makes just a really nice connected community. Also in the blue we did add four additional pathways and so it just really adds a much more connected community based on all of your recommendations last time. And, finally, in the orange is -- the clubhouse has revised parking. Last time we were here the parking just backed directly out onto the streets and ACHD said no, so we said sure and we move the parking into parking lots in the over 55 section. There is four spaces. It's a pretty small area. We don't anticipate a lot of people would be driving there. There is a little bit bigger parking over in the free market, which is -- there is five spots in that one. Okay. The open space and amenities. Last time there were just sort of questions about -- and it was really hard to tell how much open space was associated with each of the different areas, because it was all depicted in green. Here you can really see the breakout of the open space, what's also just pathways that don't count as open space, but are still there and provide a nice amenity for the neighborhood. So, there were the additional four pedestrian accesses, two additional common lots that are grassy parks and, then, at the age 55 plus there is now 17.32 percent of total qualified open space and that's depicted in the blue. The amenities there include, excuse me, a swimming pool, a clubhouse and restroom, a pickleball court, and, then, there is sort of pathways throughout that area. Plus there is the four parking spaces we mentioned. There has also been in the single family, which is the red and green, we have parkways going along all of the streets, which just makes it feel like a much nicer, more open areas to have those wide eight foot wide pathways with the trees and between the pathways and the clubhouse, the open space, the grassy areas for the market area, it comes to 15.78 percent total qualified open space, which equals overall 16.05 percent open space. Okay. The collector. So, last time we were here there was a lot of discussion about the collector and should it be moved and how does this best align and the development team really took this to heart and went back and reworked through this and thought about it and talked about it and ultimately came up with -- for this development the collector, where it is -- was currently located remains the best place for the collector to be. This is in large part because the collector -- well, because after talking with ACHD we were told that you could only have one access onto McMillan and so we were going to be unable to have just a small local road access in the middle of the development there going up to McMillan and so it really became this far eastern straight road going straight up to McMillan and the way just traffic flows and traffic patterns are throughout the development, it's either going to force some traffic -- more traffic to Black Cat or you end up in this big snarl of traffic throughout the subdivision trying to get over to the collector. It also results in creating this super highway down the side of the development and per ACHD policy they recommend that on residential collectors that they be designed to not exceed speeds of 30 miles per hour and here we have more than 1,200 feet straight line raceway roadway, whereas the collector that we have remained with the big S jog through it, that has those passive traffic calming just by virtue of how

it's built and so it really does slow down the traffic. One other thing with this is if we were to go with this out -- with this location, then, we would also have to consider putting in an additional road leading into -- sort of bisecting across to the age restricted from -- from the street that runs north-south over next to it. I apologize. But just kind of cutting across there and that would, then, result -- in order to have the traffic flow correctly -- and that would, then, result in really probably losing the age-restricted area, because the whole point in the age-restricted area is that it is a little bit more separate, it's a little bit more closed off and you don't have all of the rest of the development just racing through there and so it really was felt that where it was was the best location. We also have a little bit more here. There is a lot going on, but let's look at the bottom one first -- is that this map depicts where all of the roads are coming up onto McMillan and it really is a much better spacing between the various roads to have this not align with Joy, because, then, you start having between Vicenza Way, San Vito Way and, then, the Joy -- the Grand Lakes collector, that those are really really close together, which creates even more traffic problems on McMillan. So, by leaving it where it is it just spaces that traffic out as the traffic comes onto the road. Also Joy is a small road that essentially leads to nowhere. It goes into this one little sort of small development and, then, all surrounding it, even to -- at the places where it connects through, it's not the way that if you just think about the way traffic would flow how traffic would actually come out. So, it really is a pretty small, pretty minor road right there and so it doesn't necessarily -- there isn't a big reason to have to align these two, that there is going to be traffic going across McMillan and continuing up Joy. And, then, finally, on this, the -- the top one shows -- if you remember there is one in holding parcel that's going to remain. It is part of the plat, but is not owned by the development team and that's on that northwest -- northeast corner. In order to develop the road going right through there they would have to purchase the whole property that's in the red and also -- which is approximately one third of an acre and, then, also would have to move that power pole that was discussed at length last time. That power pole is located in the right of way and it would need to be -- ACHD would require it to be moved. Based on spacing of the power poles it could happen, but the ideal spacing is really where it's at right now and so we would prefer to leave it where it is right now. One of the big things we are waiting for was the ACHD review and that has now come back and the ACHD -- ACHD review essentially found that except for the section of McMillan between this development and Ten Mile Road, all of the intersections and the roads are going to be acting under appropriate conditions. The ACHD -- the Ten Mile to the site will be -- exceeding the conditions, will be acting in an LOS of F during the peak hours between 5:00 and 6:00 at night, but when that happens they do look at what happens in the shoulder hours. When you consider the shoulder hours it does meet the LOS thresholds and so they are -- they didn't really have -- it's -- other than suggesting that this become the three lane road, that was their primary improvement for this area. The development team is in agreement with all of the ACHD recommendations. They are intending on putting in that westbound turn lane on McMillan. One of the things that was suggested by ACHD was bicycle lanes on the frontages on the roads. What the developer -- developers are suggesting is they are going to do a ten foot wide pathway along the sides on those two main roads and so there will be plenty of room for mixed use and bicycles on those roads. ACHD has asked them to contribute to any future pedestrian crossing features, which they are welcome to -- they are certainly open to doing. At this

time none has been specifically requested, but they would do that. There is also -- they are agreed to put on the yellow three inch retro reflective sheeting to the black plates of the intersections and just so you know, that's the bright yellow. It goes around the traffic signal. We had to look it up. And, finally, on traffic, we know that traffic has been a big issue and a lot of discussion here in the recent past. One of the things that I think this development has going for it is the fact that there is a large 55 plus component. This is a demographic that tends to drive less. They have down -- so many of them have -- they are downsizing their homes, they are not going to work or school every day necessarily and many of them only have one vehicle, many households in this demographic. So, that does help lessen the traffic impacts. Also Black Cat and McMillan is scheduled to be signalized this year and in the future ACHD intends to put a roundabout in it. We also, as mentioned here, are going to put in the left turn lane. Last time -- and, then, also the neighbors across the street where we are proposing that collector road be, mentioned -- had concerns about the lights from individuals leaving the development and their street lights getting into their -- getting into their -- street lights interference. As you can see from this picture, their house is offset. That is a shed that directly fronts and there is also a nine foot high security fence along that entire way with really tall trees and bushes right there. And on that, in conclusion, we are really excited to bring this development to Meridian. We think that it's a great location. It's a great high priority area. Good use of an in-fill space and we will stand for questions.

Seal: Okay. Thank you very much. Are there any questions for the applicant or staff?

Wheeler: Mr. Chair?

Seal: Mr. Wheeler, go ahead.

Wheeler: Hi, Elizabeth. I had a question for you on the -- you mentioned the power pole, that it would need to be moved if Joy Street was aligned.

Koeckeritz: Yes.

Wheeler: So, your plan is that with the -- the lots that -- that butt up next to McMillan Road that that power pole would stay right there?

Koeckeritz: The power pole can stay there if the road doesn't go through.

Wheeler: Okay. All right. So, all -- so -- but that lot -- this -- the housing lot, right, a residential lot --

Koeckeritz: No. It comes out right -- so, it really comes out -- on this map right as you come out -- it would jog a little bit to the left and it would come out next to -- on the western edge of that bigger in-fill lot, the lot that's remaining.

Wheeler: Okay.

Koeckeritz: And so there is a power pole there. So, there would remain one across -- sort of kitty corner behind the one residential lot, but not -- but it wouldn't be blocking it.

Wheeler: Okay. And, then, one other question on aligning up Joy. You mentioned that you would have to take your extra third of an acre into -- in order to make that happen and that would be on to the next property; is that right? To the --

Koeckeritz: It would be on -- I apologies. So, in this one you can see there is this large corner lot. It is part of the plat, but it's not owned by the developers and so it would be a section -- it would be the western most boundary of that -- the western most third acre of that property is where Joy would come out -- where this collector road would come out.

Wheeler: Okay. And at the same time, though, I think your drawing showed that it would go just due south almost -- and tie into the street below that, if I remember right. It would be more like just a straight road; correct?

Koeckeritz: Yes. There has to be other alignments going on. The other map we show doesn't have all the properties. It's really showing where our current collector is coming up straight, instead of making that jog.

Wheeler: Okay. Is there -- did your developers take a look at possibly taking Joy and aligning it with the street -- or across the street and having it come in and start to bend -- I wouldn't say sharply, but quickly into what you already have here as a plat and, then, resume?

Koeckeritz: Well, what the issue becomes is -- is that age 55 -- is in the coming in and going to the --

Wheeler: I think it's called Sunday Loop? So, quickly in --

Koeckeritz: Yes. That is -- I apologize.

Wheeler: No. No. No. You are fine. You are totally fine.

Koeckeritz: That is the age 55 component of this development. I can scroll down here and just show you how it's sort of -- we have the extra one. So, what's in red is the 55 component and so that just isn't, in our opinion, is really appropriate for the collector road to go right through that section, which is purposely its own area. It's not going to be gated off, so that there can be some kind of connection between the areas, but it just doesn't make sense to run traffic through there or it's not ideal.

Wheeler: Okay. Okay. Thank you.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli -- oh. Alan, real quick.

Tiefenbach: Just one point of clarity. Alan Tiefenbach. Associate planner. One point of clarification is -- is staff didn't analyze this as being 55 plus, because unless there is a deed restriction there is really no way we can enforce that. So, it would purely be upon the -- the applicant to say they are going to keep it 55 plus, unless they are willing to deed restrict it. So, if there is the -- really is the -- if the Planning Commission really is inclined to go that way on traffic, we can't enforce that unless they do restrict it.

Seal: Okay. Thank you. Commissioner Cassinelli.

Cassinelli: Well, I had a couple of questions, but I might as well, then, ask -- ask the first one. Will it be deed restricted?

Koeckeritz: I do not -- it will be in the -- I believe it will be in the HOA rules and requirements. I do not believe it would be deed restricted and it would be following -- this is something I know has come up between the attorneys. It would be following the housing for older -- whatever is. It's not strictly 55 up, whatever the act is, because many individuals in the 55 and up have -- maybe you are 56 and you have a younger spouse. maybe you are 70 and you need your son to come live with you. So, there is some movement in there, but it would follow the requirements set forth in that act.

Cassinelli: Okay. And, then, I have -- I have got a couple others.

Seal: Go right ahead.

Cassinelli: The -- the parking on the private drives --

Koeckeritz: Yes.

Cassinelli: -- talk about that issue. Will it be signed that there is to be no parking --

Koeckeritz: It is -- in their experience it historically has not needed to be signed. That's something that could certainly be considered. We have a picture in here of what it looks like. This is one of the short drives in one of their other developments. Although on ours most of them will go through as pathways, but just how that is -- there just typically hasn't been a need, but it's something that they could certainly consider -- would consider.

Cassinelli: Okay. And, then, with -- with the ones that go through with the pathways, are there going to be other -- can traffic get through or will those be bollard off in the center?

Koeckeritz: They will be -- they won't -- they will not be able for traffic to go through.

Cassinelli: Okay. So, it will narrow down to just a pathway?

Koeckeritz: Right.

Cassinelli: Okay. So, you have to approach the homes on either side from those -- their respective sides; is that correct? You can't get through -- so, like in this case --

Koeckeritz: The one where you can come in from both ways?

Cassinelli: You can't -- yeah. You can't get --

Koeckeritz: You can't drive through.

Cassinelli: You can't get to one house from the other side.

Koeckeritz: Right.

Cassinelli: The -- with the 55 plus area, are those amenities to be shared by the entire community?

Koeckeritz: No. Those are for that community.

Cassinelli: Okay. That's -- that's what I have right now. Thank you.

Seal: Thank you. Any other questions? Commissioner Grove?

Grove: Mr. Chair. With the micro pathways that you added, one of the concerns that we had last time -- or at least one of the concerns I know I had was with the lack of connection from the furthest east properties, being able -- there is no pathway connection from those properties to the rest of the development, you have to go all the way down to the -- the street in the far southeast corner to be able to access any of the other pathway system. Could you explain why there is no pathway connecting those houses to the greater pathway system?

Koeckeritz: You are talking about the ones that are on the far east side?

Grove: Correct.

Koeckeritz: Not coming -- let me double check. No, I do not know why. But it does seem like something where we could shift a portion of the new open space at the end of that road maybe -- and shift something down in there and be able to create some sort of pathway through there, if that was a condition of approval moving forward. I would have to confirm with them, of course, but it seems like it would work.

Grove: Mr. Chair, one other question.

Seal: Go ahead.

Grove: With the ACHD report coming back and being at an LOS of D, but going to LOS of F, that is going to be a major concern for us. Don't want to speak for everyone, but just

-- I know that that is going to be a point of contention. So, you addressed it earlier, but can you address it further in terms of how this will impact this development and the -- the surrounding developments as they -- as we look forward on this?

Koeckeritz: Well, one of the things -- I mean they are willing to do -- there is a couple things -- is first there are going to be improvements. They are going to be widening this road sometime in the -- I believe it was in 2030, 2031, in that time frame the road will be being widened to the three lanes, which will help reduce some of that. Also I understand -- like there is only -- there is only so much -- part of the reason that -- what spurred ACHD developing these roads, widening these roads, is the development coming and the impact fees being paid to help pay for those improvements to the roads and so they don't tend to do the widening of the roads, they don't tend to make those improvements until the development's already there and so I do understand that these roads will continue to have more people on them, but that's why there is the other exit out to Black Cat, which is going to be a five lane road and the truth is there just isn't much more along this corridor of McMillan that will be left to develop after this. There is just a small area directly to the north.

Grove: Thank you.

Seal: Anybody else?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Elizabeth, can you -- can you repeat what you said in your presentation? You broke out the open space between the --

Koeckeritz: Yes.

Cassinelli: -- the 55. Can you give me those numbers again?

Koeckeritz: Yes.

Cassinelli: Please. And, then, in addition to that -- kind of a follow-up to my earlier questions, how are you going to separate -- how are you going to prohibit those that aren't in the 55 community to what -- what means do you have to -- to prohibit the people from using that pool and other things?

Koeckeritz: Okay. The age 55 plus is 17.32 percent open space and the single family is 15.78 percent, for an overall 16.05 and it does make sense to have a slightly higher percentage in the over 55 area, simply because they are home more, more likely to use it, kids are going to school, kids are playing, other places. So, the way that it would be restricted is there will be separate HOAs for the two areas. So, that would be one way. I'm sure there are other ways. If it becomes a problem there are other ways that the HOA

can maintain that separation. They can do like the local police -- not the police force, but their local internal policing of the areas, making sure that the people are in the pool -- the only people in the pool are the people that should be there.

Cassinelli: And, then, can you -- what are the other -- besides the two separate parks with pools, where are the other amenities in each area?

Koeckeritz: So, there is the pool with the clubhouse and with the clubhouse restrooms, changing area, as well as the pickleball courts and the lineal open space throughout the 55 plus area. The big grassy areas. And, then, also in the open market there is the clubhouse, the pool, the large grassy areas and quite a few just of those smaller parks throughout, as well as the pathways along the perimeter of the development.

Cassinelli: Okay. Mr. Chair, can I ask one more question?

Seal: Go right ahead.

Cassinelli: For staff. If there is separate HOAs between the 55 plus and the regular community, do we have to look at the number of amenities independently or are we looking at it together?

Tiefenbach: Mr. Cassinelli, Members of the Commission, we don't have anything in our code that says we look at it separately based on HOA. It's just based on the square footage and based on the number of units we look at whether or not there is required amenities. It doesn't say you have to have X amount of amenities for 55 plus, Y amount amenities that aren't. This square footage -- or sorry. This acreage, this many units, this is what you need to provide. Now, our new code does have different types of amenities for different types of categories, but it's still all based on the development, not just each HOA.

Cassinelli: Okay. Thank you.

Seal: Anyone else? All right. Thank you very much. Appreciate that. Okay. At this time we will take public testimony. Madam Clerk, is there anybody signed up?

Weatherly: Mr. Chair, there is not.

Seal: Okay. Anybody in the audience like to come forward and testify? Anybody online raise the -- oh. We have got one person coming up. Good evening, sir. Please state your name and address for the record and you have three minutes.

Pachner: Joe Pachner. 5725 North Discovery Way. I represent the developer. I'm an engineer with KM Engineering. One of the things that I wanted to discuss with you is just a little bit more on the traffic and what ACHD's recommendations were. Part of the -- well, one of the first steps in correcting the issues along Black Cat and McMillan is moving the -- the current irrigation lines, especially along Black Cat, is right at the shoulder. It's a

safety concern. If you have looked in that area that road rolls off and it drops right into that -- the lateral that goes through there. Part of this project is tiling those ditches and moving them far enough away, so that not only does it, you know -- you know, create -- removes that safety concern, but it provides room necessary for the future right of way expansions. This is well over a million dollars worth of irrigation work just to get that pipe out of the way. These are large laterals. You know, the one is a 48 inch and the other one is a 60 inch. One of the other things that we were looking at was, you know, we have actually drawn up -- went through the whole process of realigning the plat to try to get a Joy alignment to work, but one of the problems that we have is -- and ACHD recognized this as well -- is that the traffic will not -- it's not -- it will not travel north onto -- you know, across our -- across McMillan north to Joy Street. It will go an east-west direction, because Joy Street does not lead to the destination they want to go to. So, the traffic going east-west, what they found is if you offset those, then, they are not conflicting. If they are -- if you are -- if everyone's been at a four way stop sign and you get that -- you come, no, you stop -- you come. When you are offset by -- especially when you are offset by about a thousand feet, those traffic turns move more smoothly to allow that to go through. The other thing was, you know, the level of service it will be an F only during those peak hour times. The rest of the time, you know, ACHD has -- their staff report has stated that it will function as -- you know, as, you know, we anticipate it and that's -- you know, again, in these, you know, age restricted developments that component -- that's -- they love it, because they don't have to go to work right at 8:00 o'clock. In fact, they can stay -- you know, they can determine their times whenever it's more -- you know, it's convenient to them and so with that it does lessen the burden on the traffic system all at the same -- all that the peak hour. But when you try to move all the traffic right through that age restricted, it ruins that -- the characteristics that we are looking for to provide an age restricted component. With that I will stand for questions.

Seal: Thank you. Do we have any questions? No? Thank you very much. Appreciate it. Anybody else in the audience who would like to come forward? Go ahead and state your name and address for the record.

Watts: Rachelle Watts. 4376 West McMillan Road. And we are the ones they are referring to directly across the street from this entrance. The collector road was an issue for us also with connecting with Joy and when I testified the last time I did point out all the developments north of McMillan between Daphne Square, Brody Square, now there is Pera Place and there is another one that is directly across from the James parcel that they are maintaining. They did own all of this. And, then, they decided to keep the one home and shop that was his father's that passed away in August of '20 and, then, the developer has purchased the rest. So, it is the same Mr. James that is involved in this. The five acres that's directly across, they have already torn down the house that's owned by a gentleman who has now proposed to put in another subdivision. You don't have that yet, but I'm sure it's coming, because there was a neighborhood meeting for that. So, our concern is, first of all, obviously, it's directly across the street from us. It is not a nine foot security fence. We did many years ago put in a berm with some landscaping, trees -- leaves are not on the trees during the wintertime. It is six foot wood, but there is always lights that shine through the slats and I -- when they widen that that will come out, because

they are going to widen to the north and starting in 2031. So, that will come out and we will have to either sell or start over or something. So, it is developing all around there. But there is the one I was talking about that with the pickleball court, that's directly across -- okay. Right or left arrow up or down. Where is the arrow at? I'm not sure. Up or down. Page down. I'm sorry. Page up. Okay. You scroll. Okay. There is only a couple of pictures. But I wanted you guys to visualize this. If you can go back. Okay. There is -- there is the picture from the -- the remaining property that was James that he is keeping. So, the back of that there is the -- is the shop and the home is to the right. There is the power pole over there on McMillan that they are talking about would have to be moved for Joy Street -- because of Joy. There is the acreage on the right that is now proposed for pickleball street -- or pickleball court. I'm sorry. It's not developed yet and this abuts up next to Bridgetower West. So, if you can scroll again to the next one. Oh. Well, they are kind of out of order. But this is where they are in the construction right now for the entrance. Now, they have mentioned that they would have to move a power pole, that there is a lot of power poles and lines in the way. This is where the entrance is at now, directly across the street from our house that they are in the process of constructing. To start at the beginning of January. There is the power pole that they have talked about having to move. When that development goes in directly across the street, if it's approved on that five acre parcel that's where the fence is down and the house has been torn down, I'm assuming that will -- they will have to go back on McMillan and, then, over on Joy. Now, the developments that Joy runs into -- and Joy does dead in, but it goes into another development and it goes into Daphne. Daphne, then, goes down Pera Place goes -- is now going to be developed and flow onto there -- Daphne Square flows in and rounds about where Brody Square is and, then, if you guys remember, they moved -- they are in the process of moving Daphne so it's not straight through. So, they are either going to have -- all that traffic is going to either have to go out onto Black Cat or it's going to have to come down Daphne to Joy and out. So, for us, obviously, we have a stake in this, but we are not the ones developing the property. Mr. James is. He doesn't live there. He -- it's a -- one of the commissioners that had made a comment I heard on one time was, ah, they want their cake and eat it, too. Well, we are not the ones in the middle of development. When we met with them in July when they had that neighborhood meeting that was held here, we expressed our concern to the developer about that collector road. They have never reached out to us, they have never done anything and we have -- so, anyway, the pictures that I'm showing you are basically showing this is directly across from that property on the north side of McMillan right at the edge of Joy Street and that's where that pole is where they are in the process of constructing this directly across from our house. Now, somehow they don't have to move that pole and those lines, but they have to move the other one. I think it's a preference is what I think. And I have not seen a specific study that states that they would not be able to do it. Here this is the overlay to show you McMillan and that shows Daphne Square on the left, Brody Square up there and -- and Daphne Road that follows through the middle of that is now for Brody Square going to wind through the subdivision and rerouted it. Pera Place is in the -- has not started development, but it's been approved by -- by the commission and, then, pickleball -- pickleball court is probably coming. So, I guess what my -- what I would like to say is you have the opportunity now to make sure that we have the correct alignment that should be the collector road, the master street map from Ada County Highway District, and they

were not opposed to it. I know I'm out of time. According to this it was saying that they would -- they would -- is also supportive of aligning that Grand Lakes Way with Joy Street on McMillan. Okay. I would just like you to consider it.

Seal: Thank you. Okay. Would anybody else like to come up? Come on up, sir. Please state your name and address for the record and the floor is yours for three minutes.

Walsh: Great. My name is Ron Walsh. I -- address 12 -- Post Office Box 1297, Eagle. I'm the developer. My son and I are the developers. Walsh Group. I was wondering if you could -- Alan, if you could put Elizabeth's jump drive back in with our exhibits. I appreciate all of the concern about the alignment and -- and I wanted to tell you while we are getting this up that we -- we just did the Village Bungalows on Ustick near Eagle Road, about 74 55 plus homes, and when we went through the approval process the city asked us -- told us they did not want to monitor the 55 plus designation in there and so we put those in our HOAs and record them with the HOA, so they technically are a deed restriction and they are -- we have to comply with a federal law called HOPA and they monitor us. We have to have a questionnaire filled in and signed by every resident that they meet the HOPA guidelines and the HOPA guidelines are fairly simple. It's just one of the residents needs to be 55 years or older until -- unless -- you can't go less than 80 percent of the total amount of residents in there that aren't 55 or you don't meet that. So, we do monitor it and it is somewhat of a deed restriction, because of the recorded CC&Rs and it would take a unanimous vote by all of the residents to remove it and -- and, then, they would be in violation of the HOPA -- HOPA guidelines, which is federally monitored. But I wanted to see if you could page down through her -- keep going. One more. One more. Oh, I wanted to -- one -- back up. On this particular -- okay. Keep going down. I'm sorry. I didn't know the number. I didn't watch the number. Oh, there you go. Yep. This has gotten really confusing on this Joy Street alignment and I can tell you that we don't -- we actually spent more money to put this curved roadway in to calm traffic. We created our bungalows -- Village Bungalows to create a community that's all kind of encompassed inside itself and so we are really protective of that and this -- this -- this driveway -- or this roadway right here is a really calming roadway. If you will notice to the south where this roadway exits us and goes into Quartet Subdivision, they have a curve right there that has a big arcing curve that heads over to Black Cat. So, they didn't want a -- a straight road there, neither did ACHD. And, then, when we straightened this road out it's -- it's 1,200 feet of wide straight road. It's just going to be a nightmare to go too fast. We did not want this -- our roadway to enter into the front door of the neighbor's house. If you will notice that road exits out onto McMillan right on the property line between her and her neighbor and her neighbor has a heavily treed home that you can't even see the home from the -- the McMillan Road and, then, the road -- the house to the right that's concerned about our headlights has a three foot berm and a six foot fence and, then, where the roadway comes out is on -- on our property line and there is no building there, it just barely catches the edge of one of the outbuildings, definitely not her home, so we just feel like it's just in the best interest of the city to have this roadway aligned this way, rather than a straight -- a straight roadway and, then, cutting off any traffic out to McMillan, other than the -- the arterial -- just creates a -- kind of a nightmare traffic flow inside the subdivision. So, we just don't think it's a prudent use of, you know,

our money or the city's time and the -- ACHD's efforts. So, we didn't pick it, because it saved us money, we just picked it because it makes the most sense for what we think is a well done subdivision. Thank you for your time. I will stand for questions.

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

Cassinelli: Did you -- did you discuss anything to be done with the neighbors or -- I think -- believe it's the Watts to -- it sounds like their concern is -- is headlights and whatnot. So, did you discuss any -- anything as far as additional vegetation, anything?

Walsh: No. You know -- and we have -- we have had situations like this we have developed in our Village Bungalows and what we did is we actually paid for additional foliage on their property, because, obviously, we can't put anything between our roadway and McMillan. But I would have no problem as a condition of approval putting whatever kind of planting she -- that they want in there to -- because we don't want to disrupt any of our neighbors. But, yeah, that could be a condition of approval. We think we could do a great job by doing that, because we just -- my son and I just drove it, took pictures, because we knew it was one of your only concerns and I think we could shield her a hundred percent from any kind of lighting.

Seal: Okay. Any other questions? All right. Thank you very much.

Walsh: Thanks for your time.

Seal: Do we have anybody in the audience who would like to come up and testify? Madam Clerk, do we have anybody online?

Weatherly: Mr. Chair, not raising their hand.

Seal: Okay. At this time I will close the public testimony.

Cassinelli: Mr. Chair, I move we close the public testimony.

Starman: Chairman, before we close did you want to invite the -- we had the applicant actually maybe three or four times come up to the podium, but did you want to give the applicant an opportunity to close?

Seal: Yes, we would. Yeah. If you would like to come back forward. Thank you. Sorry, I got -- I got out of time on my script. Thank you for notifying me.

Koeckeritz: Just one other thing. Thank you for having me back up here. I did confirm we can put in with no problem on this one -- right at -- the concern about the pathway going across to the east. We can absolutely put one in right sort of where Grand Lakes

Way curves to go south, we can put one in across there. And with that I will stand for any more questions.

Seal: Thank you. Any other questions? No? All right. Thank you very much. Okay. At this time can I get a motion to close the public hearing for item number H-2021-0074.

Lorcher: So moved.

Cassinelli: Second.

Seal: Okay. It's been moved and seconded to close the public hearing for Item No. H-2021-0074. All in favor say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to jump in first?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go right ahead.

Cassinelli: Commissioner Grove brought it up in his questioning and that was the -- the ACHD staff report and their numbers. One thing that I had noticed on the staff report is the McMillan numbers were from 2018. So, it's almost a four year old traffic count. So, I don't know where that would put -- you know, if it's -- I think shoulder hours or a D right now. I mean if we were looking at today's numbers I don't know where that would be. The other thing that we are not -- unless I'm reading the reports incorrectly and somebody, please, correct me if I -- if -- if I am. They are not looking at -- I mean two weeks ago we saw Quartet South and we are not -- I mean we are not even -- this isn't even factoring in their numbers. ACHD numbers aren't even factoring in all of Quartet, if that's -- it looks like you guys are nodding your head. So, it's going to be even worse than F. If -- if they have a scale that goes to Z we might be down there. I don't know, but -- but I mean that's -- and I hate to put that all on the applicant. It's -- it's on ACHD. But we are looking at -- and they are not even going to five lanes on that. All they are doing on -- on McMillan is putting in a center turn lane the full width of -- I mean from -- I think like Locust Grove to -- to the -- to Ontario or something. It's not going to be five lanes. And so it's -- it's bad now, it's going to be bad -- it's going to be worse later. That center turn lane isn't going to do a whole lot. It -- the report also doesn't factor in -- it's only -- they only show traffic levels for McMillan and Black Cat. Some of that might feed all the way down to Ustick. I mean it's -- it's -- it all -- this is all going to be one substantial subdivision when you put this in with Quartet. So, I have got -- I have got a lot of concerns with that and what I would like to do is bring in ACHD and beat them over the head, but we don't have that -- that luxury to do that, but that's -- that's the issue and that's -- and I don't know how the applicant can solve that. But those roads out there right now in -- during peak hours are -- they are already difficult and it's only going to get worse. But I don't know what the answer is, unless ACHD is willing to do more on McMillan, but they are saying they can't.

I mean I don't know where to go. Those are my thoughts right now. I will probably have some more later.

Seal: Okay. And I will jump in. I mean as far as the traffic -- traffic issue is concerned, we -- I mean we all kind of suffer the -- you know, the -- the same fate here where there is several times we may not agree with, you know, what ACHD is saying on the opposite side of this where -- saying that the level of service is acceptable -- we are all kind of scratching our head going how can that be where here we have the level of service is not acceptable. So, I mean, you know, ACHD owns the roads, we -- they give us a report and we are supposed to act on those on the best interest of the city. I mean seeing that and -- and like the application that we did have two weeks ago, that is, you know, right in the same location, we are faced with a similar thing where as -- you know, my opinion is knowing that the level of service at peak hours is -- is not going to be acceptable, knowing that the data is four years old and also understanding that there is that limitation from, essentially, Locust Grove all the way through where these power poles are, something is going to have to be done in the future to help accommodate that. More than likely it's going to be that they are going to overbuild Black Cat like they have done with Ten Mile. I mean that was brought up earlier, so -- but we are not there yet. We are literally ten years away from even that happening and as a person that lives in that area and has to drive these roads on occasion, there is never a time when there is not a lot of traffic in that area already and they are -- you know, we are just getting warmed up with subdivisions in there. So, I mean it's -- it's tough. I wish ACHD would do something about the roads in there in a timelier fashion, but they have to take our entire area of impact and prioritize projects in there. Unfortunately, this has the prioritization of doing it in 2031, instead of 2022. Anybody else like to chime in? Commissioner Lorcher.

Lorcher: Commissioner Seal.

Seal: Go right ahead.

Lorcher: If Commissioner Yearsley were here he would say something to the fact that you are taking a parcel of land and putting as many houses or, you know, products on as you possibly can that cannot accommodate the space that is already there. I think that there should be a subdivision here. It's definitely residential. But looking at the density of this particular corner, especially when it's McMillan and Black Cat. The roundabout is not scheduled, although the light will help. Our infrastructure is not ready for a project like this.

Seal: Okay. Thank you. Anybody else? Commissioner Grove, go ahead.

Grove: Thanks, Mr. Chair. Where to start? The -- the improvements to the site plan make this a little bit easier. The pathways, the reduced common drives are great. The -- the traffic is going to be a concern. There is no way around that. I think the offset of the collector is probably the only thing that could potentially save it, actually, just from a -- a flow standpoint. I don't think lining these up would make this better with the restrictions that McMillan is going to have. If it were to be a five lane road I would probably

really strongly want those roads to line up, but with it only going to three it -- I don't think having the road line up actually improves the situation. I think that we would probably be creating more problems by fixing the one problem. The ten year -- are nine years to -- what is it -- 13 years out for this road improvement gives me extreme reservations about being able to move this forward. If this was in even a five year outlook, you know, with the ability to move it up a couple of years with -- with the impact fees and things like that, I would be much more inclined to say, yeah, let's -- let's take a look at how does this, you know, phase in, you know, by the time, you know, things get platted, things get moving. I think with the -- with where ACHD is at with the Black Cat and with McMillan, this is even more problematic than the one that we had last time where it was on the south end of this block where you had Ustick and Black Cat. At least there the ability to extend the roads is possible, whereas McMillan is really landlocked and I don't know how to fix this. I don't really even know where I'm at. I think if I were to say right now I would probably say to deny based on the roads and how far out the ability to fix this problem is. So, that's -- that's kind of where I'm at right now.

Seal: Okay. You know, I think there is a little commonality among there -- those things. I mean as far as the density goes, I mean it is appropriate. You know, considering -- essentially considering all the zoning and the future land use map and all that, the zoning that's in here is appropriate. Otherwise, the staff would have called that out I'm sure for the mass of land that it's on. I do like what you have done with the bulb outs. You know, I still just hate common driveways, because it's not a -- the common driveways are not an issue of any -- all the service vehicles or anything backing into them, the problem is -- especially when they are on corners, when it comes trash day, instead of a couple of cans on the side of the road, you have about 12 and you get to play Mario Kart through them if you are trying to drive through there at any point in time. So, there is two of them that I have to drive through regularly and it's horrible. So, shared driveways are just really sketchy as far as that goes, so -- it can create all kinds of issues, especially for service vehicles. Some of the improvements that you have done through here I really like. I like the bulb outs. The age restricted community -- it's interesting, I can -- you know, I mean we have a scenario where I can definitely see, you know, you are living in here, you have an age restricted, you know, mother, father, grandparent, whatever that is, living in the age restricted piece of it. So, you know, the ability for you or grandkids or whoever to go visit and, you know, basically, will ride a bike or cross the street is actually nice. It's a nice feature I think to have something like this integrated, because a lot of times we get age restricted communities that stand on their own. So, they are -- they are part and parcel not joined to anything else. So, it's kind of nice to see that. That said, running it through the HOAs, you know, with the CC&Rs, you can change them, so -- I mean it just takes a vote and that's not age restricted anymore. So, the likelihood of that happening would probably be low, but I mean in 20, 30 years who knows what would be there or what would be happening with it. So, there is a lot of positive here. But, again, we kind of come back to the traffic issue and that -- I think no matter how good something coming in here at this point, the roads just aren't able to take that traffic right now and I think putting this in and, you know, accommodating everything else that is being built right there is going to be very very problematic and it's not going to be -- everything else that's being built out there is going to be in there within the next four or five years and, then, you still

have at least five more years before we get any relief at all there, outside of a traffic light, which is moderately helpful, which is about all it was, moderately helpful on Black Cat and Ustick. Black Cat is going to suffer the same fate. They have the same kind of power poles running down Black Cat. You can only widen it so far. So, I mean it's going to be interesting to see what happens with this area when they do finally develop those roads. Part of me thinks that's the reason that they are pushing it out so far as the 2031 and out. You know, there is a lot of other areas that are going to develop before then. I think this one is very very problematic for them, because you have the power poles there and they can only do so much, but -- it's tough. I mean I like the subdivision itself, but I just don't think it's responsible to move forward with it, considering the -- that the roads already are incapable of handling it. Anybody else? Okay. At some point we got to get a motion or we got to get a question.

Cassinelli: Mr. Chair, I just -- I had a question -- a quick question for staff on something.

Seal: Go ahead.

Cassinelli: Alan, that -- that structure that's going to stay there that's almost right across from Joy, is that -- right now it takes access from McMillan. Will that be taking -- if this were to go through will that be taking access -- continue to take access off McMillan or is that going to take internal access there? It's up in the top.

Tiefenbach: You are talking about the northeast corner?

Cassinelli: Correct.

Tiefenbach: Yeah. That's going to be taking access off of that cul-de-sac, not off of McMillan.

Cassinelli: Okay. That's what I figured. Thank you.

Tiefenbach: Or, sorry, not the cul-de-sac, off of Sunday Loop. You can see the --

Cassinelli: Oh. Okay.

Tiefenbach: You see it here.

Cassinelli: Okay. But it's internal to the --

Tiefenbach: We wouldn't let some -- we would -- we would not support adding additional entrances without removing them.

Cassinelli: I didn't see anything in there, so I --

Tiefenbach: No. You are correct.

Cassinelli: -- just wanted to check. Thank you.

Tiefenbach: Yes, sir.

Seal: Okay. If anybody would like to float a motion.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Before I do my motion, just want to reiterate. I'm not opposed to the design or the density, but the -- the -- the traffic is -- is the issue. So, with that being said, after considering all staff, applicant, and public testimony, I move to recommend denial to the City Council of file number H-2021-0074 as presented during the hearing date of February 17th, 2022, for the reason of traffic impact on the arterial roads abutting this project.

Cassinelli: Second.

Seal: It's been moved and seconded to recommend denial of Item No. -- I had it in front of me. H-2021-0074. All those in favor of the recommended denial, please, say aye. Any opposed? Okay. Motion carries.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Thank you.

Wheeler: Is it your honors tonight, Bill?

Seal: Yeah. Can I get one more motion, please.

Cassinelli: Final -- final motion. Mr. Chair, I move that we adjourn.

Lorcher: Second.

Seal: It's been moved and seconded that we adjourn. All those in favor say aye. Any opposed? Motion carries. Thank you.

MEETING ADJOURNED AT 7:19 P.M.
(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)
APPROVED

ANDREW SEAL - CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Third Reading of Ordinance No. 22-1972: An Ordinance Repealing and Replacing Meridian City Code Section 1-7-1, Regarding Election; Districts; Terms of Office; Residency Requirement; Amending Meridian City Code Section 1-7-2, Regarding City Council Member Qualifications; Repealing and Replacing Meridian City Code Section 1-7-4, Regarding City Council Seat Vacancies; Adding a New Section to Meridian City Code, Section 1-7-11, Regarding Meridian Districting Committee; City Council Districts; Adopting a Savings Clause; and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1972

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE REPEALING AND REPLACING MERIDIAN CITY CODE SECTION 1-7-1, REGARDING ELECTION; DISTRICTS; TERMS OF OFFICE; RESIDENCY REQUIREMENT; AMENDING MERIDIAN CITY CODE SECTION 1-7-2, REGARDING CITY COUNCIL MEMBER QUALIFICATIONS; REPEALING AND REPLACING MERIDIAN CITY CODE SECTION 1-7-4, REGARDING CITY COUNCIL SEAT VACANCIES; ADDING A NEW SECTION TO MERIDIAN CITY CODE, SECTION 1-7-11, REGARDING MERIDIAN DISTRICTING COMMITTEE; CITY COUNCIL DISTRICTS; ADOPTING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, Idaho Code section 50-707A requires cities with more than one hundred thousand (100,000) inhabitants to establish City Council districts and elect City Council members by such districts; and

WHEREAS, the City Council of the City of Meridian finds that the following ordinance will serve the purposes of Idaho Code section 50-707A, related provisions of Meridian City Code, and the people of the City of Meridian;

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE CITY OF MERIDIAN, IDAHO:

Section 1. Meridian City Code section 1-7-1 shall be repealed, and replaced with language to read as follows.

1-7-1. ELECTION; DISTRICTS; TERMS OF OFFICE; RESIDENCY REQUIREMENT.

A. Elections. General city elections shall be held on the first Tuesday following the first Monday in November, in odd numbered years.

B. City Council districts established. There shall be six (6) City Council districts in the City of Meridian. Pursuant to the provisions of Idaho Code section 50-707A and Meridian City Code section 1-7-11, following the release of federal decennial census data and the County Clerk’s establishment of election precincts, the Meridian Districting Committee shall establish and number six (6) City Council districts.

C. City Council seats established. There shall be six (6) City Council seats on the Meridian City Council. The Meridian Districting Committee shall number each City Council seat pursuant to this section and Idaho Code section 50-707. The number of each City Council seat shall correspond to the numbered City Council districts.

D. Terms. Each elected City Council member shall serve a term of four (4) years, or until his or her successor is elected and qualified.

E. Staggered terms. At each election, three City Council seats shall be open for election, alternating odd-numbered seats and even-numbered seats.

1. Election in 2023. In the 2023 general city election, the first election after the establishment of City Council districts in the City of Meridian, no candidate, including an incumbent candidate, may run for election or re-election to a City Council seat in a City Council district in which the candidate is not a resident. Incumbent City Council members who are serving in City Council seats 1, 3, and 5, as such seats were designated prior to the assignment of City Council seats to City Council districts, and who are running for re-election in 2023, must be residents of the respective City Council districts in which they are running. In order to preserve staggered terms, City Council members serving in City Council seats 2, 4, and 6, as such seats were designated prior to the assignment of City Council seats to City Council districts, shall serve the remainder of their terms in those seats, during which time they shall represent the City Council districts corresponding to their City Council seat numbers, regardless of whether they are residents of the City Council district to which their seat corresponds.

2. Elections in 2025 and thereafter. In the 2025 general city election and in each election thereafter, no candidate, including an incumbent candidate, may run for election or re-election to a City Council seat in a City Council district in which the candidate is not a resident.

F. Candidate to be resident of City Council district. Any candidate seeking election to the City Council shall file his or her candidacy for one, and only one, City Council seat. Except as otherwise set forth in Meridian City Code section 1-7-1(E)(1), the candidate must be a resident of the City Council district that corresponds to the City Council seat for which the candidate is running. City Council members shall be elected by the electors of the said City Council district. To be eligible to run for City Council, the candidate shall meet this and all other qualifications for the office of City Council member, as required by law.

Section 2. Meridian City Code section 1-7-2 shall be amended as follows.

1-7-2. QUALIFICATIONS; DEFINITIONS.

A. Any person shall be eligible to hold the office of City eCouncil member: 1) whose ~~domicile~~ residence is, at the time of declaration of candidacy or intent to seek election, and if elected, remains, ~~in the city limits of the city of Meridian~~ in the City Council district to which the City Council member is elected to serve; and 2) is a qualified elector as set forth in this section and within the City of Meridian under the constitution and laws of the State of Idaho.

B. ~~“Domicile-Residence,”~~ for the purposes of this section, shall have the definition as set forth in Idaho Code section 50-402(d) ~~mean that individual’s true, fixed and permanent home and place of habitation. It is the place where that individual intends to remain, and to which that~~

~~individual expects to return when that individual leaves without intending to establish a new domicile elsewhere.~~

C. “Qualified elector,” for the purposes of this section, shall mean a person who is at least eighteen (18) years of age, is a United States citizen, has resided in Meridian City Limits and the City Council district for which the City Council member is elected to serve for at least the thirty (30) days preceding the election at which he desires to be elected, and who is registered to vote in such jurisdiction as required by law.

Section 3. Meridian City Code section 1-7-4 shall be shall be repealed, and replaced with language to read as follows.

1-7-4. VACANCIES.

A. In the event a City Council seat becomes vacant through the death, resignation, or relocation of a City Council member, or any other cause, the Mayor shall appoint, with the approval of the City Council, an appointee to fill the City Council seat until the next general city election, at which time the vacancy shall be filled for the balance of the original term, if any, by a vote of the electors of the City Council district that corresponds to the City Council seat.

1. If an appointment is made prior to the establishment of City Council districts, the appointee shall satisfy the qualifications set forth in Idaho Code section 50-702, but need not reside in any specific geographic district within the City of Meridian.
2. If an appointment is made after the establishment of City Council districts, the appointee shall satisfy the qualifications set forth in Meridian City Code section 1-7-2 and reside in the City Council district that corresponds to the vacant City Council seat.

Section 4. A new section shall be added, Meridian City Code section 1-7-11, to read as follows.

1-7-11. MERIDIAN DISTRICTING COMMITTEE; CITY COUNCIL DISTRICTS.

A. **Establishment.** There is hereby established the Meridian Districting Committee, the purpose of which shall be to establish six (6) City Council districts and assign one (1) City Council seat to represent each City Council district, in accordance with applicable laws, available federal decennial census data, and principles of districting as are or may be established by law, policy, and custom governing the same.

B. **Duties and powers.** The Meridian Districting Committee shall be charged with, and authorized to:

1. Evaluate and apply federal decennial census data regarding the City of Meridian in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A; Title 1, Chapter 7, Meridian City Code; and all other applicable provisions of local, state, and federal law.

2. Assign City Council seats, numbering 1 through 6, to the corresponding numbered City Council districts, pursuant to the provisions of Idaho Code section 50-707 and Title 1, Chapter 7, Meridian City Code.
3. Act independently to make decisions regarding City Council districts and City Council seat numbers, without regard for the residency of elected officials or candidates running for municipal office of the City of Meridian.
4. Consult resources and experts in demographics and population distribution, including, without limitation, the Community Planning Association of Southwest Idaho, the United States Census Bureau, and their delegates and staff, as needed or desired.
5. Consult resources and experts in districting and apportionment, including, without limitation, the Idaho Secretary of State, the Idaho Commission for Reapportionment, the Ada County Clerk, and the delegates and staff thereof, as needed or desired.
6. Consult City of Meridian Geographic Information System and Planning staff for information and assistance with establishment of City Council districts and the preparation of maps.
7. Consult the City Attorney or designee regarding compliance with applicable Idaho Code and Meridian City Code provisions.

C. Meridian Districting Committee membership and qualifications.

1. The Mayor shall appoint, with the approval of the City Council, members to the Meridian Districting Committee. Should a vacancy subsequently occur on the Meridian Districting Committee, the Mayor shall fill the vacancy in a like manner within fourteen (14) days, or as soon thereafter as practicable. In addition to the names of the members so appointed, the resolution shall include the following directives to the City Clerk:
 - a. Directing the City Clerk to convene the Meridian Districting Committee.
 - b. Directing the City Clerk to post on the City of Meridian website the agenda and minutes of the Meridian Districting Committee meetings, as well as the census data used by the Meridian Districting Committee in the course of its charge under this section.

In the event that the Mayor fails to timely act pursuant to this provision, the City Council President shall so act.
2. Voting members of the Meridian Districting Committee shall include six (6) Meridian residents from diverse geographic areas of Meridian, to include at least one (1) individual who resides south of Interstate 84, one (1) individual who resides north of Ustick Road, one (1) individual who resides west of Meridian Road, and one (1) individual who resides east of Meridian Road. The six (6) Committee members shall be voting members, and shall serve without salary or compensation for their service.

3. The Meridian Districting Committee shall include the following ex-officio, non-voting members:
 - a. The City of Meridian Geographic Information System Manager or designee;
 - b. The City of Meridian Planning Manager or designee; and
 - c. The Ada County Clerk or designee.
4. The Meridian Districting Committee may include the following ex-officio, non-voting members, as may be hired by the City of Meridian: a statistician, a cartographer, and/or any other experts whose services may be helpful in the discharge of the Meridian Districting Committee's responsibilities.
5. A person who has served on the Meridian Districting Committee shall be ineligible to run for a Meridian City Council seat for five (5) years following such service.

D. Organization and meetings.

1. At the initial meeting of the Meridian Districting Committee, the Committee members shall elect a Chair and Vice Chair.
 - a. The Chair shall be a voting member of the Meridian Districting Committee and shall hold the same rights and privileges as any other Committee member. The decisions, statements, and/or actions of the Chair shall obligate, commit, and/or represent the Meridian Districting Committee only insofar as the Committee has specifically authorized. The Chair's duties shall include:
 - 1) Preparing Meridian Districting Committee meeting agendas in cooperation with the City Clerk or designee;
 - 2) Presiding over all Meridian Districting Committee meetings, and
 - 3) Signing all documents requiring an official signature on behalf of the Meridian Districting Committee, including the Meridian Districting Plan.
 - b. The Vice Chair shall perform the duties of the Chair in the absence of the Chair, and such other duties as may be delegated by the Chair.
 - c. A special election may be held at any time to fill a vacancy of the office of Chair or Vice Chair.
2. The Chair shall propose, and the Committee members shall adopt, a timeline of meetings and actions to timely complete the Meridian Districting Committee's work in accordance with this section and with Idaho Code section 50-707A.
3. The Meridian Districting Committee shall comply in all respects with the Idaho Open Meetings Law. The agenda for all meetings shall be prepared by the Chair in consultation with the City Clerk or designee. The City Clerk or designee shall assist the Chair with scheduling meetings, posting meeting and agenda notices, preparing meeting minutes, and distributing agendas, minutes, and other materials to Committee members prior to each meeting.
4. A majority of currently-appointed Committee members shall constitute a quorum for the transaction of any business of the Meridian Districting Committee.

5. Each voting member shall be entitled to one (1) vote on any matter before the Meridian Districting Committee. Except as otherwise designated herein, the vote of the majority of the voting members present at any meeting at which a quorum is present shall effectuate any decision of the Meridian Districting Committee. Voting shall be verbal and on the record; proxy voting, secret voting, and written voting shall not be permitted.
6. Scheduling of public hearings, public comment, or presentations before the Meridian Districting Committee shall be at the discretion of the Chair. The Chair may set rules to maximize efficiency and productivity of meetings, including setting a time limit for comments or presentations to the Meridian Districting Committee.
7. Upon the City Clerk's filing of the Meridian Districting Plan with the County Clerk as set forth in Meridian City Code section 1-7-11(H), the Meridian Districting Committee shall automatically dissolve and may be reconvened only upon appointment by the Mayor pursuant to Meridian City Code section 1-7-11(C)(1).

E. Procedure.

1. The Meridian Districting Committee shall evaluate and apply the federal decennial census data for the City of Meridian in order to establish six (6) City Council districts pursuant to the provisions of Idaho Code section 50-707A; Title 1, Chapter 7, Meridian City Code; and all other applicable provisions of local, state, and federal law. To assist the Committee, one or more of the ex officio members set forth in Meridian City Code section 1-7-11(C)(3) shall prepare three (3) potential districting maps for the Committee's initial consideration. The Committee may utilize one of these potential districting maps, or the Committee may develop and utilize a different districting map.
2. Upon completion of a draft districting map, the Meridian Districting Committee shall designate each City Council district with a number from 1 to 6 pursuant to the provisions of Meridian City Code section 1-7-1(C) and this chapter. The draft map and numbered City Council districts shall constitute the draft districting plan. The Meridian Districting Committee shall hold a minimum of two (2) public hearings to receive public testimony on the draft districting map.
3. The Meridian Districting Committee shall act to establish, by resolution, the Meridian Districting Plan, to include the following documents, which shall be appended to the resolution, and incorporated into the same by reference:
 - a. A map of the City of Meridian showing the exact locations of the designated City Council districts, labeled with the district numbers and corresponding City Council seat numbers.
 - b. A description of the boundaries of the City Council districts, described by the names of streets or other established features or landmarks.
 - c. A declaration that the City Council seats shall be designated with numbers corresponding to the like-numbered City Council districts, in accordance with Meridian City Code section 1-7-1(C).

The resolution must be approved by at least four (4) voting members to be effective, and shall certify that the established City Council districts meet the criteria set forth in Idaho Code section 50-707A and other applicable statutes and laws.

4. The Meridian Districting Committee shall transmit its resolution to the City Clerk, and the City Clerk shall:
 - a. Schedule a public hearing before the City Council on the resolution;
 - b. Make the resolution available on the City of Meridian's website; and
 - c. Publish a notice of hearing on the matter before the City Council.

- F. The City Clerk shall publish notice of the public hearing on the Meridian Districting Committee's Meridian Districting Plan before City Council at least once prior to the date set for the public hearing, which notice shall solicit written and verbal testimony on the City Council districts as established by the Meridian Districting Committee, and shall include a link to the City of Meridian's webpage with access to the resolution and documents described in Meridian City Code section 1-7-11(E)(3).

- G. The City Council shall conduct a public hearing on the Meridian Districting Plan as established by the Meridian Districting Committee, in accordance with the procedures set forth in Meridian City Code section 1-7-7. Following such public hearing, the City Council shall review the Meridian Districting Plan as established by the Meridian Districting Committee, and upon a finding that it meets the criteria set forth in Idaho Code section 50-707A, shall adopt it by ordinance as the final Meridian Districting Plan. Such act shall be a ministerial function of the City Council; modification of the Meridian Districting Plan established by the Meridian Districting Committee shall occur only upon remand to the Meridian Districting Committee. The City Council may remand the matter to the Meridian Districting Committee only upon a finding, supported by substantial evidence, that the Meridian Districting Plan established by the Meridian Districting Committee does not meet the criteria set forth in Idaho Code section 50-707A. Should the City Council fail to adopt the Meridian Districting Plan via ordinance at least one hundred thirty-five (135) days prior to the date of the next general city election, the Meridian Districting Committee's last resolution shall comprise the final Meridian Districting Plan.

- H. The City Clerk shall file the Meridian Districting Plan with the County Clerk at least one hundred thirty-four (134) days prior to the next general city election, with a request that the County Clerk prepare ballots and establish polling places for all subsequent Meridian City Council elections in accordance with the Meridian Districting Plan.

Section 5. That all ordinances, resolutions, orders, or parts thereof or in conflict with this ordinance are hereby voided.

Section 6. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this ___ day of ____, 2022.

Item #6.

APPROVED by the Mayor of the City of Meridian, Idaho, this ___ day of ____, 2022.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

**STATEMENT OF MERIDIAN CITY ATTORNEY AS TO
ADEQUACY OF SUMMARY OF ORDINANCE NO. 22-1972**

The undersigned, William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that he is the legal advisor of the City and has reviewed a copy of the attached Ordinance no. 22-1972 of the City of Meridian, Idaho, and has found the same to be true and complete and provides adequate notice to the public pursuant to Idaho Code § 50-901A(3).

DATED this _____ day of _____, 2022.

William L.M. Nary, City Attorney

**NOTICE AND PUBLISHED SUMMARY
OF ORDINANCE PURSUANT TO I.C. § 50-901(A)**

CITY OF MERIDIAN ORDINANCE NO. 22-1972

An ordinance repealing and replacing Meridian City Code section 1-7-1, regarding election; districts; terms of office; residency requirement; amending Meridian City Code section 1-7-2, regarding City Council member qualifications; repealing and replacing Meridian City Code section 1-7-4, regarding City Council seat vacancies; adding a new section to Meridian City Code, section 1-7-11, regarding Meridian Districting Committee; City Council districts; adopting a savings clause; and providing an effective date.



AGENDA ITEM

ITEM TOPIC: Ordinance No. 22-1973: An Ordinance (Aviator Springs – H-2021-0065) for Annexation of an Area of Land Being the Northeast One Quarter of the Southeast One Quarter of Section 32, Township 4 North, Range 1 West, Ada County, Idaho; and Being More Particularly Described in Attachment “A” and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 40.0 Acres of Land from RUT to R-8 (Medium Density Residential) (27.63 Acres); L-O (Limited Office) (1.64 Acres) and M-E (Mixed Employment) (10.72 Acres) Zoning District in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1973

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE (AVIATOR SPRINGS – H-2021-0065) FOR ANNEXATION OF AN AREA OF LAND BEING THE NORTHEAST ONE QUARTER OF THE SOUTHEAST ONE QUARTER OF SECTION 32, TOWNSHIP 4 NORTH, RANGE 1 WEST, ADA COUNTY, IDAHO; AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHMENT “A” AND ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MERIDIAN AS REQUESTED BY THE CITY OF MERIDIAN; ESTABLISHING AND DETERMINING THE LAND USE ZONING CLASSIFICATION OF 40.0 ACRES OF LAND FROM RUT TO R-8 (MEDIUM DENSITY RESIDENTIAL) (27.63 ACRES); L-O (LIMITED OFFICE) (1.64 ACRES) AND M-E (MIXED EMPLOYMENT) (10.72 ACRES) ZONING DISTRICT IN THE MERIDIAN CITY CODE; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING FOR A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO:

SECTION 1. That the following described land as evidenced by attached Legal Description herein incorporated by reference as Exhibit “A” are within the corporate limits of the City of Meridian, Idaho, and that the City of Meridian has received a written request for annexation and re-zoning by the owner of said property, to-wit: *Acclima, Inc.*

SECTION 2. That the above-described real property is hereby annexed and re-zoned from RUT to R-8 (Medium Density Residential) (27.63 acres); L-O (Limited Office) (1.64 acres) and M-E (Mixed Employment) (10.72 acres) Zoning Districts in the Meridian City Code

SECTION 3. That the City has authority pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to annex and zone said property.

SECTION 4. That the City has complied with all the noticing requirements pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to annex and re-zone said property.

SECTION 5. That the City Engineer is hereby directed to alter all use and area maps as well as the official zoning maps, and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance.

SECTION 6. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

SECTION 8. The Clerk of the City of Meridian shall, within ten (10) days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman manner, including the lands herein rezoned, with the following officials of the County of Ada, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall also file simultaneously a certified copy of this ordinance and map with the State Tax Commission of the State of Idaho.

SECTION 9. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this _____ day of March, 2022.

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this _____ day of March, 2022.

MAYOR ROBERT E. SIMISON

ATTEST:

CHRIS JOHNSON, CITY CLERK

STATE OF IDAHO,)
) ss:
County of Ada)

On this ____ day of _____, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **ROBERT E. SIMISON** and **CHRIS JOHNSON** known to me to be the Mayor and City Clerk, respectively, of the City of Meridian, Idaho, and who executed the within instrument, and acknowledged to me that the City of Meridian executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Item #7.

(SEAL)

NOTARY PUBLIC FOR IDAHO
RESIDING AT: _____
MY COMMISSION EXPIRES: _____

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 22-1973

An Ordinance (Aviator Springs H-2021-0065) for annexation of an area of land being the Northeast one quarter of the Southeast one quarter of Section 32, Township 4 North, Range 1 West, Ada County, Idaho, and being more particularly described in the map published herewith; establishing and determining the land use zoning classification of 40.0 acres of land from RUT To R-8 (Medium Density Residential) (27.63 Acres); L-O (Limited Office) (1.64 Acres) And M-E (Mixed Employment) (10.72 Acres) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date. A full text of this ordinance is available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall be effective as of the date of publication of this summary.
[Publication to include map as set forth in Exhibit B.]

EXHIBIT A

LEGAL DESCRIPTION



July 9, 2021
Project No.: 120124

EXHIBIT "A"
ANNEXATION / REZONE
AVIATOR SPRINGS SUBDIVISION
ACCLIMA INC.

An area of land being the Northeast one quarter of the Southeast one quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the East One Quarter corner of said Section 32 (from which the Southeast corner of said Section 32 bears South 00° 29' 50" West, 2633.22 feet distant);
Thence South 00° 29' 50" West, 1316.11 feet, to the South One Sixteenth East corner of said Section 32;
Thence North 89° 20' 14" West, 1324.23 feet, to the Southeast One Sixteenth corner of said Section 32;
Thence North 00° 33' 03" East, 1316.33 feet, to the Center East One Sixteenth corner of said Section 32;
Thence South 89° 19' 39" East, 1323.00 feet, to the **POINT OF BEGINNING**:

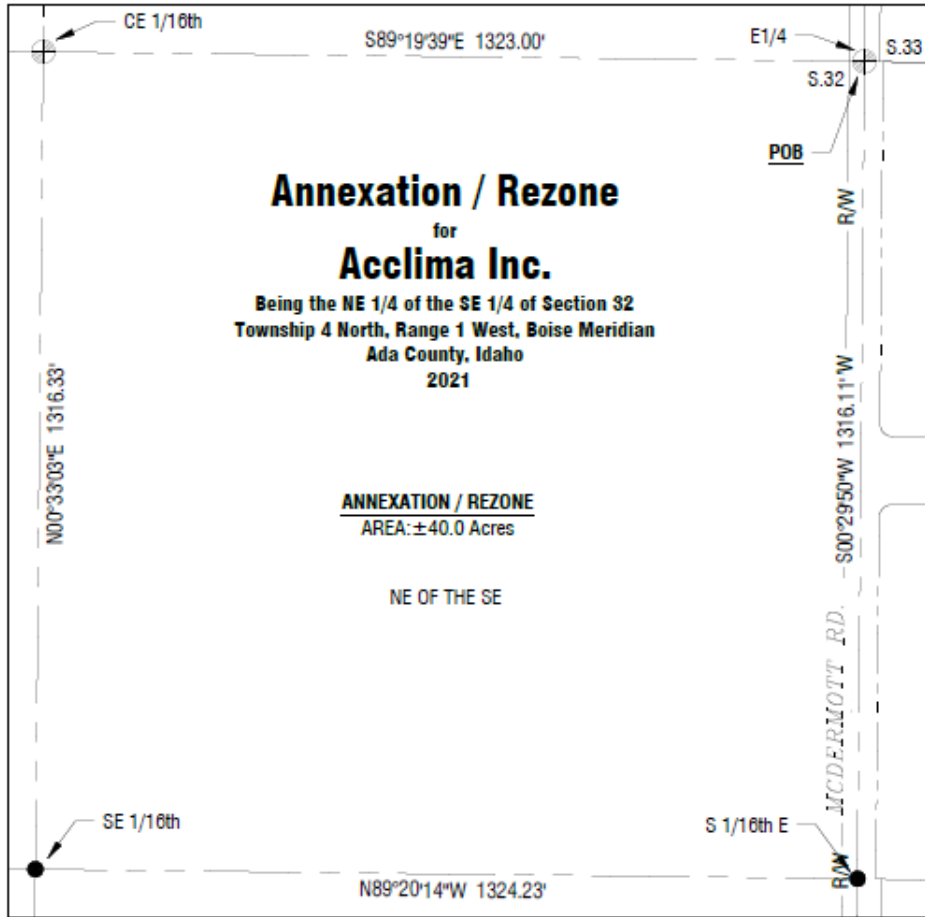
The above described area of land contains 40.0 acres, more or less.

PREPARED BY:
The Land Group, Inc.
Michael Femenia, PLS



07/09/2021

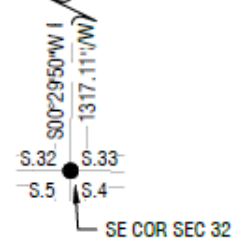
EXHIBIT A



Annexation / Rezone
for
Acclima Inc.
Being the NE 1/4 of the SE 1/4 of Section 32
Township 4 North, Range 1 West, Boise Meridian
Ada County, Idaho
2021

ANNEXATION / REZONE
AREA: ±40.0 Acres

NE OF THE SE

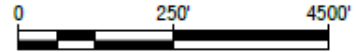


File Location: C:\GIS\2021\GIS\Aviator\Aviator 2021\Aviator 2021\Aviator 2021\Aviator 2021.dwg
 Last Printed By: Mike Brown
 Date Printed: Friday, July 9, 2021 10:05:00 AM



Exhibit "B"

Horizontal Scale: 1"=250'



120194
Date of Issuance: July 9, 2021



Annexation / Rezone
Aviator Springs Subdivision
Acclima Inc.

1 of 1

EXHIBIT A



LEGAL DESCRIPTION

October 18, 2021
Project No.: 120194

EXHIBIT "A"

AVIATOR SRINGS SUBDIVISION
ACCLIMA INC.
ZONE R-8 REZONE DESCRIPTION

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the East Quarter Corner of Section 32 of said Township 4 North, Range 1 West, (from which point the South 1/16th corner common to Section 32 and Section 33 bears South 00°29'50" West, 1316.11 feet distant);

Thence North 89°19'39" West, a distance of 262.39 feet on the east-west mid-section line of said Section 32 to a point of curve, said point being the POINT OF BEGINNING;

Thence 673.35 feet on the arc of a curve to the left, said curve having a radius of 13,000.00 feet, a central angle of 02° 58' 04", a chord bearing of South 08° 15' 59" West, and a chord length of 673.28 feet on the proposed centerline of Highway 16;

Thence South 09° 45' 00" West, a distance of 657.04 feet on the proposed centerline of Highway 16 to a point on the south line of said Northeast Quarter of the Southeast Quarter of Section 32;

Thence North 89° 20' 14" West, a distance of 865.18 feet on said south line to the southeast 1/16th corner of said Section 32;

Thence North 00° 33' 03" East, a distance of 570.42 feet on the west line of said Northeast Quarter of the Southeast Quarter of Section 32;

Thence South 89° 25' 18" East, a distance of 217.12 feet;

Thence North 00° 40' 21" East, a distance of 176.00 feet;

Thence North 89° 25' 18" West, a distance of 217.49 feet to a point on the west line of said Northeast Quarter of the Southeast Quarter of Section 32;

Thence North 00° 33' 03" East, a distance of 19.62 feet on said west line;

Thence South 89° 25' 18" East, a distance of 217.54 feet;

Thence North 00° 40' 21" East, a distance of 155.94 feet;

Thence North 89° 19' 39" West, a distance of 41.70 feet to a point of curve;

Thence 25.23 feet on the arc of a curve to the right, said curve having a radius of 67.00 feet, a central angle of 21° 34' 42", a chord bearing of North 78° 32' 18" West, and a chord length of 25.08 feet;

Thence South 22° 15' 03" West, a distance of 11.20 feet;

Thence North 89° 25' 18" West, a distance of 147.39 feet to a point on the west line of said Northeast Quarter of the Southeast Quarter of Section 32;

EXHIBIT A

October 19, 2021

Page 2

Thence North 00° 33' 03" East, a distance of 399.96 feet on said west line to a point on the east-west mid-section line of said Section 32;
Thence South 89° 19' 39" East, a distance of 1060.61 feet on said mid-section line to the POINT OF BEGINNING.

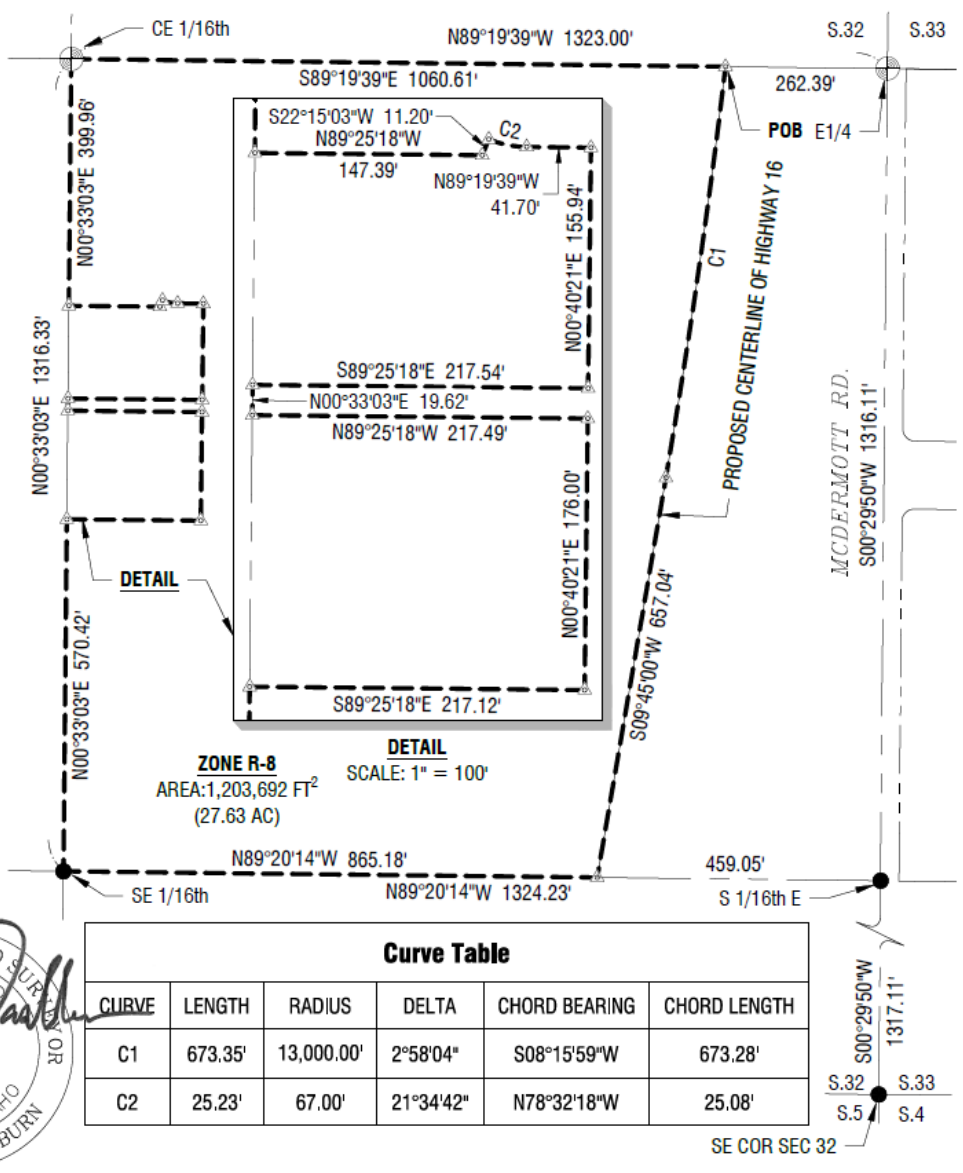
The above described contains 27.63 acres more or less.

PREPARED BY:
The Land Group, Inc.

James R. Washburn

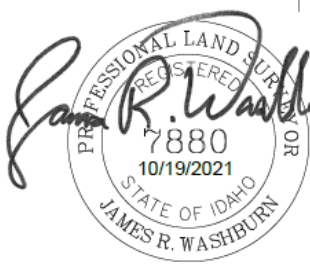


EXHIBIT A



Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	673.35'	13,000.00'	2°58'04"	S08°15'59"W	673.28'
C2	25.23'	67.00'	21°34'42"	N78°32'18"W	25.08'

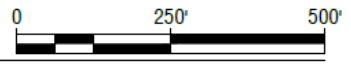


File Location: g:\02021\2019\4\land\survey\exhibit\ex211018 rezona zone-r 120194.dwg
 Last Printed By: dm@lsg
 Date Printed: Tuesday, October 19, 2021 4:09:20 AM



Exhibit "B"

Horizontal Scale: 1"=250'



120194
Date of Issuance: 10/19/2021



**Rezone Exhibit
Zone R-8**

1 of 1

EXHIBIT A



LEGAL DESCRIPTION

Page 1 OF 2

August 20, 2021
Project No.: 120194

EXHIBIT "A"

AVIATOR SPRINGS SUBDIVISION
ACCLIMA INC.
REZONE – ZONE L-0

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the East Quarter Corner of Section 32 of said Township 4 North, Range 1 West, (from which point the South 1/16th corner common to Section 32 and Section 33 bears South 00°29'50" West, 1316.11 feet distant);
Thence North 89°19'39" West, 1323.00 feet on the east-west mid-section line to the Center East One Sixteenth corner of said Section 32;
Thence South 00°33'03" West, a distance of 399.96 feet on the west line of the Northeast Quarter of the Southeast Quarter of Section 32 to the POINT OF BEGINNING;

Thence South 89° 25' 18" East, a distance of 147.39 feet;
Thence North 22° 15' 03" East, a distance of 11.20 feet to a point of curve;
Thence 25.23 feet on the arc of a curve to the left, said curve having a radius of 67.00 feet, a central angle of 21° 34' 42", a chord bearing of South 78° 32' 18" East, and a chord length of 25.08 feet;
Thence South 89° 19' 39" East, a distance of 41.70 feet;
Thence South 00° 40' 21" West, a distance of 155.94 feet;
Thence North 89° 25' 18" West, a distance of 217.54 feet to a point on the west line of the Northeast Quarter of the Southeast Quarter of Section 32;
Thence North 00° 33' 03" East, a distance of 150.33 feet on said west line to the POINT OF BEGINNING.

The above described parcel contains 33,162 square feet (0.76 acres) more or less.

TOGETHER WITH

REZONE – ZONE L-0

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the East Quarter Corner of Section 32 of said Township 4 North, Range 1 West, (from which the South 1/16th corner common to Section 32 and Section 33 bears South 00°29'50" West, 1316.11 feet distant);

EXHIBIT A

August 20, 2021

Page 2

Thence North 89°19'39" West, 1323.00 feet on the east-west mid-section line to the Center East One Sixteenth corner of said Section 32;
 Thence South 00°33'03" West, a distance of 569.91 feet on the west line of the Northeast Quarter of the Southeast Quarter of Section 32 to the POINT OF BEGINNING;

Thence South 89°25'18" East, 217.49 feet;
 Thence South 00°40'21" West, a distance of 176.00 feet;
 Thence North 89°25'18" West, a distance of 217.12 feet to a point on the west line of the Northeast Quarter of the Southeast Quarter of Section 32;
 Thence North 00°33'03" East, 176.00 feet on said west line to the POINT OF BEGINNING.

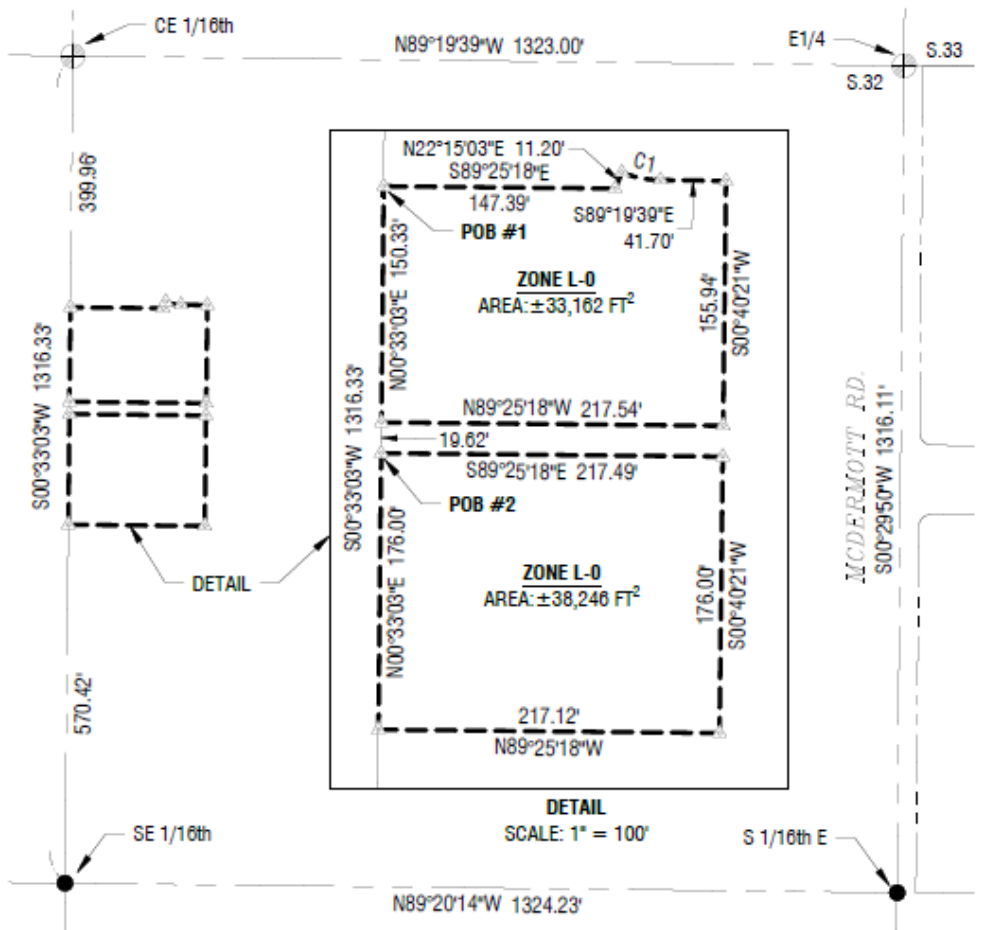
The above described contains 38,246 square feet (0.88 acres) more or less.

PREPARED BY:
The Land Group, Inc.

James R. Washburn



EXHIBIT A



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	25.23'	67.00'	21°34'42"	S78°32'18"E	25.08'

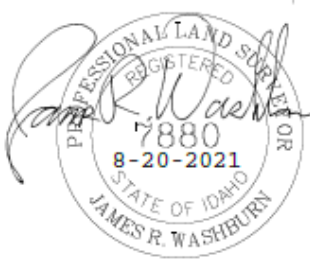


Exhibit "B"
Horizontal Scale: 1"=250'



120194
Date of Issuance: 08/11/2021



Rezone Exhibit Zone L-0

EXHIBIT A



LEGAL DESCRIPTION

October 19, 2021
Project No.: 120194

EXHIBIT "A"

AVIATOR SPRINGS SUBDIVISION
ACCLIMA INC.
ZONE M-E REZONE DESCRIPTION

A parcel of land located in the Northeast Quarter of the Southeast Quarter of Section 32, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, being more particularly described as follows:

Commencing at the East Quarter Corner of Section 32 of said Township 4 North, Range 1 West, (from which point the South 1/16th corner common to Section 32 and Section 33 bears South 00°29'50" West, 1316.11 feet distant), said East Quarter Corner of Section 32 being the POINT OF BEGINNING;

Thence South 00° 29' 50" West, a distance of 1316.11 feet on the east line of said Section 32 to the South 1/16th corner common to Section 32 and Section 33;

Thence North 89° 20' 14" West, a distance of 459.05 feet on the south line of the Northeast Quarter of the Southeast Quarter of Section 32;

Thence North 09° 45' 00" East, a distance of 657.04 feet to a point of curve;

Thence 673.35 feet on the arc of a curve to the right, said curve having a radius of 13,000.00 feet, a central angle of 02° 58' 04", a chord bearing of North 08° 15' 59" East, and a chord length of 673.28 feet to a point on the east-west mid-section line of said Section 32;

Thence South 89° 19' 39" East, a distance of 262.39 feet on said mid-section line to the POINT OF BEGINNING.

The above described parcel contains 10.72 acres more or less.

PREPARED BY:
The Land Group, Inc.

James R. Washburn

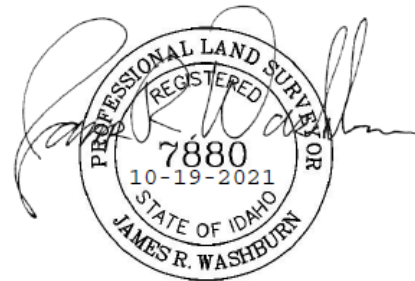
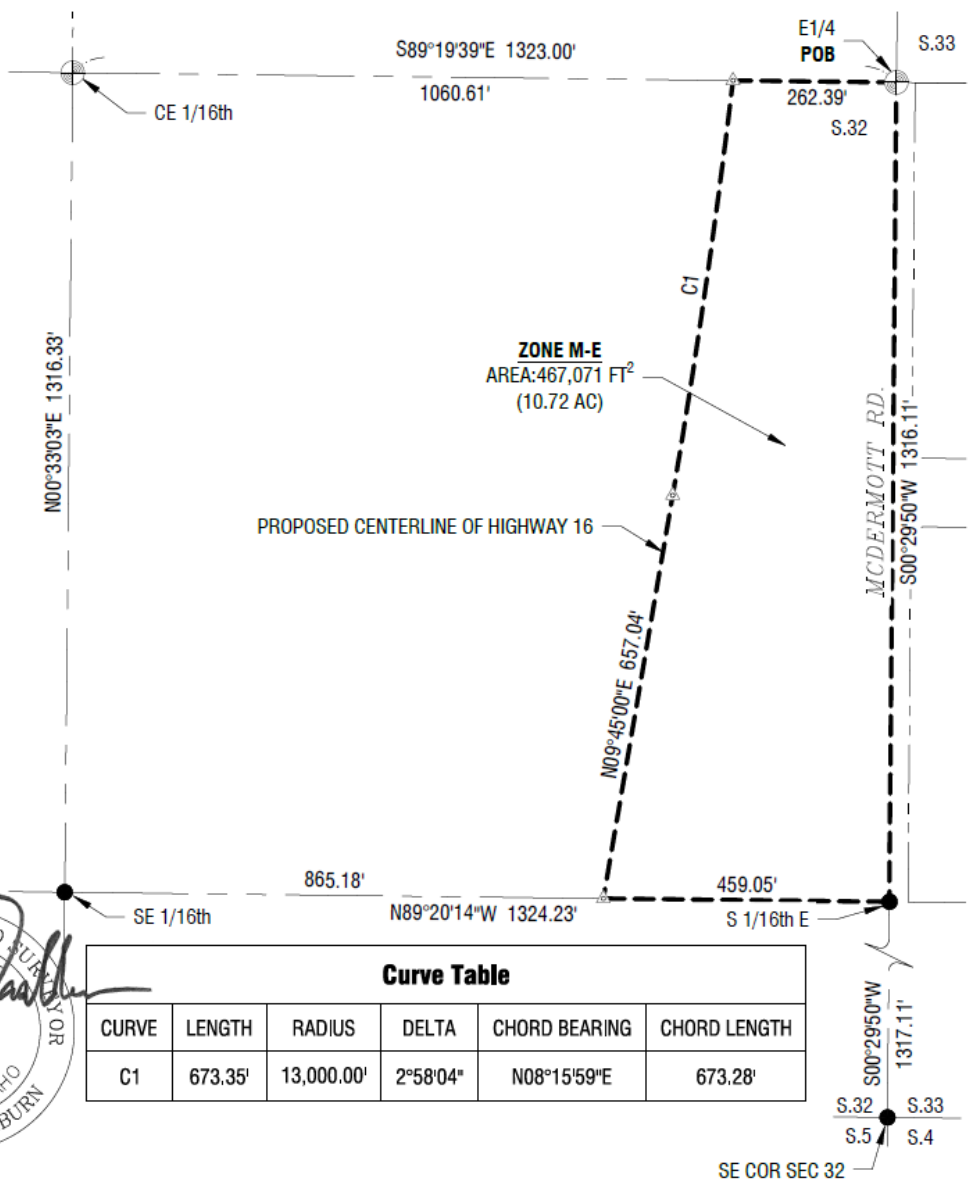


EXHIBIT A



ZONE M-E
 AREA: 467,071 FT²
 (10.72 AC)

PROPOSED CENTERLINE OF HIGHWAY 16

MCDERMOTT RD.
 S00°29'50"W 1316.11'

James R. Washburn
 PROFESSIONAL LAND SURVEYOR
 REGISTERED
 7880
 10/18/2021
 STATE OF IDAHO
 JAMES R. WASHBURN

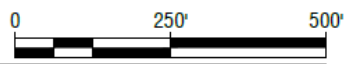
Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	673.35'	13,000.00'	2°58'04"	N08°15'59"E	673.28'

File Location: c:\2021\120194\survey\exhibit\211016 rezon zone m-e 120194.dwg
 User: jrwashburn
 Date Plotted: Monday, October 18, 2021 10:22:19 PM



Exhibit "B"

Horizontal Scale: 1"=250'



120194

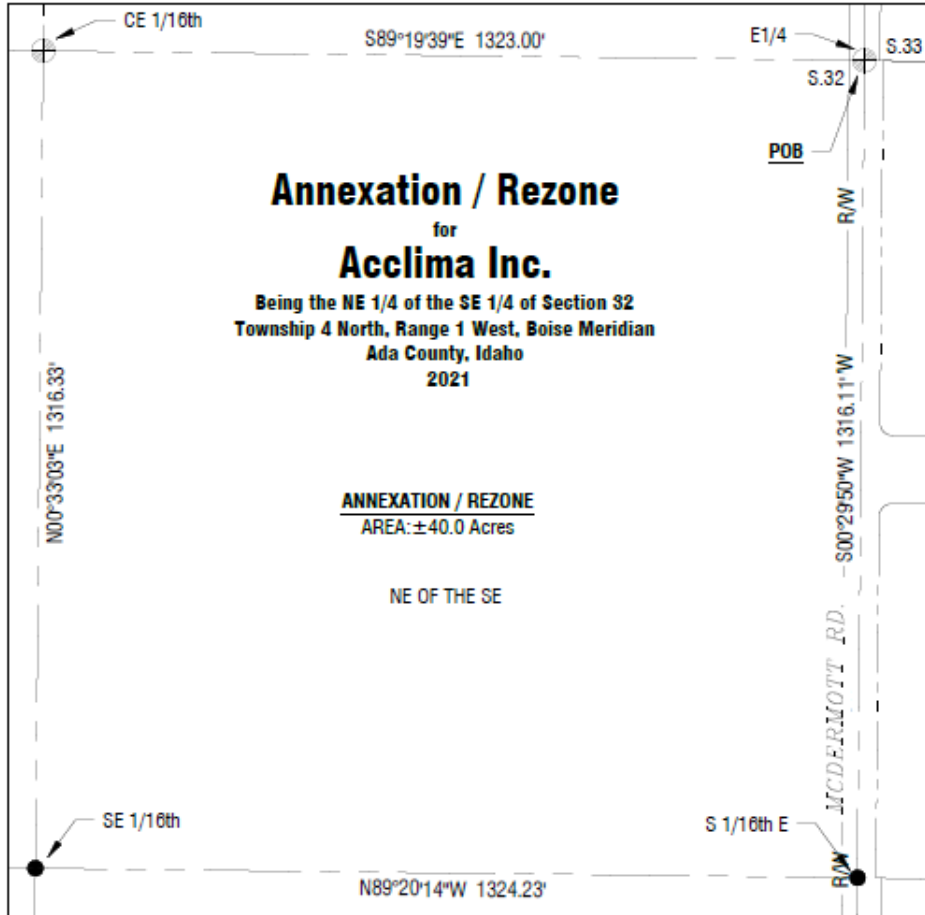
Date of Issuance: 10/18/2021



**Rezone Exhibit
 Zone M-E**

1 of 1

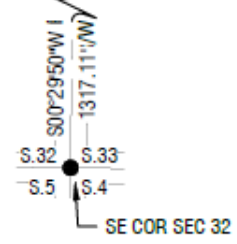
EXHIBIT B



Annexation / Rezone
 for
Acclima Inc.
 Being the NE 1/4 of the SE 1/4 of Section 32
 Township 4 North, Range 1 West, Boise Meridian
 Ada County, Idaho
 2021

ANNEXATION / REZONE
 AREA: ±40.0 Acres

NE OF THE SE

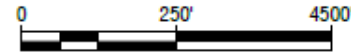


File Location: G:\2021\06\06\Aviator\Aviator\H-2021-0065.dwg
 Last Printed By: Mike Bemema
 Date Printed: Friday, July 9, 2021 10:00:00 AM



Exhibit "B"

Horizontal Scale: 1"=250'



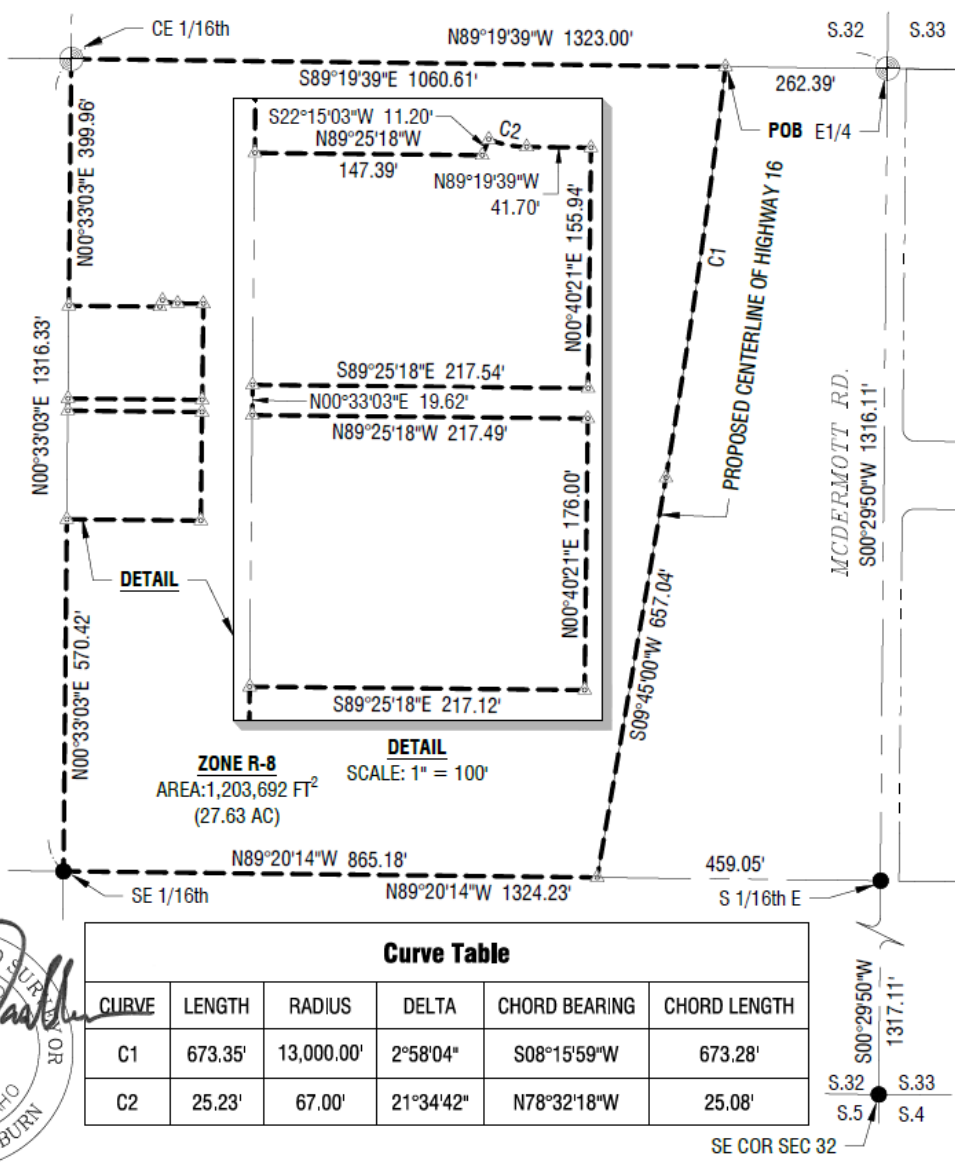
120194
 Date of Issuance: July 9, 2021



Annexation / Rezone
Aviator Springs Subdivision
Acclima Inc.

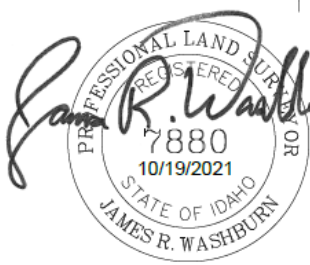
1 of 1

EXHIBIT B



Curve Table

CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	673.35'	13,000.00'	2°58'04"	S08°15'59"W	673.28'
C2	25.23'	67.00'	21°34'42"	N78°32'18"W	25.08'



File Location: g:\02021\2019\4\land\survey\exhibit\ex211018 rezona zone-r 120194.dwg
 Last Printed By: dm@idse
 Date Printed: Tuesday, October 19, 2021 4:09:20 AM



Exhibit "B"

Horizontal Scale: 1"=250'

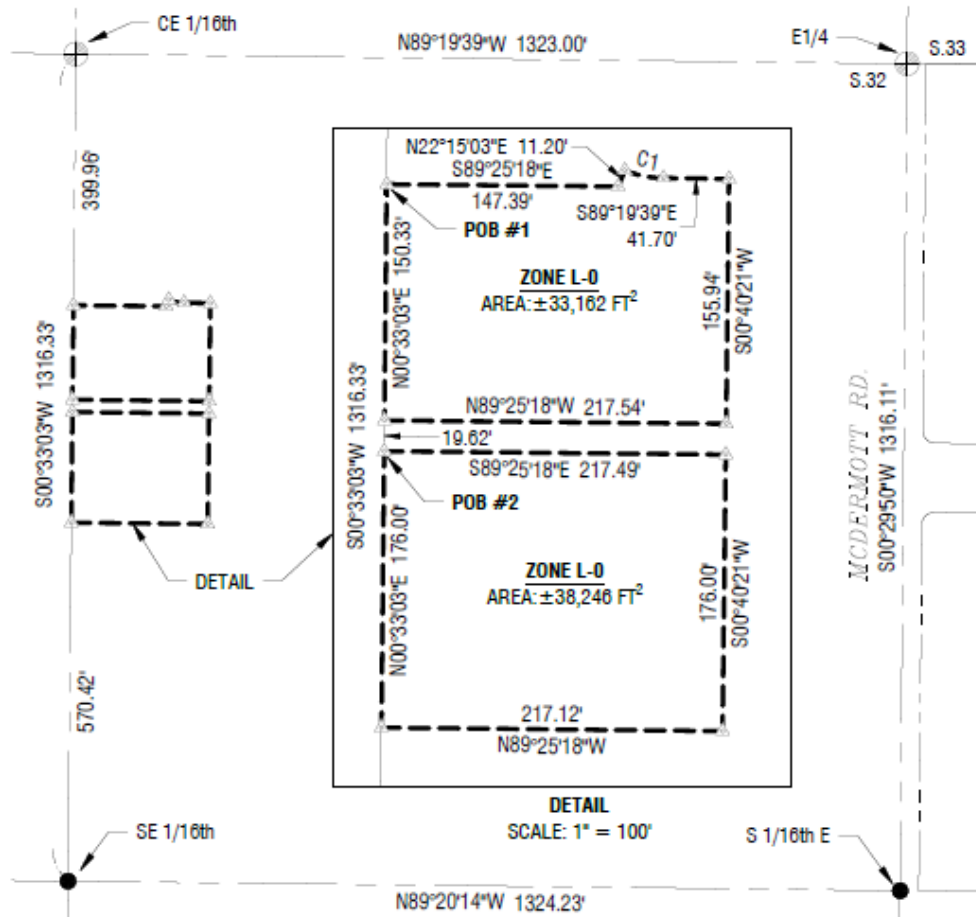
120194
Date of Issuance: 10/19/2021



**Rezone Exhibit
Zone R-8**

1 of 1

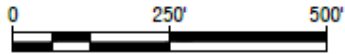
EXHIBIT B



Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	25.23'	67.00'	21°34'42"	S78°32'18"E	25.08'



Exhibit "B"
Horizontal Scale: 1"=250'



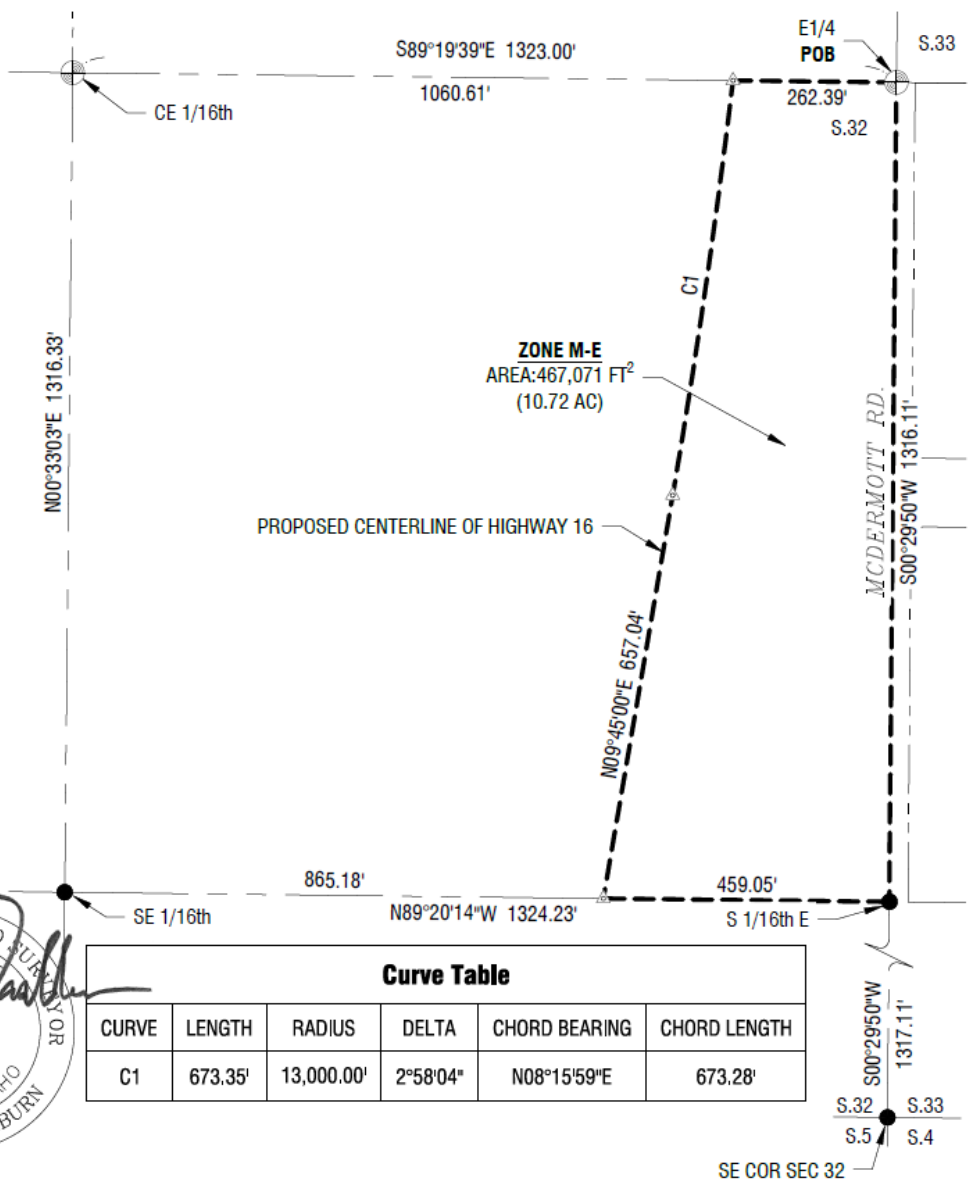
120194
Date of Issuance: 08/11/2021



Rezone Exhibit Zone L-0

1 of 1

EXHIBIT B



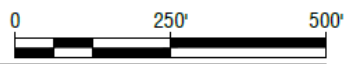
James R. Washburn
 PROFESSIONAL LAND SURVEYOR
 REGISTERED
 7880
 10/18/2021
 STATE OF IDAHO
 JAMES R. WASHBURN

Curve Table					
CURVE	LENGTH	RADIUS	DELTA	CHORD BEARING	CHORD LENGTH
C1	673.35'	13,000.00'	2°58'04"	N08°15'59"E	673.28'

File Location: c:\2021\120194\survey\exhibit\ex211016 rezon zone m-e 120194.dwg
 User: jrwashburn
 Date Plotted: Monday, October 18, 2021 10:22:19 PM



Exhibit "B"
 Horizontal Scale: 1"=250'



120194
 Date of Issuance: 10/18/2021



Rezone Exhibit
Zone M-E

1 of 1



AGENDA ITEM

ITEM TOPIC: Ordinance No. 22-1974: An Ordinance (Rackham East Annexation – H-2021-0075) for Annexation of a Parcel of Land Being Lots 13 Through 16, Block 1, Lots 8 through 12, Block 2 of Rolling Hills Subdivision (Book 18 of Plats At Page 1,202, Records of Ada County) and Unplatted Land Situated in a Portion of the Northwest $\frac{1}{4}$ of the Southeast $\frac{1}{4}$ of Section 16, Township 3 North, Range 1 East, Ada County, Idaho, and Being More Particularly Described in Attachment "A" and Annexing Certain Lands and Territory, Situated in Ada County, Idaho, and Adjacent and Contiguous to the Corporate Limits of the City of Meridian as Requested by the City of Meridian; Establishing and Determining the Land Use Zoning Classification of 25.76 Acres of Land from RUT to C-G (General Commercial) (13.76 Acres) and R-40 (High Density Residential) (12.00 Acres) Zoning Districts in the Meridian City Code; Providing that Copies of this Ordinance Shall be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1974

BY THE CITY COUNCIL:

**BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER**

AN ORDINANCE (RACKHAM EAST ANNEXATION – H-2021-0075) FOR ANNEXATION OF A PARCEL OF LAND BEING LOTS 13 THROUGH 16, BLOCK 1, LOTS 8 THROUGH 12, BLOCK 2 OF ROLLING HILLS SUBDIVISION (BOOK 18 OF PLATS AT PAGE 1,202, RECORDS OF ADA COUNTY) AND UNPLATTED LAND SITUATED IN A PORTION OF THE NORTHWEST ¼ OF THE SOUTHEAST ¼ OF SECTION 16, TOWNSHIP 3 NORTH, RANGE 1 EAST, ADA COUNTY, IDAHO, AND BEING MORE PARTICULARLY DESCRIBED IN ATTACHMENT “A” AND ANNEXING CERTAIN LANDS AND TERRITORY, SITUATED IN ADA COUNTY, IDAHO, AND ADJACENT AND CONTIGUOUS TO THE CORPORATE LIMITS OF THE CITY OF MERIDIAN AS REQUESTED BY THE CITY OF MERIDIAN; ESTABLISHING AND DETERMINING THE LAND USE ZONING CLASSIFICATION OF 25.76 ACRES OF LAND FROM RUT TO C-G (GENERAL COMMERCIAL) (13.76 ACRES) AND R-40 (HIGH DENSITY RESIDENTIAL) (12.00 ACRES) ZONING DISTRICTS IN THE MERIDIAN CITY CODE; PROVIDING THAT COPIES OF THIS ORDINANCE SHALL BE FILED WITH THE ADA COUNTY ASSESSOR, THE ADA COUNTY RECORDER, AND THE IDAHO STATE TAX COMMISSION, AS REQUIRED BY LAW; AND PROVIDING FOR A SUMMARY OF THE ORDINANCE; AND PROVIDING FOR A WAIVER OF THE READING RULES; AND PROVIDING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND THE CITY COUNCIL OF THE CITY OF MERIDIAN, COUNTY OF ADA, STATE OF IDAHO:

SECTION 1. That the following described land as evidenced by attached Legal Description herein incorporated by reference as Exhibit “A” are within the corporate limits of the City of Meridian, Idaho, and that the City of Meridian has received a written request for annexation and re-zoning by the owner of said property, to-wit: *BVA Rolling Hills No. 1, LLC*.

SECTION 2. That the above-described real property is hereby annexed and re-zoned from RUT to C-G (General Commercial) (13.76 acres) and R-40 (High Density Residential) (12.00 acres) Zoning Districts in the Meridian City Code.

SECTION 3. That the City has authority pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to annex and zone said property.

SECTION 4. That the City has complied with all the noticing requirements pursuant to the laws of the State of Idaho, and the Ordinances of the City of Meridian to annex and re-zone said property.

SECTION 5. That the City Engineer is hereby directed to alter all use and area maps as well as the official zoning maps, and all official maps depicting the boundaries and the zoning districts of the City of Meridian in accordance with this ordinance.

SECTION 6. All ordinances, resolutions, orders or parts thereof in conflict herewith are hereby repealed, rescinded and annulled.

SECTION 7. This ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

SECTION 8. The Clerk of the City of Meridian shall, within ten (10) days following the effective date of this ordinance, duly file a certified copy of this ordinance and a map prepared in a draftsman manner, including the lands herein rezoned, with the following officials of the County of Ada, State of Idaho, to-wit: the Recorder, Auditor, Treasurer and Assessor and shall also file simultaneously a certified copy of this ordinance and map with the State Tax Commission of the State of Idaho.

SECTION 9. That pursuant to the affirmative vote of one-half (1/2) plus one (1) of the Members of the full Council, the rule requiring two (2) separate readings by title and one (1) reading in full be, and the same is hereby, dispensed with, and accordingly, this Ordinance shall be in full force and effect upon its passage, approval and publication.

PASSED BY THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, this
_____ **day of** _____, **2022.**

APPROVED BY THE MAYOR OF THE CITY OF MERIDIAN, IDAHO, this
_____ **day of** _____, **2022.**

MAYOR ROBERT E. SIMISON

ATTEST:

CHRIS JOHNSON, CITY CLERK

STATE OF IDAHO,)
) ss:
County of Ada)

On this ____ day of _____, 2022, before me, the undersigned, a Notary Public in and for said State, personally appeared **ROBERT E. SIMISON** and **CHRIS JOHNSON** known to me to be the Mayor and City Clerk, respectively, of the City of Meridian, Idaho, and who executed the within instrument, and acknowledged to me that the City of Meridian executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

(SEAL)

NOTARY PUBLIC FOR IDAHO
RESIDING AT: _____
MY COMMISSION EXPIRES: _____

CERTIFICATION OF SUMMARY:

William L.M. Nary, City Attorney of the City of Meridian, Idaho, hereby certifies that the summary below is true and complete and upon its publication will provide adequate notice to the public.

William L. M. Nary, City Attorney

SUMMARY OF CITY OF MERIDIAN ORDINANCE NO. 22-1974

An Ordinance (Rackham East H-2021-0075) for annexation of a Parcel of Land Being Lots 13 Through 16, Block 1, Lots 8 Through 12, Block 2 of Rolling Hills Subdivision (Book 18 Of Plats At Page 1,202, Records Of Ada County) and Unplatted Land Situated in a Portion of the Northwest ¼ of the Southeast ¼ of Section 16, Township 3 North, Range 1 East, Ada County, Idaho, and being more particularly described in the map published herewith; establishing and determining the land use zoning classification of 4.54 acres of land from RUT To C-G (General Commercial) (13.76 acres) and R-40 (High Density Residential) (12.00 acres) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing an effective date. A full text of this ordinance is available for inspection at City Hall, City of Meridian, 33 East Broadway Avenue, Meridian, Idaho. This ordinance shall be effective as of the date of publication of this summary. [Publication to include map as set forth in Exhibit B.]

EXHIBIT A



February 8, 2022
Project No. 20-219

Exhibit A
Legal Description for Rezone to C-G
Eagle View Landing

A parcel of land being Lot 16, a portion of Lot 15, Block 1, Lots 11 through 12, a portion of Lot 10, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho) and unplatted land situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

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

Thence leaving said westerly line and following said southerly right-of-way line, S89°34'32"E a distance of 672.76 feet;

Thence leaving said southerly right-of-way line, S00°00'07"E a distance of 14.37 feet;

Thence S89°15'23"E a distance of 478.72 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 of Plats at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;

Thence following said westerly boundary and said centerline the following two (2) courses:

- 1. S12°52'54"W a distance of 489.50 feet;
- 2. S14°05'22"W a distance of 62.66 feet;

Thence leaving said westerly boundary and said centerline, N89°54'38"W a distance of 619.66 feet;

Thence N89°52'56"W a distance of 239.55 feet;

Thence 153.33 feet along the arc of a curve to the right, said curve having a radius of 339.50 feet, a delta angle of 25°52'36", a chord bearing of N75°27'32"W and a chord distance of 152.03 feet;

Thence N64°33'26"W a distance of 22.04 feet to the westerly line of said Northwest 1/4 of the Southeast 1/4;

Thence following said westerly line, N00°05'15"W a distance of 514.43 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 13.76 acres, more or less.

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



EXHIBIT A



February 14, 2022
Project No. 20-219A

Exhibit A Legal Description for Rezone to R-40 Eagle View Apartments

A parcel of land being Lots 13 through 14, a portion of Lot 15, Block 1, Lots 8 through 9, a portion of Lot 10, Block 2 of Rolling Hill Subdivision (Book 18 of Plats at Page 1,202, records of Ada County, Idaho), and unplatted land all situated in a portion of the Northwest 1/4 of the Southeast 1/4 of Section 16, Township 3 North, Range 1 East, B.M., Ada County, Idaho being more particularly described as follows:

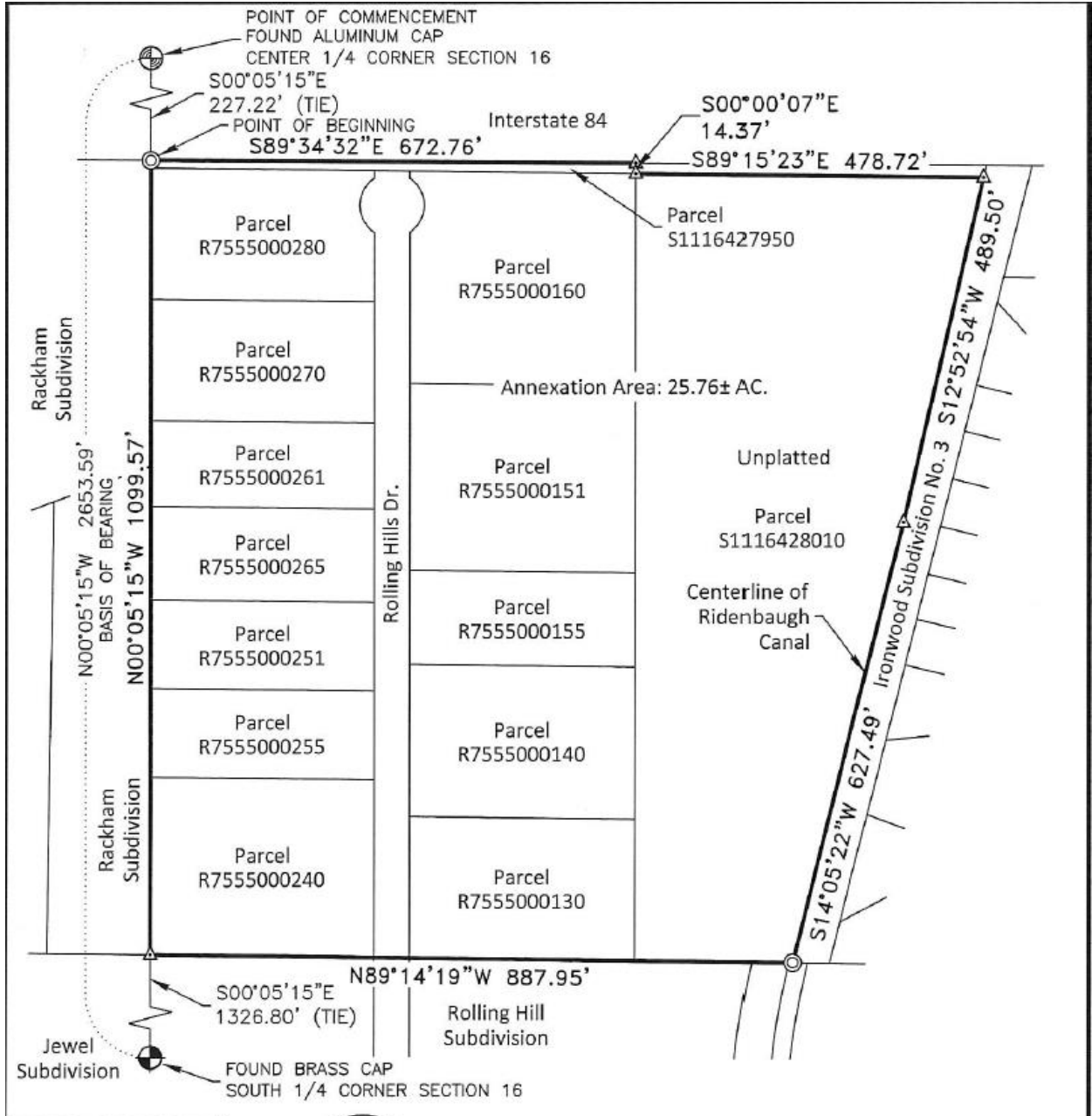
Commencing at an aluminum cap marking the Center 1/4 corner of said Section 16, which bears N00°05'15"W a distance of 2,653.59 feet from a brass cap marking the South 1/4 corner of said Section 16, thence following the westerly line of said Northwest 1/4 of the Southeast 1/4, S00°05'15"E a distance of 741.65 feet to the **POINT OF BEGINNING**.

Thence leaving said westerly line, S64°33'26"E a distance of 22.04 feet;
Thence 153.33 feet along the arc of a circular curve to the left, said curve having a radius of 339.50 feet, a delta angle of 25°52'36", a chord bearing of S75°27'32"E, and a chord distance of 152.03 feet;
Thence S89°52'56"E a distance of 239.55 feet;
Thence S89°54'38"E a distance of 619.66 feet to the westerly boundary of Ironwood Subdivision No. 3 (Book 77 at Page 8,098, records of Ada County, Idaho) and the centerline of the Ridenbaugh Canal;
Thence following said westerly boundary and said centerline, S14°05'22"W a distance of 564.84 feet to a found 5/8-inch rebar on the southerly line of said Northwest 1/4 of the Southeast 1/4;
Thence leaving said westerly line and said centerline and following said southerly line, N89°14'19"W a distance of 887.95 feet to the Southwest corner of said Northwest 1/4 of the Southeast 1/4 (Center-South 1/16 corner);
Thence leaving said southerly line and following the westerly line of said Northwest 1/4 of the Southeast 1/4, N00°05'15"W a distance of 585.14 feet to the **POINT OF BEGINNING**.

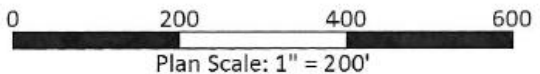
Said parcel contains a total of 12.00 acres, more or less.



EXHIBIT A



km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmengllp.com

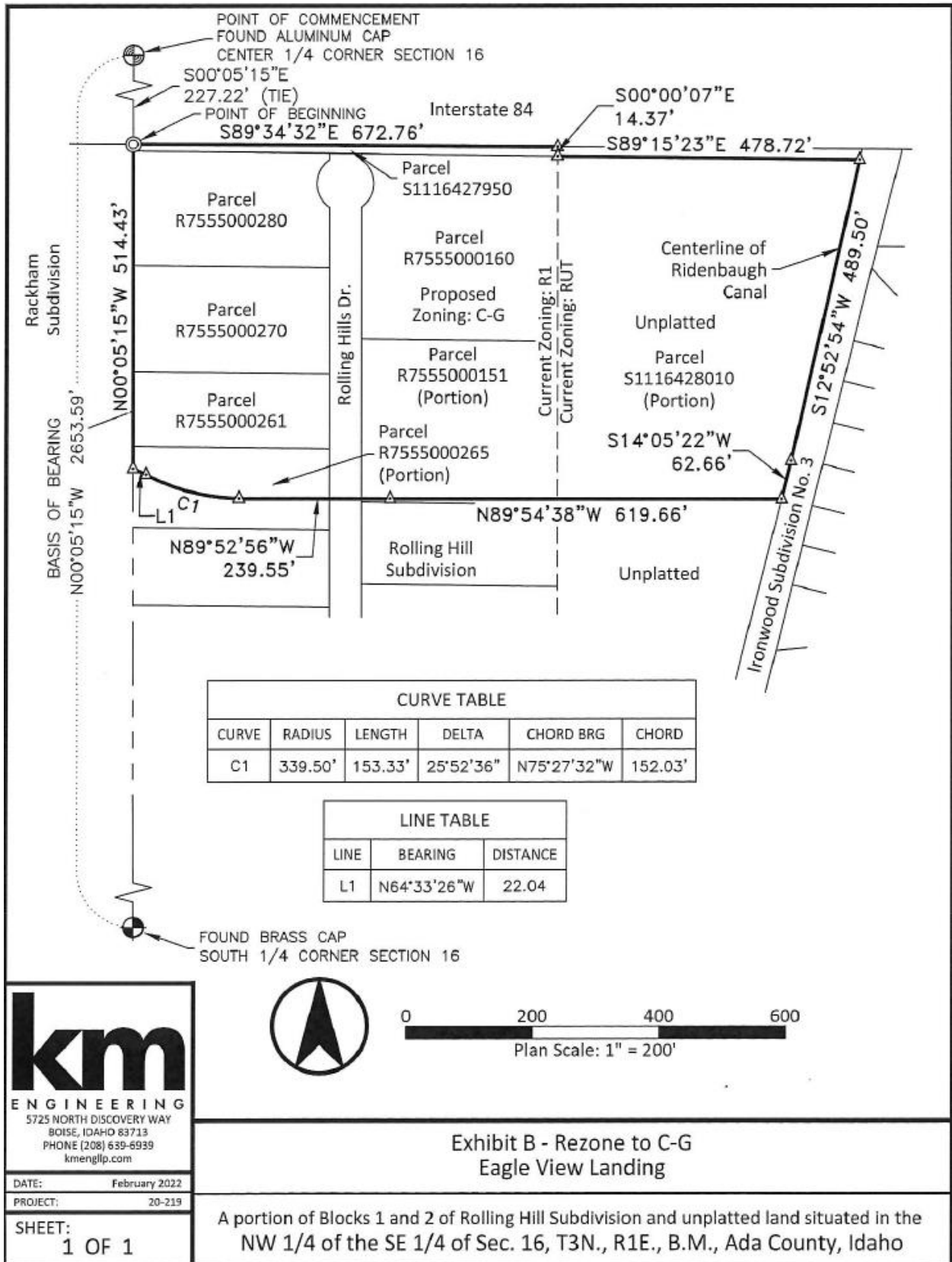


DATE:	February 2022
PROJECT:	20-219
SHEET:	1 OF 1

Exhibit B - Annexation
Eagle View Landing

Lots 13-16, Block 1, Lots 8-12, Block 2 and unplatted land in a portion of the NW 1/4 of the SE 1/4 of Sec. 16, T3N., R1E., B.M., Ada County, Idaho

EXHIBIT B



km
ENGINEERING
5725 NORTH DISCOVERY WAY
BOISE, IDAHO 83713
PHONE (208) 639-6939
kmenglp.com

DATE: February 2022
PROJECT: 20-219
SHEET: 1 OF 1

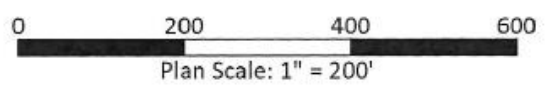


Exhibit B - Rezone to C-G
Eagle View Landing

A portion of Blocks 1 and 2 of Rolling Hill Subdivision and unplatted land situated in the NW 1/4 of the SE 1/4 of Sec. 16, T3N., R1E., B.M., Ada County, Idaho

EXHIBIT B

