



CITY COUNCIL REGULAR MEETING

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

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

Agenda

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/88029902800>

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

Webinar ID: 880 2990 2800

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. 22-1992: Approval of Proposed Fiscal Year 2022 Amended Budget
- 2. Public Hearing** for Overland & Wells II (H-2022-0030) by Morgan Stonehill Partners, Located at 2600 E. Overland Rd.

Applicant Requests a Continuance

A. Request: Development Agreement Modification to change the existing development plan (Inst. #2016-060157) on the northern portion of the site from a retail grocery store to multi-family residential.

B. Request: A Conditional Use Permit for a multi-family development consisting of 351 apartment units on 11.65 acres of land in the C-G zoning district at a gross density of 30.21 units per acre.

- 3. Public Hearing** for Hill's Century Farm Commercial Subdivision No. 2 (TECC-2022-0002) by Brighton Development, Inc., generally located on the south side of E. Amity Rd., 1/4 mile east of S. Eagle Rd.

Application Materials: <https://bit.ly/TECC-2022-0002>

A. Request: A One-Year Time Extension on the preliminary plat (H-2016-0092) for Hill's Century Farm Commercial Subdivision in order to obtain the City Engineer's signature on the second phase final plat.

- 4. Public Hearing** for Brundage Estates Subdivision (TECC-2022-0001) by Engineering Solutions, LLP, generally located 1/4 mile south of W. Victory Rd. on the east side of S. Linder Rd. in the west half of Section 25, T.3N., R.1W.

Application Materials: <https://bit.ly/TECC-2022-0001>

A. Request: A Two-Year Time Extension on the preliminary plat (H-2021-0061) in order to obtain the City Engineer's signature on the first phase final plat for Brundage Estates Subdivision.

- 5. Public Hearing** for Regency at River Valley Phase 3 (H-2022-0057) by Bach Homes, Located at 2480, 3270, 3280 E. River Valley St.

Application Materials: <https://bit.ly/H-2022-0057>

A. Request: Development Agreement Modification to change the development plan(Bach Storage - Inst.#2020-062947 for 2480 and 3280 E. River Valley St.) for the site from self-service storage to multi-family apartments and include an additional 0.65 acre of land at 3270 E. River Valley St. that is currently governed by the Development Agreement (SGI-AZ-12-010, Inst. #113005608)

6. **Public Hearing** for Torino Locust Grove Subdivision (H-2022-0038) by Jeremy Rausch, Located at 870 S. Locust Grove Rd.

Application Materials: <https://bit.ly/H-2022-0038>

A. Request: Annexation and Zoning of 1.03 acres of land from R-1 in Ada County to the R-8 zoning district.

7. **Public Hearing** for Lavender Place Subdivision (H-2022-0036) by Breckon Land Design, Located at 2160 E. Lake Hazel Rd.

Application Materials: <https://bit.ly/H-2022-0036>

A. Request: Preliminary Plat consisting of four (4) single-family attached building lots and 26 single-family townhome lots on approximately 3.79 acres of land in the R-40 zoning district.

B. Request: Conditional Use Permit to construct the requested 26 townhome lots within the R-40 zoning district.

ORDINANCES [Action Item]

8. Ordinance 22-1990: An Ordinance Adding Meridian City Code Section 9-2-2-10(E), Regarding Requiring Installation and Maintenance of Water Recycling Systems for Commercial Car Washes; Adopting a Savings Clause; and Providing an Effective Date
9. Ordinance 22-1991: An Ordinance Amending Meridian City Code Section 9-4-34, Regarding Point of Liability for Maintenance of Sewer Service Line; Repealing Conflicting Ordinances; and Providing an Effective Date
10. Ordinance No. 22-1992: An Ordinance of the City of Meridian, Idaho Amending Ordinance No. 21-1945, the Appropriation Ordinance for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022 (FY2022), Appropriating Monies That are to be Allocated by the City of Meridian, Idaho in the Sum of \$(72,671,298); and Providing an Effective Date
11. Ordinance No. 22-1993: An Ordinance, Pursuant to Idaho Code §50-1002 and §50-1003, Providing for a Title and Findings, Providing for the Adoption of a Budget and the Appropriation of \$219,724,039 to Defray the Necessary Expenses and Liabilities of the City of Meridian, in Accordance with the Object and Purposes and in the Certain Amounts Herein Specified for the Fiscal Year Beginning October 1, 2022 and Ending on September 30, 2023; to Levy All Such Appropriate Taxes and Levies as Authorized by Law Upon Taxable Property; and to Collect All Authorized Revenue; to Provide for a Waiver of the 2nd and 3rd Readings Pursuant to Idaho Code §50-902; and Providing for an Effective Date and the Filing of a Certified Copy of This Ordinance with the Secretary of State

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Public Hearing for Ordinance No. 22-1992: Approval of Proposed Fiscal Year 2022 Amended Budget



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Brad Purser, Finance

Meeting Date: September, 6 2022

Presenter: Brad Purser

Estimated Time: 5 Min

Topic: Approval of Proposed FY2022 Budget

Recommended Council Action:

Seeking final approval of the Amended FY2022 Budget

Background:

Seeking approval of the amended FY2022 budget.

CITY OF MERIDIAN ORDINANCE NO. 22-1992

BY THE CITY COUNCIL:

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

AN ORDINANCE OF THE CITY OF MERIDIAN, IDAHO AMENDING ORDINANCE NO. 21-1945, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 (FY2022), APPROPRIATING MONIES THAT ARE TO BE ALLOCATED BY THE CITY OF MERIDIAN, IDAHO IN THE SUM OF \$(72,671,298); AND PROVIDING AN EFFECTIVE DATE

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

Section 1. That Ordinance No. 21-1945, the appropriation ordinance for the City of Meridian, Idaho, for the fiscal year commencing October 1, 2021 and ending September 30, 2022 be and the same is hereby amended as follows:

Capital Improvement Fund - 55

			FY2022 Original Budget	FY2022 Amendments	FY2022 Final Budget
Revenues					
	Total Revenue			\$ -	\$ -
Expenditures					
	Operating				
	Administration			\$ -	\$ -
	Fire			\$ -	\$ -
	Police			\$ -	\$ -
	Parks			\$ -	\$ -
	Total Operating		\$ -	\$ -	\$ -
	Capital				
	Administration		\$ -	\$ -	\$ -
	Fire		\$ 7,322,334	\$ 2,229,240	\$ 9,551,574
	Police		\$ -	\$ 2,320,775	\$ 2,320,775
	Parks		\$ -	\$ -	\$ -
	Total Capital		\$ 7,322,334	\$ 4,550,015	\$ 11,872,349
	Carryforward - Operating				
	Administration				\$ -
	Fire				\$ -
	Police				\$ -
	Parks				\$ -
	Carryforward - Operating		\$ -	\$ -	\$ -

Carryforward - Capital			
Administration	\$ -		\$ -
Fire	\$ -		\$ -
Police	\$ 2,661,520	\$ 480,685	\$ 3,142,205
Parks	\$ 24,077		\$ 24,077
Carryforward - Capital	\$ 2,685,597	\$ 480,685	\$ 3,166,282
Total Carryforward	\$ 2,685,597	\$ 480,685	\$ 3,166,282
Total Expenditures	\$ 10,007,931	\$ 5,030,700	\$ 15,038,631
Transfers	\$ (196,412)	\$ -	\$ (196,412)
Total Expenditures with Transfers	\$ 9,811,519	\$ 5,030,700	\$ 14,842,219
(Use)/Addition of Fund Balance	\$ (9,811,519)	\$ -	\$ (14,842,219)

Enterprise Fund - 60 - 65

		FY2022 Original Budget	FY2022 Amendments	FY2022 Final Budget
Revenues				
Water/Sewer Sales	\$ 28,034,077			\$ 28,034,077
Other Sources	\$ 18,502,663			\$ 18,502,663
Total Revenue	\$ 46,536,740	\$ -		\$ 46,536,740
Expenditures				
Personnel				
Utility Billing	\$ 557,712	\$ (1,647)		\$ 556,065
Public Works	\$ 4,852,683.45	\$ 34,343		\$ 4,887,026
Water	\$ 2,674,812	\$ 21,107		\$ 2,695,920
Wastewater	\$ 4,084,597	\$ 26,083		\$ 4,110,680
Total Personnel	\$ 12,169,805	\$ 79,886		\$ 12,249,691
Operating				
Utility Billing	\$ 754,440	\$ (0)		\$ 754,440
Public Works	\$ 702,174	\$ 357,382		\$ 1,059,556
Water	\$ 3,902,271	\$ (50,001)		\$ 3,852,271
Wastewater	\$ 4,238,515	\$ (325,000)		\$ 3,913,515
Total Operating	\$ 9,597,400	\$ (17,619)		\$ 9,579,782
Total Personnel and Operating	\$ 21,767,205	\$ 62,267		\$ 21,829,473
Capital				
Utility Billing	\$ -			\$ -
Public Works	\$ -	\$ 17,618		\$ 17,618
Water	\$ 5,674,000	\$ 2,372,352		\$ 8,046,352
Wastewater	\$ 13,575,000	\$ 304,001		\$ 13,879,001
Total Capital	\$ 19,249,000	\$ 2,693,970		\$ 21,942,970

Carryforward - Capital				
Utility Billing	\$	-		\$ -
Public Works	\$	17,619	\$ -	\$ 17,619
Water	\$	6,807,204	\$ (1,456,515)	\$ 5,350,689
Wastewater	\$	20,959,974	\$ (2,372,683)	\$ 18,587,291
Total Carryforward - Capital	\$	27,784,797	\$ (3,829,198)	\$ 23,955,599
Total Carryforward	\$	28,707,538	\$ (4,331,491)	\$ 24,376,047
Total Expenditures	\$	69,723,743	\$ (1,575,253)	\$ 68,148,490
Transfers	\$	3,326,340	\$ -	\$ 3,326,340
Total Expenditures with Transfers	\$	73,050,083	\$ (1,575,253)	\$ 71,474,829
(Use)/Addition of Fund Balance	\$	(26,513,343)	\$ 1,575,253	\$ (24,938,089)
Governmental Funds (01,07,08,20,50)				
		(01,07,08,20,50)	(01,07,08,20,50)	(01,07,08,20,50)
		FY2022	FY2022	FY2022
		Original Budget	Amendments	Final Budget
Revenues				
Property Taxes	\$	42,424,938	\$ -	\$ 42,424,938
Other Revenue	\$	29,873,116	\$ 3,449,364	\$ 33,322,480
Total Revenue	\$	72,298,054	\$ 3,449,364	\$ 75,747,418
Expenditures				
Personnel				
Administration	\$	6,913,332	\$ (139,285)	\$ 6,774,047
Fire	\$	13,704,683	\$ 216,656	\$ 13,921,339
Police	\$	22,230,167	\$ 247,536	\$ 22,477,703
Parks	\$	4,135,351	\$ 108,596	\$ 4,243,947
Community Development	\$	4,746,790	\$ 28,806	\$ 4,775,596
Total Personnel	\$	51,730,323	\$ 462,310	\$ 52,192,633
Operating				
Administration	\$	3,942,618	\$ 892,902	\$ 4,835,520
Fire	\$	2,242,632	\$ 284,637	\$ 2,527,269
Police	\$	3,584,034	\$ 311,463	\$ 3,895,497
Parks	\$	2,879,033	\$ 1,197,346	\$ 4,076,379
Community Development	\$	2,052,618	\$ 82,088	\$ 2,134,706
Total Operating	\$	14,700,935	\$ 2,768,437	\$ 17,469,372
Total Personnel and Operating	\$	66,431,258	\$ 3,230,747	\$ 69,662,005
Capital				
Administration	\$	150,000	\$ -	\$ 150,000
Fire	\$	8,100,079	\$ 1,533,405	\$ 9,633,484
Police	\$	5,399,300	\$ (46,300)	\$ 5,353,000
Parks	\$	18,222,255	\$ 3,404,029	\$ 21,626,284
Community Development	\$	-	\$ -	\$ -
Total Capital	\$	31,871,634	\$ 4,891,134	\$ 36,762,768

Carryforward - Personnel			
Administration	\$ -	\$ -	\$ -
Fire	\$ -	\$ -	\$ -
Police	\$ -	\$ -	\$ -
Parks	\$ -	\$ -	\$ -
Community Development	\$ -	\$ -	\$ -
Total Carryforward - Personnel	\$ -	\$ -	\$ -
Carryforward - Operating			
Administration	\$ 692,451	\$ (76,827)	\$ 615,624
Fire	\$ -	\$ 19,000	\$ 19,000
Police	\$ -	\$ 71,572	\$ 71,572
Parks	\$ -	\$ 31,000	\$ 31,000
Community Development	\$ -	\$ -	\$ -
Total Carryforward - Operating	\$ 692,451	\$ 44,746	\$ 737,197
Carryforward - Capital			
Administration	\$ 362,194	\$ (41,580)	\$ 320,614
Fire	\$ 2,585,093	\$ (332,763)	\$ 2,252,330
Police	\$ 1,575,795	\$ (1,083,429)	\$ 492,366
Parks	\$ 1,906,501	\$ (396,833)	\$ 1,509,668
Community Development	\$ 42,367	\$ (10,980)	\$ 31,387
Total Carryforward - Capital	\$ 6,471,950	\$ (1,865,586)	\$ 4,606,364
Carryforward			
Administration	\$ 1,054,645	\$ (118,406)	\$ 936,239
Fire	\$ 2,585,093	\$ (313,763)	\$ 2,271,330
Police	\$ 1,575,795	\$ (1,011,857)	\$ 563,938
Parks	\$ 1,906,501	\$ (365,833)	\$ 1,540,668
Community Development	\$ 42,367	\$ (10,980)	\$ 31,387
Total Carryforward	\$ 7,164,401	\$ (1,820,840)	\$ 5,343,561
Total Expenditures	\$ 105,467,293	\$ 6,301,041	\$ 111,768,334
Transfers	\$ (3,129,926)	\$ -	\$ (3,129,926)
Total Expenditures with Transfers	\$ 102,337,367	\$ 6,301,041	\$ 108,638,408
(Use)/Addition of Fund Balance	\$ (30,039,313)	\$ (2,851,676)	\$ (32,890,990)

Total Budget - All Funds

		FY2022 Original Budget	FY2022 Amendments	FY2022 Final Budget
Revenues				
	Total Revenue	\$ 118,834,794	\$ 3,449,364	\$ 122,284,158
Expenditures				
	Total Personnel and Operating	\$ 88,198,464	\$ 3,293,014	\$ 91,491,478
	Total Capital	\$ 58,442,968	\$ 12,135,120	\$ 70,578,088
	Total Carryforward	\$ 38,557,536	\$ (5,671,647)	\$ 32,885,890
	Total Expenditures	\$ 185,198,968	\$ 9,756,487	\$ 194,955,455
Transfers		\$ 2	\$ -	\$ 2
Total Expenditures with Transfers		\$ 185,198,969	\$ 9,756,487	\$ 194,955,456
(Use)/Addition of Fund Balance		\$ (66,364,175)	\$ (6,307,123)	\$ (72,671,298)

That the sum of \$(72,671,298) be allocated for use of authorized activities.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

PASSED by the City Council of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED:

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

STATE OF IDAHO)

County of Ada) ss.
)

On this 6th day of September, 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
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 -1992

An Ordinance of the City of Meridian, Idaho amending Ordinance No. 21-1945, the Appropriation Ordinance for the fiscal year beginning October 1, 2021 and ending September 30, 2022 (FY2022), appropriating monies that are to be allocated by the City of Meridian, Idaho in the sum of \$(72,671,298); to provide for a waiver of the 2nd and 3rd readings pursuant to Idaho Code §50-902; and providing an effective date.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Hill's Century Farm Commercial Subdivision No. 2 (TECC-2022-0002) by Brighton Development, Inc., generally located on the south side of E. Amity Rd., 1/4 mile east of S. Eagle Rd.

Application Materials: <https://bit.ly/TECC-2022-0002>

A. Request: A One-Year Time Extension on the preliminary plat (H-2016-0092) for Hill's Century Farm Commercial Subdivision in order to obtain the City Engineer's signature on the second phase final plat.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 9/6/2022

TO: Mayor & City Council

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

SUBJECT: TECC-2022-0002
Hill's Century Farm Commercial

LOCATION: Generally located on the south side of E. Amity Rd., ¼ mile east of S. Eagle Rd., in the NW ¼ of Section 33, T.3N., R.1E.



I. PROJECT DESCRIPTION

Request for a one-year time extension on the preliminary plat in order to obtain the City Engineer's signature on the final plat for the second phase of development.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	6.12 acres yet to be platted	
Existing/Proposed Zoning	Neighborhood Business (C-N) & Medium High Density Residential (R-15)	
Future Land Use Designation	Mixed Use – Neighborhood (MU-N)	
Existing Land Use(s)	Agricultural	
Proposed Land Use(s)	Commercial	
Neighborhood meeting date; # of attendees:	8/9/2022	
History (previous approvals)	AZ-15-004 (DA Inst. #2015-061375); H-2016-0092 (1 st Addendum Inst. #2016-119080); H-2018-0127 (MDA 2 nd Addednum Inst. #2019-033207); TED-2020-0004	

III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Robert Phillips, DWT Investments, LLC – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

C. Representative:

Same as Applicant

IV. NOTICING

	City Council Posting Date
Notification published in newspaper	8/21/2022
Notification mailed to property owners within 300 feet	8/18/2022
Applicant posted public hearing notice on site	8/26/2022
Nextdoor posting	8/18/2022

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

Per UDC 11-6B-7C, “Upon written request and filing by the applicant prior to the termination of the period in accord with subsections A and B of this section, 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 this title.”

VI. STAFF ANALYSIS

The Applicant requests approval of a 1-year time extension on the preliminary plat in order to obtain the City Engineer’s signature on the final plat for the second phase of development.

The preliminary plat (H-2016-0092) consists of 20 building lots and 2 common lots on 19.73 acres of land in the C-N and R-15 zoning districts and was approved by City Council on October 11, 2016. The final plat (H-2017-0051) for the first phase of development consisted of 10 building lots and one (1) common lot on 10.82 acres of land and was signed by the City Engineer on August 29, 2018 and recorded on October 4, 2018. A 2-year time extension (TED-2020-0004) on the preliminary plat was approved by the Director on August 28, 2020 and expired on August 29, 2022; the time extension was requested prior to the expiration date, as required. The final plat (FP-2021-0055) for the second phase of development consists of four (4) building lots on 2.79 acres of land and won’t be able to be signed by the City Engineer within the required time frame. There are four (4) remaining building lots on 6.12 acres of land for the last phase of development.

The reason for the previous time extension and the subject time extension request is the final plat was delayed due to market conditions. No new conditions were placed on the application with the time extension. The Applicant plans to complete the subdivision improvements for the next phase in the Fall of this year.

Approval of the subject time extension will allow the Applicant to obtain the City Engineer’s signature on a final plat for the second and last phase of development and proceed with development of the property. If City Council does *not* approve the requested time extension, the preliminary plat

will expire and a new preliminary plat application will be required for the remaining area that has not yet been subdivided.

With all extensions, the Director may require the final plat to comply with the current provisions of this title. Staff is not recommending any additional conditions of approval for this extension.

VII. DECISION

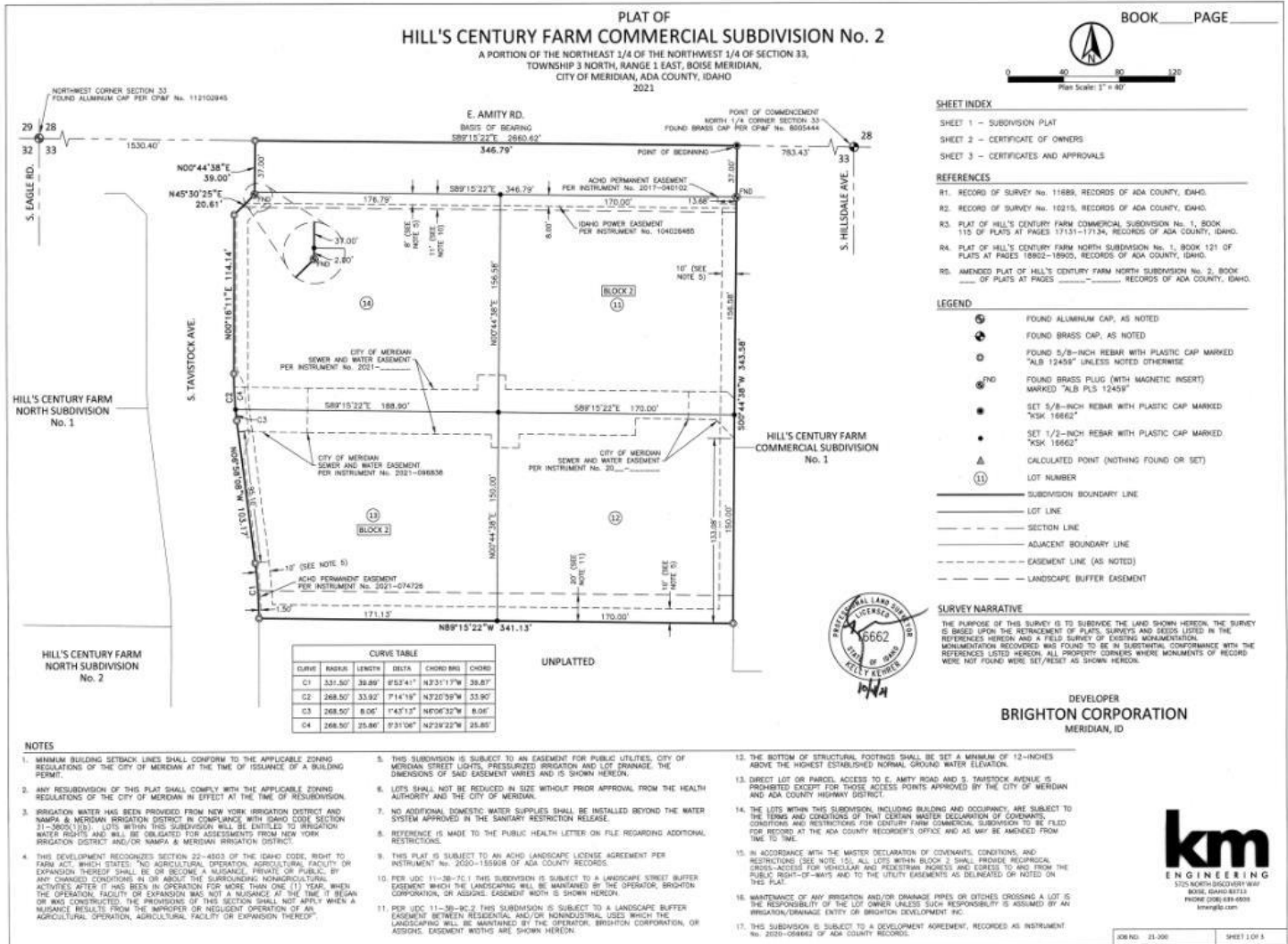
A. Staff:

Staff recommends approval of the proposed time extension for a time period of 1-year as requested, to expire on August 29, 2023.

A. Preliminary Plat (date: 7/14/2016)



B. Approved Final Plat for Phase II (FP-2021-0055)



IX. CONDITIONS OF APPROVAL

1. Applicant shall comply with all terms of the annexation, associated development agreement provisions and the preliminary plat approved for this property (AZ-15-004 (DA Inst. #2015-061375); H-2016-0092 (1st Addendum Inst. #2016-119080); H-2018-0127 (MDA 2nd Addendum Inst. #2019-033207); TED-2020-0004).
2. The applicant shall obtain the City Engineer's signature on the final plat for Hill's Century Farm Commercial Subdivision No. 2 by August 29, 2023 in accord with UDC 11-6B-7 in order for the preliminary plat to remain valid; or, another time extension may be requested.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Brundage Estates Subdivision (TECC-2022-0001) by Engineering Solutions, LLP, generally located 1/4 mile south of W. Victory Rd. on the east side of S. Linder Rd. in the west half of Section 25, T.3N.,R.1W.

Application Materials: <https://bit.ly/TECC-2022-0001>

A. Request: A Two-Year Time Extension on the preliminary plat (H-2021-0061) in order to obtain the City Engineer's signature on the first phase final plat for Brundage Estates Subdivision.

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



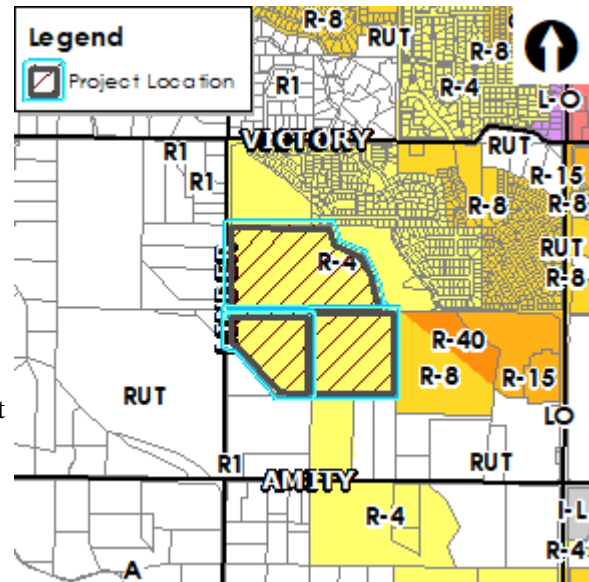
HEARING DATE: 9/6/2020

TO: Mayor & City Council

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

SUBJECT: TECC-2022-0001
Brundage Estates

LOCATION: East of S. Linder Rd. between W. Victory Rd. & W. Amity Rd., in the west ½ of Section 25, T.3N., R.1W.



I. PROJECT DESCRIPTION

Request for a 2-year time extension on the preliminary plat in order to obtain the City Engineer's signature on a final plat.

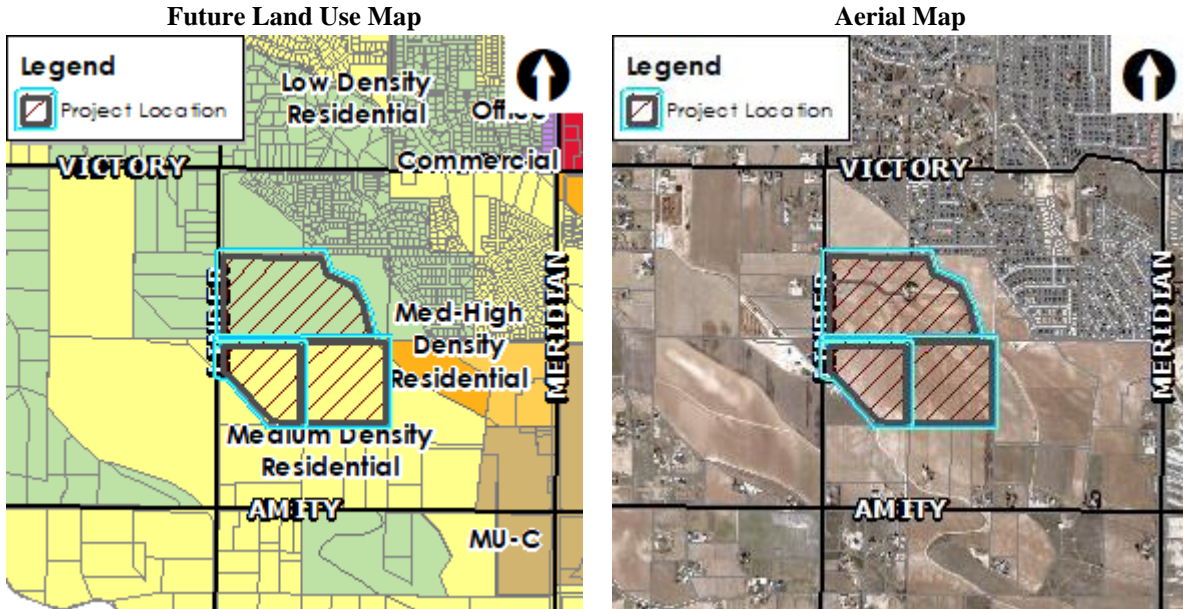
II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	136.63	
Existing/Proposed Zoning	R-4	
Future Land Use Designation	Low Density Residential (LDR) 64+/- acres & Medium Density Residential (MDR) 73+/- acres	
Existing Land Use(s)	Rural residential/agricultural	
Proposed Land Use(s)	Single-family residential	
Lots (# and type; bldg./common)	366 buildable lots, 20 common lots and 1 other lot	
Phasing Plan (# of phases)	11	
Number of Residential Units (type of units)	366 single-family detached	
Density (gross & net)	2.68 units/acre (gross)/3.5 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	20.48 acres (or 14.99%) consisting of an 8.24 acre City neighborhood park, 2 pocket parks, a linear open space area where the William's Pipeline is located, ½ the street buffer along Linder Rd., street buffers along collector streets and parkways along internal streets.	
Amenities	Tot lot with children's play structure and a park bench, a multi-use pathway within the William's pipeline easement and along the Calkins Lateral, micro-paths and a gazebo.	

Description	Details	Page
Physical Features (waterways, hazards, flood plain, hillside)	The Williams Northwest Gas Pipeline crosses this site & lies within a 75' wide easement; the Calkins Lateral runs along the southwest corner of the site & the Sundall Lateral runs along the northeast corner of the site; another small irrigation ditch also crosses the site.	
Neighborhood meeting date:	7/11/22	
History (previous approvals)	AZ-13-014 (Ord. 14-1594) Victory South; H-2016-0001 (PP); A-2018-0231 (TED); TECC-2020-0001 A <i>Development Agreement is required to be executed prior to submittal of the first final plat application; the specific provisions of the DA are included in the Findings for the preliminary plat.</i>	

B. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Shari Stiles, Engineering Solutions – 1029 N. Rosario St., Ste. 100, Meridian, ID 83642

B. Owner:

Centers Farm, LLC – PO Box 518, Meridian, ID 83680

C. Representative:

Same as Applicant

IV. NOTICING

	City Council Posting Date
Notification published in newspaper	8/21/2022
Notification mailed to property owners within 300 feet	8/18/2022
Applicant posted public hearing notice on site	8/27/2022
Nextdoor posting	8/18/2022

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

Per UDC 11-6B-7C, “Upon written request and filing by the applicant prior to the termination of the period in accord with subsections A and B of this section, 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 this title.”

The preliminary plat for this project was approved by City Council on July 26, 2016 and was valid for 2 years. Prior to the expiration date, an administrative time extension (A-2018-0231) was requested and approved by the Director on July 16, 2018, which granted an additional 2 year period of time until July 26, 2020 in order to obtain the City Engineer’s signature on a final plat. The reason for the time extension was due to incomplete sewer and water line extensions as well as upcoming improvements to Harris Street. No new conditions were placed on the application with the time extension. Another 2-year time extension was approved by City Council on September 8, 2020, which expired on July 26, 2022; the subject time extension request was received prior to the expiration date.

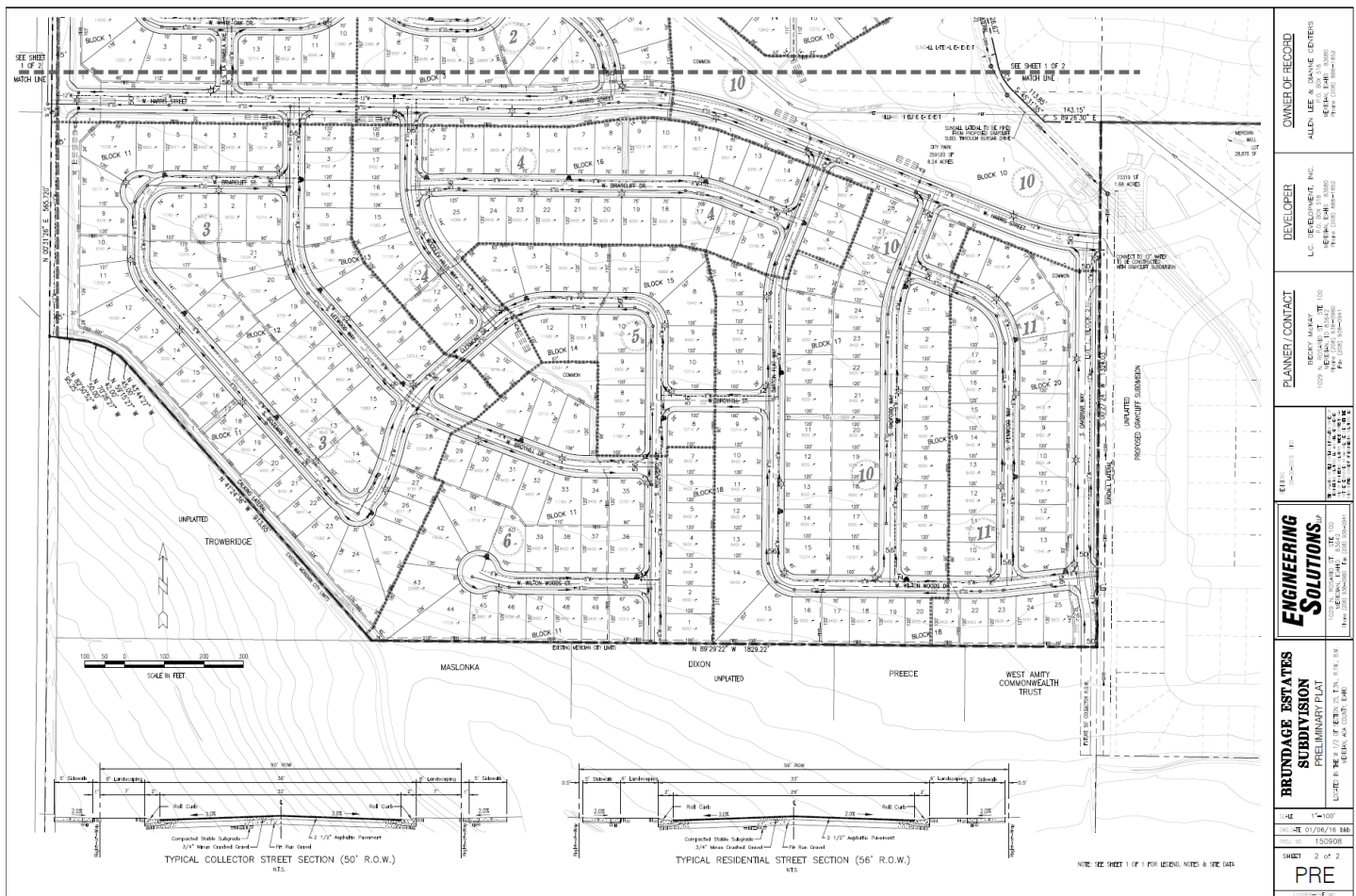
The reason for the request per the Applicant’s narrative, is that the Developer has been focusing on development of the adjacent Biltmore Estates and Graycliff Estates and needs additional time to submit a final plat application for Brundage Estates. Construction plans are in the process of being completed for Phase I and the Applicant anticipates design completion of the first phase later this year. Sewer and water lines have been extended in Linder Road to serve this property and improvements to Harris St. with turn lanes on SH-69 are currently under construction.

With all extensions, the City Council may require the preliminary plat to comply with current UDC provisions as set forth in UDC 11-6B-7C. Since the preliminary plat and previous time extensions were approved, the qualified open space & site amenity standards have been updated in the UDC to require a minimum of 12% qualified open space (up from 10%) and a minimum of 27 points (pts.) of site amenities (6 site amenities were previously required). *See UDC [11-3G-3](#) for more information.*

A total of 14.99% (or 20.48 acres) qualified open space was provided with the preliminary plat consisting of an 8.24-acre City neighborhood park, 2 pocket parks consisting of 0.8 and 1.3 acres, a linear open space area where the William’s Pipeline is located containing a multi-use pathway, ½ the street buffer along S. Linder Rd., all of the street buffers along collector streets (Harris, Oakbriar and Smokey Lake), and the parkways along internal streets within the development.

Amenities approved with the preliminary plat consist of the following: a tot lot with a children’s play structure and seating area (4 pts.); multi-use pathways within the William’s pipeline easement and along the Calkins Lateral (0.8+/- miles = 6 pts.); open space commons, including a City park

Approval of the subject time extension will allow the Applicant to obtain the City Engineer's signature on a final plat and proceed with development of the property. If City Council does *not* approve the requested time extension, the preliminary plat will expire and a new preliminary plat application will be required.



OWNER OF RECORD ALLEN LEE & DANNE CENERS RECORD: 15000 FILE: 15000
DEVELOPER L.C. DEVELOPMENT, INC. RECORD: 15000 FILE: 15000
PLANNING CONTACT BECKY MURRAY 1000 N. CENTRAL AVE., SUITE 100 TAMPA, FL 33606 TEL: 813.281.1111 FAX: 813.281.1112
ENGINEERING Solutions 1000 N. CENTRAL AVE., SUITE 100 TAMPA, FL 33606 TEL: 813.281.1111 FAX: 813.281.1112
BRUNDAGE ESTATES SUBDIVISION PRELIMINARY PLAT L.C. DEVELOPMENT, INC. RECORD: 15000 FILE: 15000 DATE: 01/04/16 SHEET: 2 OF 2 PRE



AGENDA ITEM

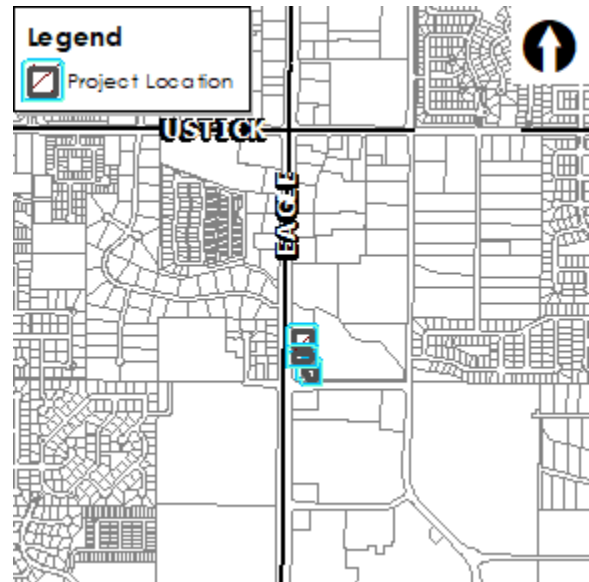
ITEM TOPIC: Public Hearing for Regency at River Valley Phase 3 (H-2022-0057) by Bach Homes, Located at 2480, 3270, 3280 E. River Valley St.
Application Materials: <https://bit.ly/H-2022-0057>

A. Request: Development Agreement Modification to change the development plan(Bach Storage - Inst.#2020-062947 for 2480 and 3280 E. River Valley St.) for the site from self-service storage to multi-family apartments and include an additional 0.65 acre of land at 3270 E. River Valley St. that is currently governed by the Development Agreement (SGI-AZ-12-010, Inst. #113005608)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 9/6/2022
TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: H-2022-0057
Regency at River Valley Phase 3
LOCATION: 3270 & 3280 E. River Valley St. & 2480
N. Eagle Rd., in the NW ¼ of Section 4,
Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Modification to the Development Agreement (H-2019-0121, Bach Storage - Inst. #2020-062947) for 2480 & 3280 E. River Valley St. to change the development plan for the site from self-service storage to multi-family apartments and include an additional 0.65-acre of land at 3270 E. River Valley St. that's currently governed by Development Agreement (SGI AZ-12-010, Inst. #113005608).

II. SUMMARY OF REPORT

A. Applicant:

Brian Carlisle, Bach Homes – 11650 State St., Ste. 300, Draper, UT 84020

B. Owners:

Bach Investments, LLC – 11650 South State Street, Ste. 300, Draper, UT 84020

Meridian Self Storage, LLC – 11650 South State Street, Ste. 300, Draper, UT 84020

C. Representative:

Same as Applicant

III. STAFF ANALYSIS

History: An application for a modification to the Development Agreement (DA) was submitted in 2021 ([H-2021-0059](#)) that was essentially the same as the subject application. City Council denied the request due to the following reasons: they felt access with some of the contiguous properties to the north had not been adequately “flushed out”; and issues with traffic and parking and associated traffic circulation – they felt it wasn’t the right time for the City to approve the modification.

Since that time, a new DA was approved for the abutting property to the north (Copper Canary H-2022-0009, Inst. #[2022-048293](#)) that removed the requirement for a cross-access easement to be provided to the subject property and instead required only an emergency access easement be provided if the subject property developed with residential uses as planned. Another driveway access was also added to the east near the southern boundary of the site, in addition to the one at the north boundary, for interconnectivity with the first phase of the development.

The existing Development Agreements for the subject property requires the two (2) northern parcels to develop with a self-service storage facility (H-2019-0121, Bach Storage - Inst. #2020-062947) and the southern parcel to develop with a 10,150 square foot multi-tenant retail store (Option A) or a 2,879 square foot restaurant with a drive-through (Option B) (SGI AZ-12-010, Inst. #113005608).

The proposed modification would allow the Applicant to develop the site with apartments as a third phase of the existing multi-family development to the east (i.e. Regency at River Valley). The reason the Applicant hasn't developed the property with a storage facility is that after completing the Development Agreement (DA) and design process, construction costs rose such that it wasn't feasible for them to move forward with the project.

The proposed multi-family development consists of a 5-story structure with parking on the ground floor and four (4) stories of apartments above containing 128 units. Rooftop amenities consisting of fire pits, hot tubs, a pavilion, multiple BBQ areas and lounge seating are proposed. Additionally, residents will have access to the existing amenities in Phases I and II, which include a large swimming pool area with a hot tub, BBQ areas, activity room, outdoor pavilions, game room, fitness center and common open space.

High density residential (i.e. apartments) uses are desired in the Mixed Use – Regional Future Land Use Map (FLUM) designation especially when located adjacent to SH-55/Eagle Rd. and employment destination centers such as those along the Eagle Road corridor. The proposed high-density residential development (43.69 units/acre) will contribute to the mix of commercial (retail, restaurants, etc.), office and civic (Kleiner Park, Senior Center) uses in the area. Further, it will contribute to the variety of housing options in this area in close proximity to employment uses and Kleiner Park. For this reason, Staff is supportive of the proposed DA modification and has included recommended provisions for the new DA in Section VI.

If the subject amendment is approved, a subsequent conditional use permit (CUP) application is required to be submitted and approved for the proposed multi-family development in the C-C and C-G zoning districts. Development is subject to the specific use standards listed in UDC 11-4-3-27 for multi-family developments. A detailed review will take place with the CUP application to determine consistency with the specific use standards and other UDC standards.

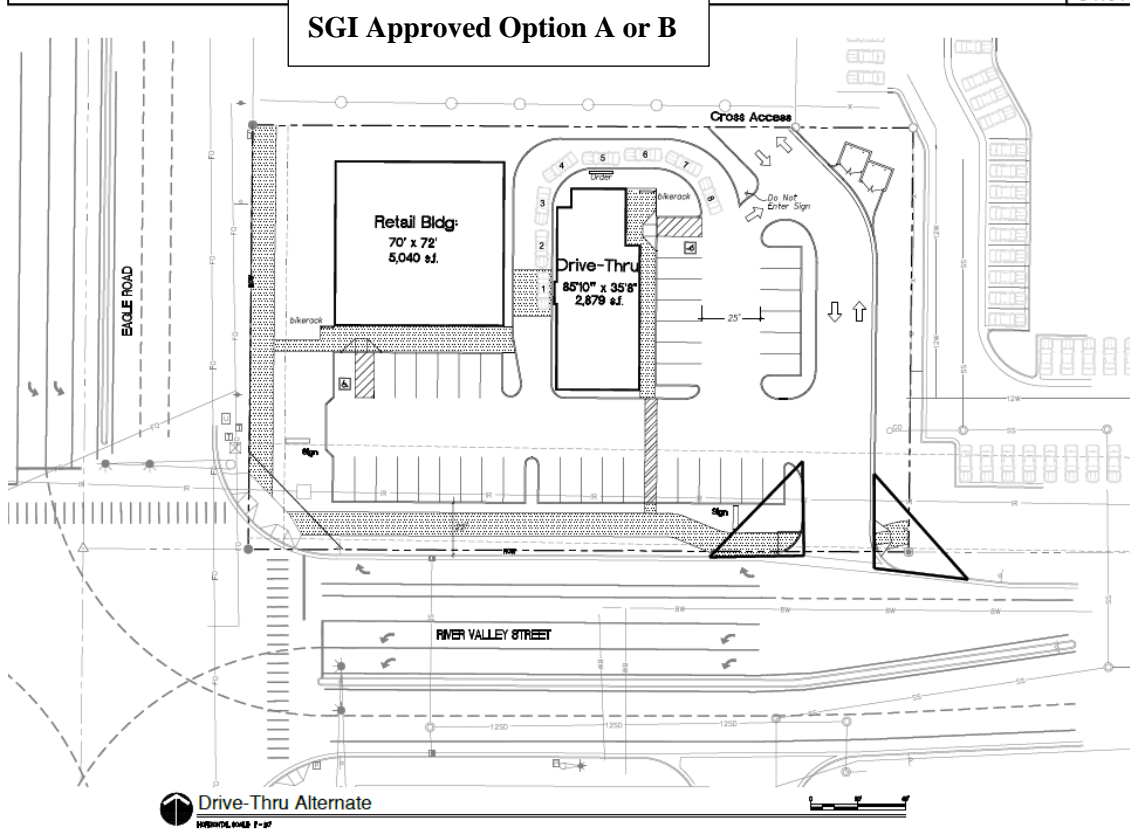
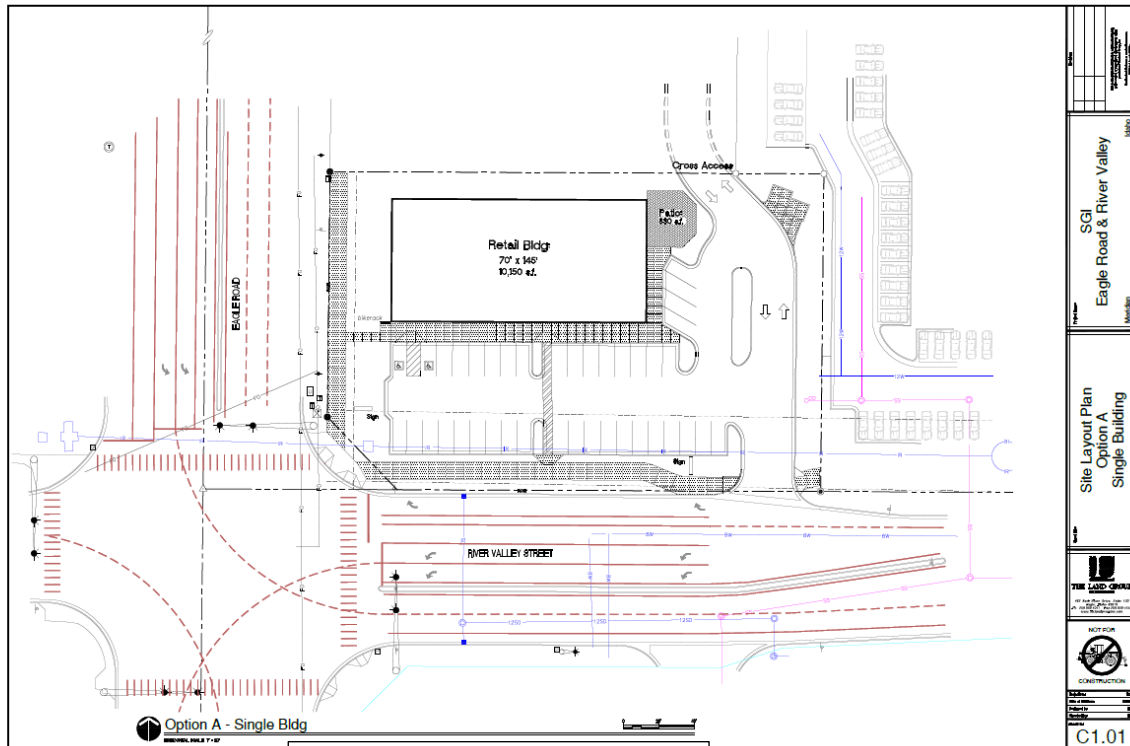
IV. DECISION

A. Staff:

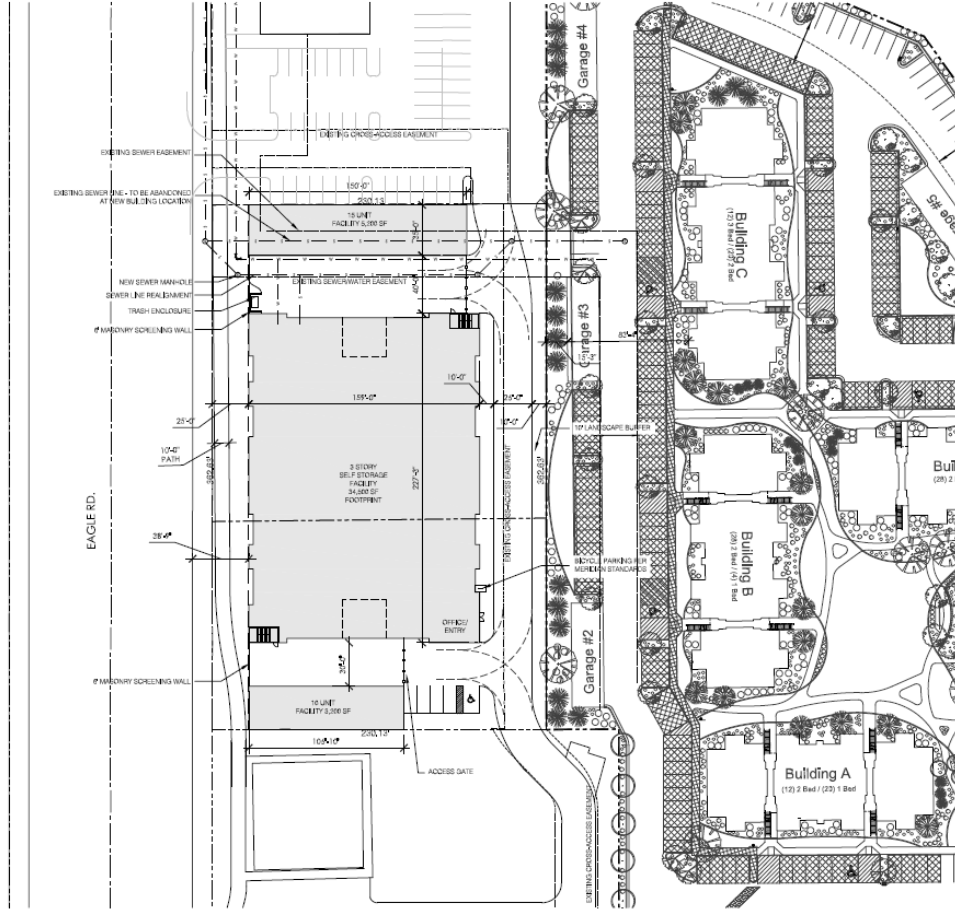
Staff recommends approval of the modification to the DA as proposed by the Applicant.

V. EXHIBITS

A. Existing Approved Conceptual Development Plans (dated: 12/13/18)



Bach Storage Approved Conceptual Development Plan



SITE INFO:

SITE AREA: 83,415 SF (1.91 ACRES)

NORTH BUILDING: 5,200 SF

LARGE BUILDING: ~100,000 SF

SOUTH BUILDING: 3,200 SF

PARKING REQUIRED:

STORAGE FACILITY ~ 90,000 SF ~ 0 STALLS

OFFICE SPACE ~ 1,000 SF ~ 2 STALLS

PARKING PROVIDED: 5 STALLS (1 ADA)

BICYCLE STALLS REQUIRED: 1

BICYCLE STALLS PROVIDED: 1



A PROJECT BY
BACH HOMES

DRAWING

SQUARE FOOTAGE:
LAND: 83,415 SF
BUILDING: 108,400 SF
TOTAL: 191,815 SF

DESIGN: 10-1-2019

SHEET NO.

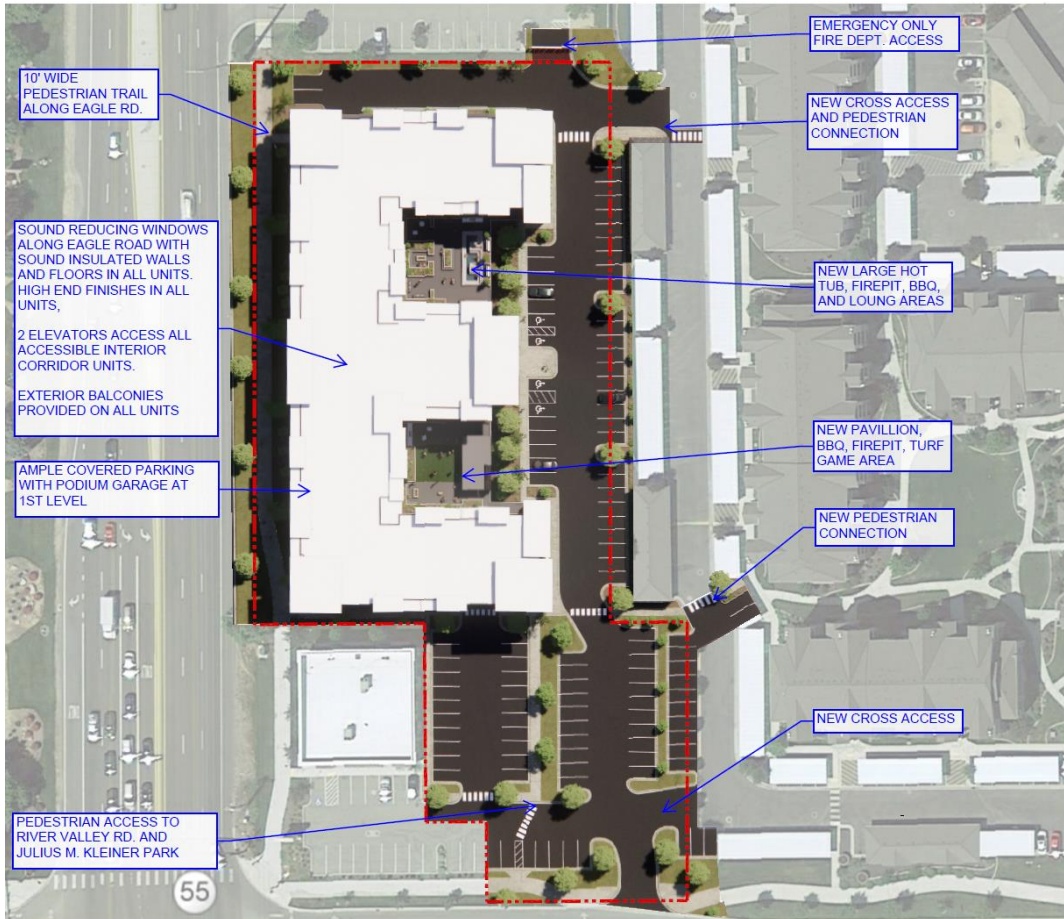
SHEET NO.

BACH STORAGE - 2500 N Eagle Rd. Meridian, ID

10-1-2019 SCALE: 1" = 30'-0"



B. Proposed Conceptual Development Plan & Elevations



RIVER VALLEY PH. 3 - 2500 N Eagle Rd. Meridian, ID

SCALE: 1" = 30'-0"

SITE INFO:	
SITE AREA: 83,415 SF (2.56 ACRES)	
UNITS: 28 STACKED:	52
18 STACKED:	64
STUDIO:	12
TOTAL:	128 (50/AC)
PARKING STALLS:	106 SURFACE
	124 PODIUM (41,000 SF)
	230 TOTAL STALLS
	(225 STALLS REQUIRED)



A PROJECT BY
BACH HOMES

REGENCY AT RIVER VALLEY
PHASE 3



DATE: 10/10/2017
BY: [Signature]

LOT NO.

SHEET NO.







C. Legal Description for Property Subject to New Development Agreement



August 9, 2021
Project No. 21-159
Bach Investments, LLC
Conditional Use Permit
Legal Description

Exhibit A

A parcel of land being Lot 2, Block 1 of Rivervalley Retail Subdivision (Book 106 of plats, pages 14591-14593) and a portion of the Southwest 1/4 of the Northwest 1/4 of Section 4, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the West 1/4 corner of said Section 4, which bears S00°36'00"W a distance of 2,611.39 feet from a found brass cap marking the Northwest corner of said Section 4, thence following the westerly line of said Section 4, N00°36'00"E a distance of 180.44 feet;

Thence leaving said westerly line, S89°24'00"E a distance of 70.00 feet to a found 1/2-inch rebar marking the Northwest corner of said Rivervalley Retail Subdivision, on the easterly right-of-way line of North Eagle Road and being the **POINT OF BEGINNING**.

Thence following said easterly right-of-way line, N00°36'00"E a distance of 363.50 feet to a found 5/8-inch rebar;

Thence leaving said easterly right-of-way line, S89°23'52"E a distance of 230.02 feet to a found aluminum cap on the westerly boundary line of Bach Subdivision (Book 113 of plats, pages 16608-16611);

Thence following said westerly subdivision boundary line the following four (4) courses:

1. S00°33'50"W a distance of 217.06 feet to a found aluminum cap;
2. S00°36'08"W a distance of 145.00 feet to a found 5/8-inch rebar on the northerly boundary line of Rivervalley Retail Subdivision;
3. S89°45'23"E a distance of 49.86 feet;
4. S00°36'08"W a distance of 180.00 feet to the northerly right-of-way line of East River Valley Street;

Thence leaving said westerly subdivision boundary line and following said northerly right-of-way line, N89°45'23"W a distance of 129.75 feet to the westerly boundary line of said Lot 2;

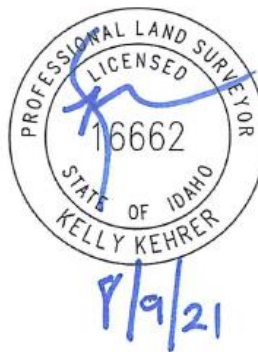
Thence leaving said northerly right-of-way line and following the westerly boundary line of said Lot 2 the following three (3) courses:

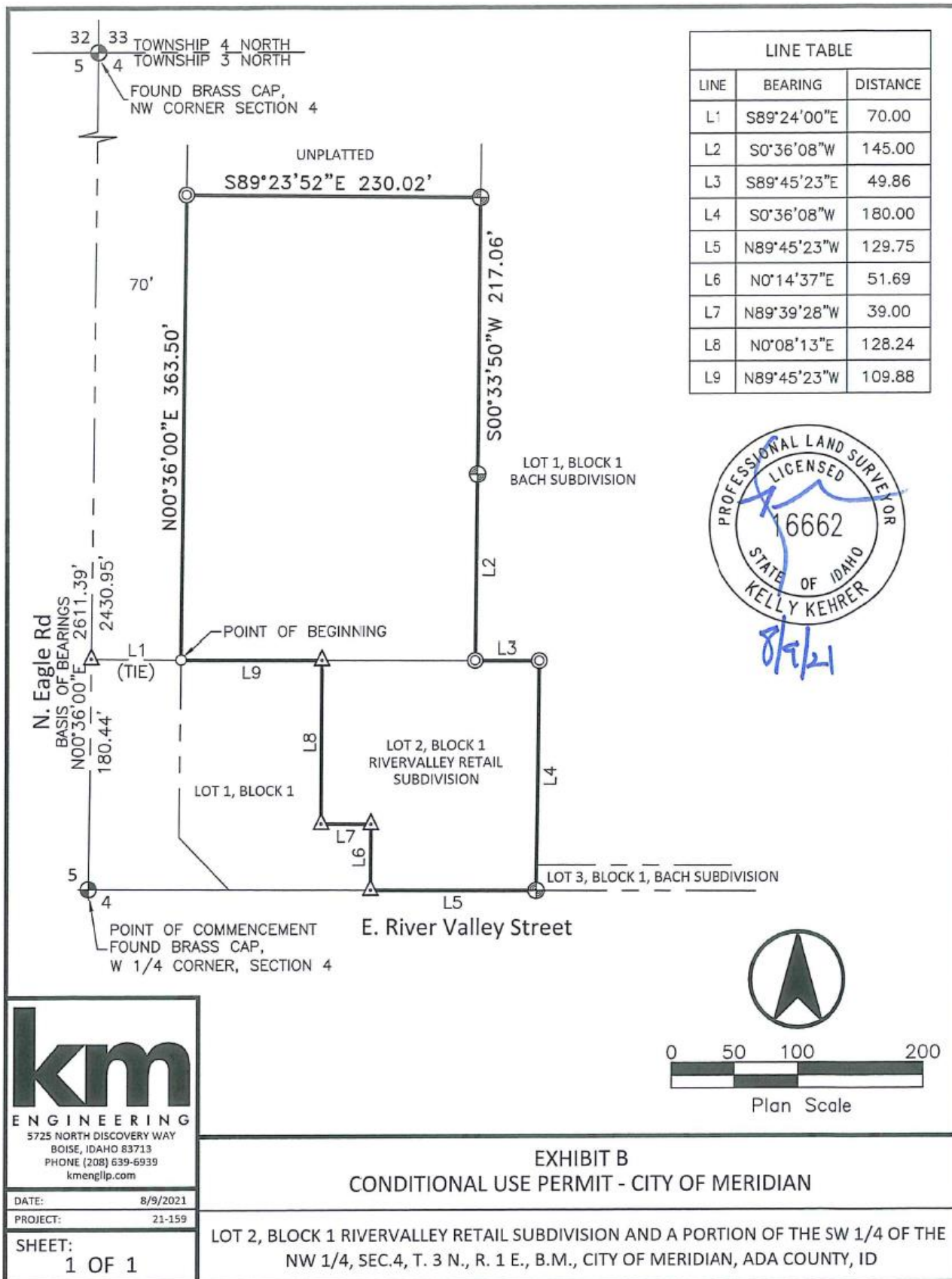
1. N00°14'37"E a distance of 51.69 feet;
2. N89°39'28"W a distance of 39.00 feet;
3. N00°08'13"E a distance of 128.24 feet to the northerly boundary line of said Rivervalley Retail Subdivision;

Thence leaving the westerly boundary line of said Lot 2 and following said northerly subdivision boundary line, N89°45'23"W a distance of 109.88 feet to the **POINT OF BEGINNING**.
Said parcel contains 2.570 acres, more or less, and is subject to all existing easements and/or rights-of-way of record.

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

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





VI. DEVELOPMENT AGREEMENT PROVISIONS

1. Development of the subject property shall no longer be subject to the terms of the Development Agreements for Bach Storage (H-2019-0121, Inst. #2020-062947) and SGI (AZ-12-010, Inst. #113005608).
2. Development of the subject property shall be generally consistent with the conceptual development plan shown in Section V.B.
3. Direct access to the site via N. Eagle Rd./SH-55 is prohibited per UDC [11-3H-4B.2](#).
4. An emergency access easement shall be granted to the property to the north (Parcel #S1104233802). A copy of the recorded easement shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for this site.
5. A cross-access/ingress-egress easement shall be granted to the property to the east (Parcel #R0748300100) and south (Parcel #R7476320010) for access via E. River Valley Street. A copy of the recorded easements shall be submitted to the Planning Division prior to issuance of the first Certificate of Occupancy for this site.
5. A 10-foot wide multi-use pathway shall be constructed along N. Eagle Rd. and E. River Valley St. within a public use easement; pedestrian lighting and landscaping shall be installed along the pathway consistent with the Eagle Road Corridor Study per the standards listed in UDC [11-3H-4C.3](#).
6. A public pedestrian easement for the multi-use pathway shall be submitted to the City, approved by City Council, and recorded prior to issuance of the first Certificate of Occupancy on this site as set forth in UDC [11-3H-4C.3](#).
7. Noise abatement shall be provided for residential uses adjoining State Highway 55/N. Eagle Rd. as set forth in UDC 11-3H-4D; or, alternative compliance may be requested if the Applicant has a substitute noise abatement proposal in accord with ITD standards and prepared by a qualified sound engineer as set forth in UDC 11-3H-4D.4.
8. Future development shall comply with the design standards listed in the Architectural Standards Manual.
9. A property boundary adjustment application shall be submitted to combine the three (3) existing parcels into one (1) parcel.
10. A conditional use permit is required to be submitted and approved by the Planning and Zoning Commission for the proposed multi-family development in the C-C and C-G zoning districts as set forth in UDC Table 11-2B-2. The proposed use is subject to the specific use standards listed in UDC 11-4-3-27 Multi-Family Development.
11. A Certificate of Zoning Compliance and administrative Design Review applications shall be submitted to and approved by the Planning Division after approval of the conditional use permit and prior to submittal of a building permit application(s).



AGENDA ITEM

ITEM TOPIC: Public Hearing for Torino Locust Grove Subdivision (H-2022-0038) by Jeremy Rausch, Located at 870 S. Locust Grove Rd.

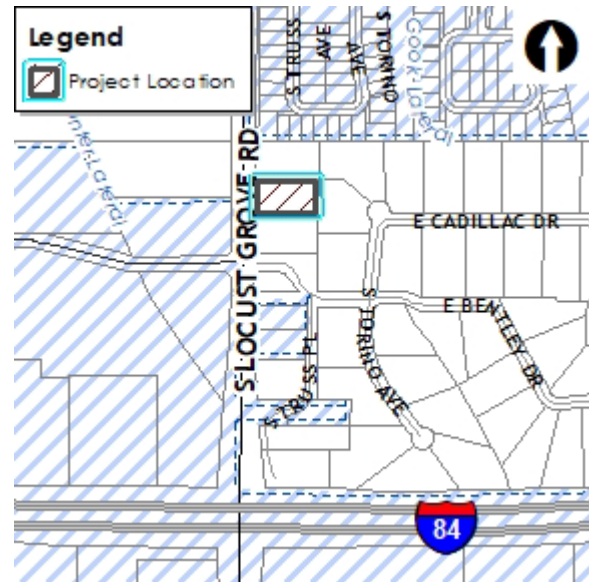
Application Materials: <https://bit.ly/H-2022-0038>

A. Request: Annexation and Zoning of 1.03 acres of land from R-1 in Ada County to the R-8 zoning district.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING 9/6/2022
DATE:
TO: Mayor & City Council
FROM: Alan Tiefenbach, Associate Planner
208-884-5533
SUBJECT: H-2022-0038 and SHP-2022-0008
Torino Locust Grove Subdivision
LOCATION: 870 S. Locust Grove Rd.



I. PROJECT DESCRIPTION

Annexation of 1.03 acres of land with the R-8 zoning district, and short plat consisting of 4 residential building lots.

II. SUMMARY OF REPORT

A. Project Summary

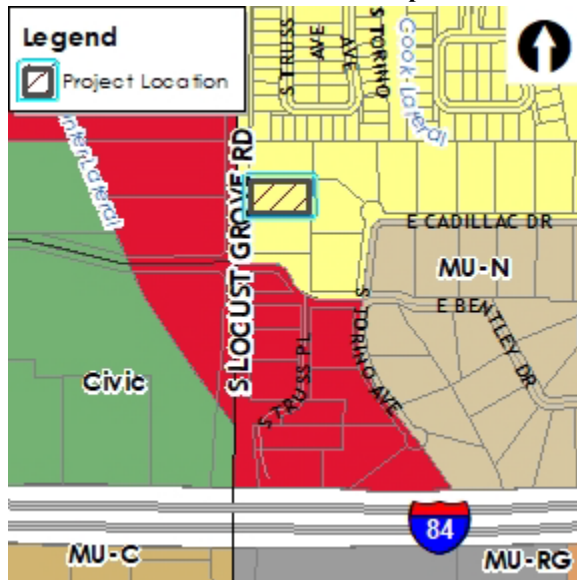
Description	Details	Page
Acreage	1.03	
Future Land Use Designation	Medium Density Residential (MDR)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Single Family Residential	
Lots (# and type; bldg./common)	4 Lots	
Phasing Plan (# of phases)	One phase	
Physical Features (waterways, hazards, flood plain, hillside)	No significant physical features.	
Neighborhood meeting date; # of attendees:	March 17, 2022	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) Stub Street/Interconnectivity/Cross Access	S. Locust Grove provides the only access to this property. This proposal includes a 30 ft. wide common driveway from S. Locust Grove to serve the four lots. Staff recommends an easement beyond the end of this driveway to the eastern property line.	
Existing Road Network	S. Locust Grove	
Existing Arterial Sidewalks / Buffers	There is an existing 7 ft wide sidewalk along the property frontage. A 25 ft wide landscape buffer will be required as a condition of approval.	
Proposed Road Improvements	None.	
Fire Service		
	The common driveway shall be signed "No Parking Fire Lane". When required by the Fire Marshall, "No Parking Fire Lane" signs shall be used per appendix D of the 2018 IFC. Signs shall be installed per ACHD standards. The bottom of the sign(s) should be 7' above the road/sidewalk surface shall not be in the travel way. The sign(s) shall be installed about 6" – 1' behind the curbing or edge of pavement on a Telspar post.	
Police Service		
	No Issues	
Wastewater	<ul style="list-style-type: none"> Flow is committed Due to proximity of sewer service to infiltration trench, sleeve both service two feet past each side of the infiltration trench. 	
Water		
	<ul style="list-style-type: none"> Due to proximity of water service to infiltration trench, sleeve both service 10 feet past each side for the infiltration trench. 	

C. Project Area Maps

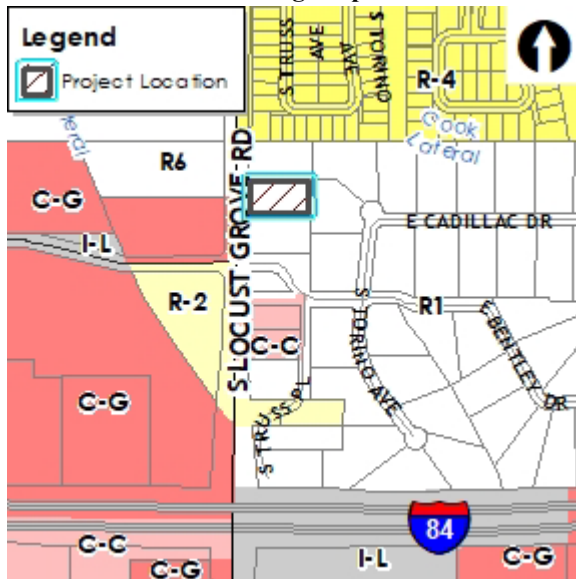
Future Land Use Map



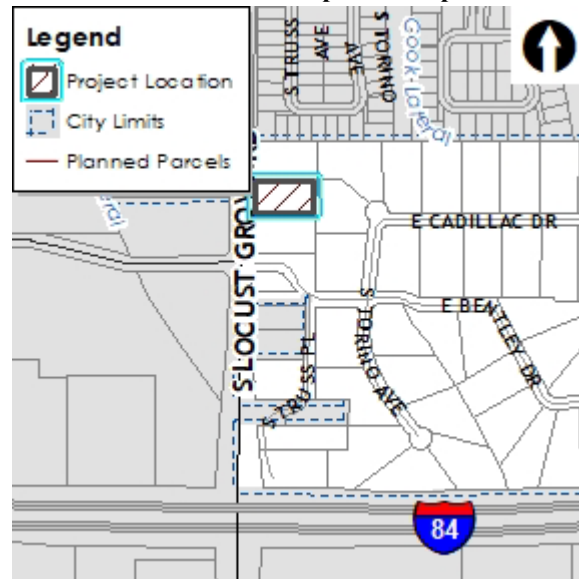
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant / Representative / Owner(s):

Jeremy Rausch – 1684 E Borzoi Ct, Meridian, ID 83642

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	7/19/2022	8/21/2022
Notification mailed to property owners within 500'	7/14/2022	8/18/2022
Applicant posted public hearing notice sign on site	7/25/2022	8/14/2022
Nextdoor posting	7/15/2022	8/18/2022

V. STAFF ANALYSIS

A. Annexation and Zoning

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.

The submitted legal description and boundary exhibit to appear to encompass the area of annexation. However, the exhibit also includes a previous lot configuration of three lots. **Prior to recordation of the annexation ordinance, the applicant shall submit a revised boundary exhibit which correctly matches the legal description.**

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

This property is designated as Medium Density Residential on the 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 adjacent to the city limits. The majority of the properties in this area east of S. Locust Grove Road and north of I-84 are rural residential, although there is land to the south of the subject property is recommended for commercial uses. The proposed density of 3.7 du / acre is well within the density range designation of the Plan.

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 VIII.A. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.

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

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

- Encourage infill development. (3.03.01E)

Infill development is described as “development of vacant, skipped-over parcels of land in otherwise built-up areas.” The subject property is within an area surrounded by City-zoned property; commercial property to the west (across S. Locust Grove Rd) and south (across I-84), the Snorting Bull Subdivision (aka – Woodbridge) to the north (in the City), and rural residential in unincorporated Ada County to the east. Although the property is within a larger unincorporated area, these unincorporated properties are surrounded by the City limits. This would be considered an infill area.

- “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 medium density 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 or in the general vicinity. R-8 zoning and detached single-family homes in unincorporated Ada County are abundant in this immediate area.

- Plan for connectivity between annexed parcels and county enclaves that may develop at a higher intensity. (3.03.04A)

*The property proposes to take access from S. Locust Grove, a principal arterial, via a common driveway within a 30 ft. wide easement. Per UDC 11-3A-3, for any property that takes direct access to an arterial and/or collector roadway, where access to a local street is available, the applicant shall reconfigure the site circulation plan to take access from such local street. **Where access to a local street is not available, the property owner shall be required to grant cross-access/ingress-egress easements to adjoining properties.***

A new single-family residence has been built on the property to the north (820 S. Locust) and due to the position of the new structures there is not feasible access between it and the subject property. However, the house on the 0.92-acre property directly to the east (903 S. Tornio Ave) takes access directly from S. Torino Ave, a local road. As this property is within an unincorporated area characterized by houses constructed in the 1970s and is designated for medium density residential, annexation and redevelopment of this area could occur in the future.

As a condition of approval, staff recommends the common drive extend to the eastern property line within a 30 ft. easement, so when the properties to the east are annexed into the city for redevelopment, access to the subject property can occur (via a private road) from S. Torino Ave and the S. Locust Grove access can be closed.

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

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

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

D. Existing Structures/Site Improvements:

The property is presently vacant.

E. Proposed Use Analysis:

The proposed use would be single family residential. This is a permitted use in the R-8 zoning district.

F. Dimensional Standards (UDC 11-2):

All proposed lots appear to meet UDC dimensional standards per the submitted preliminary plat. This includes property sizes, required street frontages, and road widths. Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3, including but not limited to streets, common driveways and block face. In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3) regarding common driveways.

A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.

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

As required, only one (1) single-family dwelling is proposed per property.

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

As this subdivision is only for four lots, the applicant has not submitted building elevations. However, **due to the proximity to S. Locust Grove and visibility of the lots, staff recommends a development agreement provision that requires building elevations visible from S. Locust Grove Rd to incorporate a variety of building materials and 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.

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

The subject lot presently takes access from S. Locust Grove Rd.

As already mentioned in the Comprehensive Plan analysis above, per UDC 11-3A-3, for any property that takes direct access to an arterial and/or collector roadway, where access to a local street is available, the applicant shall reconfigure the site circulation plan to take access from such local street. Where access to a local street is not available, the property owner shall be required to grant cross-access/ingress-egress easements to adjoining properties. As the properties directly to the east (as well as numerous other properties) are within unincorporated Ada County and could annex and redevelop in the future, Staff is recommending the common driveway shown in the short plat be extended to the eastern property line in a 30 ft wide easement. If the property to the east develops, access to the subject property shall occur (via a private road) from S. Torino Ave and the S. Locust Grove access be closed or used for emergency access only.

J. 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.

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

Sidewalk already exists along the S. Locust Grove Rd property frontage.

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

The applicant will be required to install a 25' wide buffer along S. Locust Grove Rd. as is required for arterial streets. Per UDC 11-3B-7, all street landscape buffers shall be on a common lot or on a permanent dedicated buffer easement, maintained by the property owner, homeowner's association or business owners' association. This is not reflected as such on the plat. Staff has added this as a condition of approval prior to City Engineer signature.

The landscape plan does not indicate whether there are any existing trees on the property that meet the preservation requirements of UDC 11-3B-10. This should be reflected on the landscape plan prior to City Engineer signature.

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

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

VI. DECISION

A. Staff:

Staff recommends approval of the requested annexation and zoning with the requirement of a Development Agreement and the provisions noted in Section VII.A per the findings in Section IX of this staff report.

B. The Meridian Planning & Zoning Commission heard these items on August 4, 2022. At the public hearing, the Commission voted to recommend approval of the subject AZ and SHP request.

1. Summary of Commission public hearing:

- a. In favor: Jeremy Rausch
- b. In opposition: Stan and Elaine Sears, Patricia Christensen, Jeanette Tanner and Ryan and Glenna Newby
- c. Commenting: None
- d. Written testimony: See above in the opposition section.
- e. Staff presenting application: Bill Parsons
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

3. Key issue(s) of discussion by Commission:

- a. Extension of the common driveway to the eastern boundary.

4. Commission change(s) to Staff recommendation:

- a. Commission modified DA provision b.

5. Outstanding issue(s) for City Council:

- a. None

VII. EXHIBITS

A. Annexation and Zoning Legal Description and Exhibit

ANNEXATION PROPERTY DESCRIPTION
FOR
JBI ELEMENTAL
870 S. Locust Grove

A parcel of land lying in the NW1/4 SW1/4 of Section 17, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, said parcel being more particularly described as follows:

Commencing at a Brass Cap marking the South West corner of said Section 17, from which a Brass Cap marking the West 1/4 corner bears N.00°30'32"E. 2659.49 feet; thence along the West line of said Section 17 N.00°30'32"E. 2359.49 feet to a point, said point being the POINT OF BEGINNING;

Thence continuing N.00°30'32"E. 150.00 feet to a point;

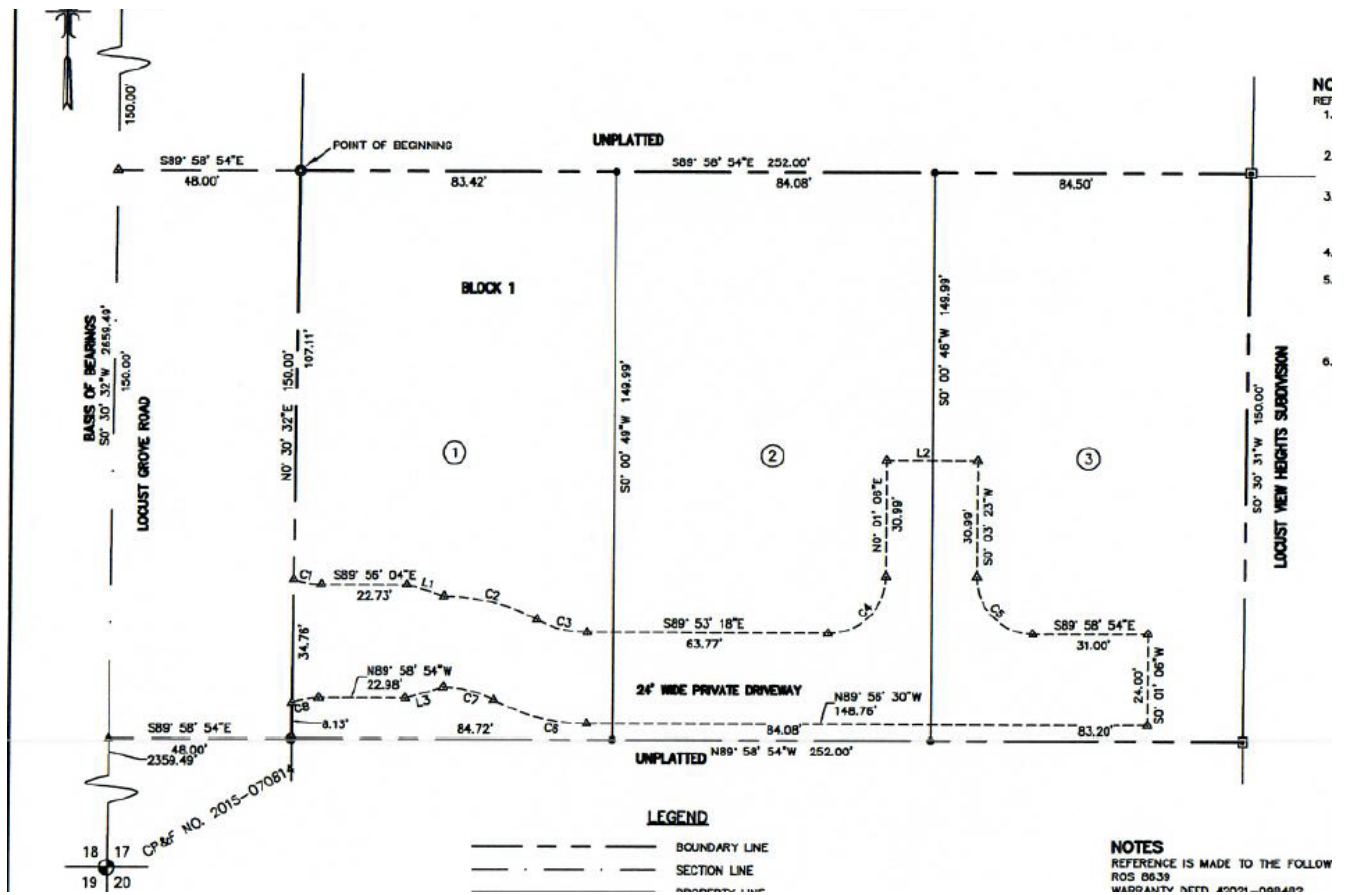
Thence S.89°58'54"E. 300.00 feet to a 1/2 inch iron pin;

Thence S.00°30'32"W. 150.00 feet to a 1/2 inch iron pin;

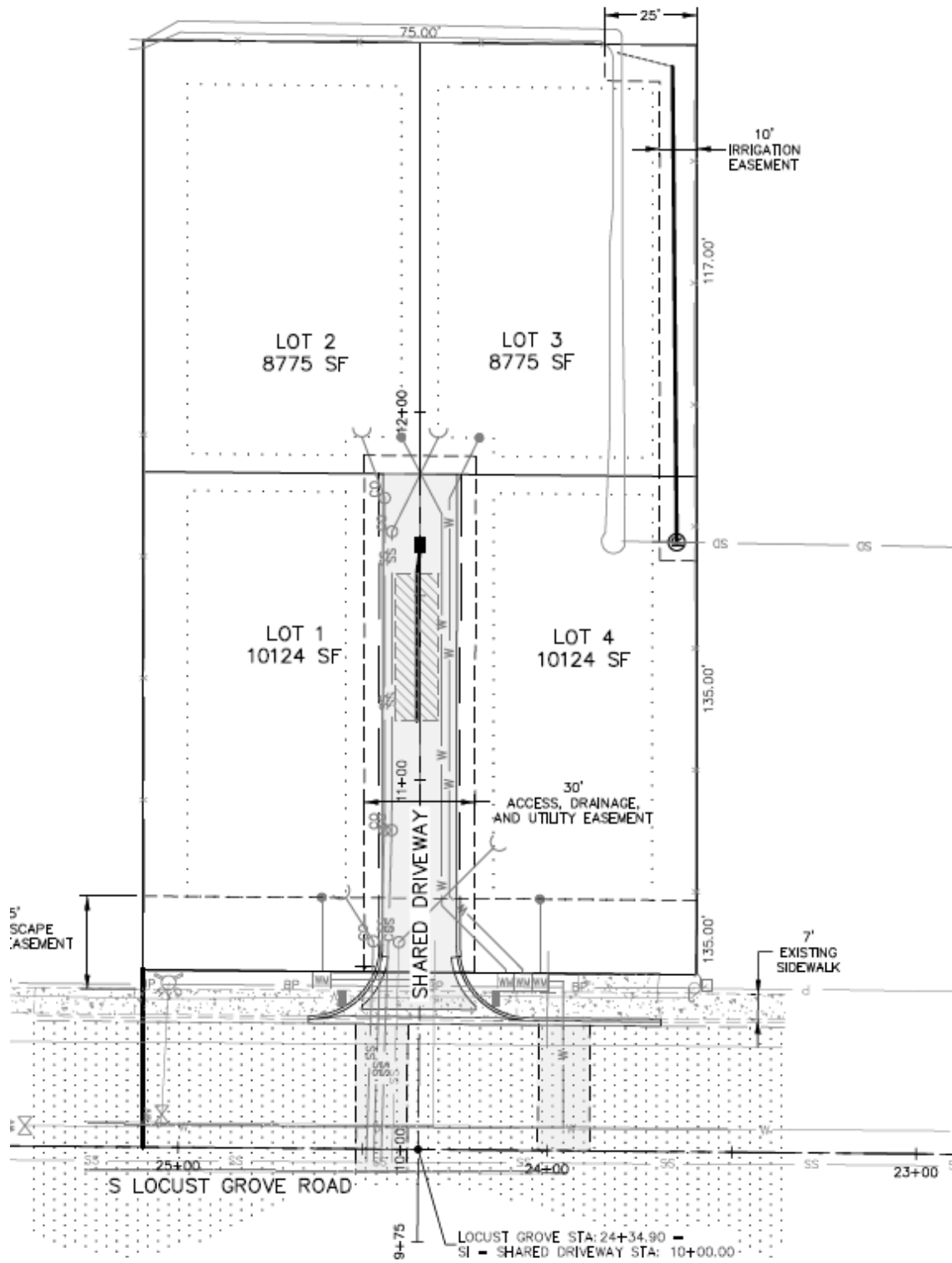
Thence N.89°58'54"W. 300.00 feet to the POINT OF BEGINNING.

Said parcel contains 1.03 acres, more or less, and is subject to all existing easements and right-of-ways of record or implied.





B. Short Plat (date: 5/20/2022)



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian and the property owner(s) at the time of annexation ordinance adoption, 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 conceptual development plan included in Section VII, Unified Development Code standards, and the provisions contained herein.
 - b. The 20-foot common driveway shown in the short plat shall be extended to the eastern property line in a 30 ft wide easement common lot and receive Fire Marshall approval to exceed 150 feet in accord with UDC 11-6C-3D. When the property to the east annexes into the City and develops, access to the subject property shall occur from S. Torino Ave. and the existing S. Locust Grove Road access shall be closed or used for emergency access purposes only.
 - c. Building elevations visible from S. Locust Grove Rd shall incorporate a variety of building materials and 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.
2. Prior to City Engineer signature, the short plat shall be revised to indicate the street landscape buffers on a common lot or on a permanent dedicated buffer easement, maintained by a property owner, or homeowner's association per UDC 11-3B-7.
 3. Prior to recordation of the annexation ordinance, the applicant shall submit a revised annexation boundary exhibit.
 4. 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.
 5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for all buildable lots.
 6. 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.
 7. An exhibit shall be submitted with the short plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in UDC 11-6C-3D.
 8. For the common driveway that serves a dual purpose (i.e. driveway/emergency access), signage shall be provided to notify residents that the common driveway is a no parking zone.

9. The applicant shall comply with all provisions of 11-3A-3 with regard to access to streets.
10. 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.
11. The Applicant shall comply with all conditions of ACHD.

B. PUBLIC WORKS

SITE SPECIFIC CONDITIONS:

1. Due to proximity of water service to the infiltration trench services must be sleeved for 10 feet past the trench on each side.
2. Due to proximity of sewer service to the infiltration trench services must be sleeved for 2 feet past the trench on each side.

GENERAL CONDITIONS:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
7. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for

more information at 887-2211.

8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.

20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
24. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

C. ADA COUNTY HIGHWAY DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266244&dbid=0&repo=MeridianCity&cr=1>

D. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266773&dbid=0&repo=MeridianCity>

E. NMID

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266212&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. ANNEXATION AND ZONING

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;

The 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 VIII.

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

The Commission finds the lot sizes proposed combined with the housing types proposed will be consistent with the purpose statement of the residential districts in that a range of 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;

The Commission finds that the proposed zoning map amendment should not be detrimental to the public health, safety, or welfare. The Commission and Council should 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

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 Commission finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section VII.

B. SHORT PLAT

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 Medium Density Residential with a density range of 3-8 du/acre. 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;

The Commission 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;

The Commission 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;

The Commission 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

The Commission 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.

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

Public Hearing for Torino Locust Grove Subdivision (H-2022-0038) by Jeremy Rausch, Located at 870 S. Locust Grove Rd.

A. Request: Annexation and Zoning of 1.03 acres of land from R-1 in Ada County to the R-8 zoning district.

Seal: Okay. And with that I would like to open public hearing for Item No. H-2022-0038, Torino Locust Grove Subdivision -- Subdivision and we will begin with the staff report.

Parsons: Yeah. Thank you, Mr. Chair. Before I start my presentation tonight I would just like to inform the Commission that Alan Tiefenbach has tendered his resignation with the city and as -- as of tomorrow he will no longer be employed by us. So, he's -- he's accepted a new position in Whitefish, Montana. So, we wish him the very best. But I thought you would like to know. He's very excited for his new opportunity. So, if you see him out and about here in the next week or so tell him hi and -- and wish him the best.

Seal: Absolutely. Thank you.

Wheeler: Lucky guy.

Parsons: Yeah. He feels pretty lucky. He's beaming from ear to ear. All he -- all he wants is to get his house sold. Okay. Back to city business here.

Seal: Thanks, Bill.

Parsons: So, I'm -- I'm filling in tonight, obviously, for him. I told him, yeah, since it is your last week with the city I will go ahead and take one for the team tonight and go ahead and present this project for you. So, tonight I'm here to present to you the Torino Locust Grove Subdivision. It is an annexation and a short plat request for you this evening. The property consists of approximately 1.03 acres of land, currently zoned R-1 in Ada county and the applicant is here to request annexation to the R-8 zone and develop it with four residential single family lots. I wanted to go on the record early. Looking at the record there is five or six letters of testimony in opposition of this project and there seems to be some misinformation that the residents think that this is possibly a potential for multi-family and it's not. Basically, the developer is here to talk about constructing four single family detached homes on the subject property. So, I just wanted to clear that up before I get into too much details of the project. So, this is a lot and block in the county subdivision. The physical address of this property is actually 870 South Locust Grove Road. Here in the aerial you can see that it's actually vacant. There are some mature trees that need to be addressed as part of the supplemental application -- the revised landscape plan moving forward. But, again, on the upper right-hand -- or left-hand corner here you can see the proposed short plat. This property does not have access to a local road like we typically see in a -- in a subdivision. It is an in-fill. So, the only access point with this particular project is from Locust Grove and so the applicant this evening is proposing a common driveway, your favorite, to serve as access for the -- the proposed four lot subdivision. Typically we would like to see a public street extended or even a

potential private street, but under the city's ordinance private streets are not allowed to connect to arterial roadways. So, in this particular case the code does not prohibit common driveways from connecting to arterial roadways. So, in this particular case that's what the applicant's doing. The -- the common driveway itself is actually 20 feet wide, but the easement to serve the common driveway is actually 30, because they are extending sewer and water mains into it, so that they could provide services to the back lot. You can see that staff is recommending a change to the conditions of approval. In the staff report I have -- I have placed that condition in the hearing outline that I prepared for you. I have -- I have wordsmithed that. There was an error -- I hope the applicant is here tonight or at least online. I wanted to inform him that the code requires that a common driveway be in a common lot, not an easement as it's currently depicted. So, I have had to correct the -- I know the applicant was working with Alan to correct the -- the condition of approval to try to satisfy our requirement, but it's not going to work and so, essentially, what I'm proposing tonight is this common driveway needs to be in a common lot and we are also recommending that it be extended to the east boundary and that does a couple things -- is, obviously, we have one acre county subs to the east and eventually we anticipate that redeveloping at some point in the future and so the hope is by extending that common driveway to the eastern boundary at some point when those properties to the east redevelop we will be able to get access to that local street like the code wants and, then, have the access to Locust Grove closed or at least minimized to emergency access only. So, that's why we are -- we are pushing for that common driveway to be extended. I have -- I was able to look at the -- the plat and they won't -- it will affect the buildable lots, but they still meet the R-8 standard. So, by creating a common lot and having that extended does not impact the buildability -- impact the building area on these lots. So, they will still meet the minimum R-8 standards. Now, the one hiccup to that is the code does not allow common driveways to exceed 150 feet, unless otherwise approved by the fire marshal. So, I have added that as a provision as well in Alan's condition that the applicant obtain fire marshal approval to exceed the 150 foot requirement. I'm -- I'm hoping that the fire marshal will see staff's point and lean -- and allow the applicant to go deeper into the site without a hammerhead or a turnaround. That way it makes the -- the project more viable, but also allows us to get future connectivity. So, I'm hoping between tonight's hearing and transitioning to City Council with this project that we will be able to get the fire marshal on board to do that. If not, then, more than likely staff will just probably recommend that the common drive not exceed 150 feet and not get that connection. But I at least wanted to keep you looped in that there is a little bit of work to be had and the applicant should be aware of that as well moving forward. The only required landscaping for this property is the buffer along Locust Grove. You can see that here. Because it is under five acres the code does not require any amenities or any common open space either as far as passive or active open space for this project. So, it's a pretty straightforward application. As I noted in the hearing outline there is quite a bit of testimony having to do with density, traffic, and, then, of course, compatibility with the adjacent land uses. County residents are concerned that this is quite a bit more dense than what's currently in the area, which I wouldn't disagree. It is. There is four lots versus one -- on unit per unit -- or one lot -- one building per unit. So, staff is recommending approval and with that I will stand for any questions you may have.

Seal: Okay. Thank you, Bill. Appreciate it. Would the applicant like to come forward? Are they online? Oh. It looks like Jeremy -- Jeremy Rausch is online.

Hall: What was the last name?

Seal: Rausch.

Rausch: Hello. Can everyone hear me?

Seal: Yes, we can, Jeremy. Go ahead and give us your name and address for the record and the floor is yours.

Rausch: My name is Jeremy Rausch. I live at 1684 East Borzoi Court, Meridian, Idaho. 83642. And it's asking me if I should join as a panelist or stay as an attendee.

Hall: Panelist is --

Rausch: There we go. Okay. Thank you. Yes. So, this is -- my proposal is to have four single family homes constructed on four individual lots, with a private driveway. Now, I am -- Alan tried to explain this to me with the common lot. This is a new -- can you explain this to me in a way that -- that I can understand what -- what is the staff recommend -- recommending for this?

Seal: Bill, if you want to jump in.

Parsons: Absolutely. Jeremy, nice -- nice to meet you.

Rausch: Nice to meet you.

Parsons: Sorry you are getting this information --

Rausch: No. I understand. Yes.

Parsons: So, essentially, Alan had conditioned your project to provide the common driveway in an easement and our code requires that it be in a common lot. So, essentially, you will just -- when you -- when you are coming in and ready to record the subdivision your common driveway will just -- you will just add a common lot to the face of the plat, rather than --

Rausch: Okay.

Parsons: -- an easement. That's -- that's really the difference here.

Rausch: Will the driveway need to be extended all the way to the far east or that will just -- it will end at 150 feet?

Parsons: The -- the expectation currently is that you extend it to the east boundary as originally conditioned to facilitate --

Rausch: Okay.

Parsons: -- future access to that local street. So, I know you and Alan agreed to just extend an easement, but we can't just extend the easement. The issue with that -- and just for the Commission, too, not to have a sidebar conversation with the -- the concern with just building a portion of the driveway and not having it extended is who pays for that and how do we get that in the future without having the developer put up the money in perpetuity and we don't want to manage that and the goal is -- really is if we want connectivity, we want that to be something in the future, it needs to be constructed now with development and that's -- and that's why we talked about that with the chair this afternoon and we felt that was the most prudent thing to do, is not just require it a common lot, but to also require the -- the driveway to be built.

Rausch: Okay. I can understand -- I can understand that recommendation for sure and I can comply to that also. I have -- my plan is to construct three to four bedroom homes, one to two stories on -- on these lots accessed by the -- the common driveway. I -- I really don't have anything else to bring forth.

Seal: All right. Thank you very much. Does anybody have any questions or concerns for the applicant or staff? Real quick, Bill, I know that the continuation of the private driveway and common lot to the end is -- one of the requirements on that is to get approval from the fire department. What if Chief Bongiorno comes back and says, no, not -- not going to happen. Need something else. Is that --

Parsons: Yeah. Mr. Chair, Members of the Commission, that -- that's what I was saying. The potential could be either -- he may come back and say build it and put bollards at 150 feet, so it does kind of meet the intent of the code, or we may just have to go forward to City Council and just say they won't approve anything more than 150 feet and it doesn't get extended or one of the lots is restricted until such time as it's extended and you put a hammerhead on one of the lots and restrict it. But I know -- I don't think the developer wants that -- that particular option.

Seal: Okay. Just wanted to make sure we have the options laid out there. Any questions? Any concerns? All right. We will go ahead and open this up for public testimony. Do we have anybody that would like to speak?

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

Seal: Okay. If anybody in Chambers would like to speak, please, raise your hand. Anybody online if you would like to speak, please, hit the raise your hand button. Going once. Going twice. Seeing nobody that would like to testify, Jeremy, do you have anything further to add?

Rausch: No. No, I don't. I just -- just -- if this continues to go further, how -- how do I know what the fire marshal is going to say?

Seal: I'm sure Bill will probably communicate that. So, with Alan leaving somebody from the city planning staff -- and, Bill, jump in if I'm completely off base here -- but somebody from the city planning staff will definitely be in touch on that.

Rausch: Okay.

Parsons: Yeah. Jeremy, I'm going to take you to the finish line on this one, so you are in good hands.

Rausch: Okay. Okay. Great. Yeah. Sorry, this is just kind of new to me just in the last -- well, right now.

Seal: Okay. Thank you very much. Appreciate that. And at this time can I get a motion to close the public hearing on H-2022-0038, Torino Locust Grove Subdivision?

Lorcher: So moved.

Stoddard: Second.

Seal: It's been moved and seconded to close the public hearing for application number H-2022-0038. All those in favor, please, say aye. Any opposed? Motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: All right. If anybody would like to comment or make a motion, I am all ears.

Wheeler: This seems pretty straight up and down; right? Okay.

Seal: Well, Commissioner Wheeler, go ahead.

Wheeler: All right. I was going to say -- see if Commissioner Stoddard wanted to make a stab at it here.

Stoddard: Okay.

Wheeler: Now, you got this section over here, too, that you have to read, too, this 20 foot -- with the condition of -- and, then, we had this part there, it says, yeah, the 20 foot wide common drive that -- he wordsmithed it all for you. So, you got -- you got one page turned, but you can. Under staff recommendation on the back page.

Stoddard: Mr. Chair?

Seal: Commissioner Stoddard, go ahead.

Stoddard: I make a motion to approve -- after considering all staff, application, public testimony -- oh, I already -- I move to recommend approval of City Council -- to the City Council of file number -- number H-2022-0038 as presented in the staff report for the hearing date of August 4th, 2022, with the revision to Condition 1-B, that only the common driveway be extended to the eastern property line and with the staff recommendation of the 20 foot wide common driveway shown on the short plat shall be extended to the eastern property line in a common lot and receive fire marshal approval to exceed 150 feet in accordance with UDC 11-6C-3D when the property to the east annexes into the city and develops. Access to the subject property shall occur from South Torino Avenue and the existing South Locust Grove access shall be closed or used for emergency access purposes only.

Seal: Do I have a second?

Lorcher: Second.

Seal: Okay. It has been moved and seconded to approve Item No. H-2022-0038 with the aforementioned modifications. All in favor say aye. Any opposed? Okay. Motion carries.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Lavender Place Subdivision (H-2022-0036) by Breckon Land Design, Located at 2160 E. Lake Hazel Rd.
Application Materials: <https://bit.ly/H-2022-0036>

- A. Request: Preliminary Plat consisting of four (4) single-family attached building lots and 26 single-family townhome lots on approximately 3.79 acres of land in the R-40 zoning district.
- B. Request: Conditional Use Permit to construct the requested 26 townhome lots within the R-40 zoning district.

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



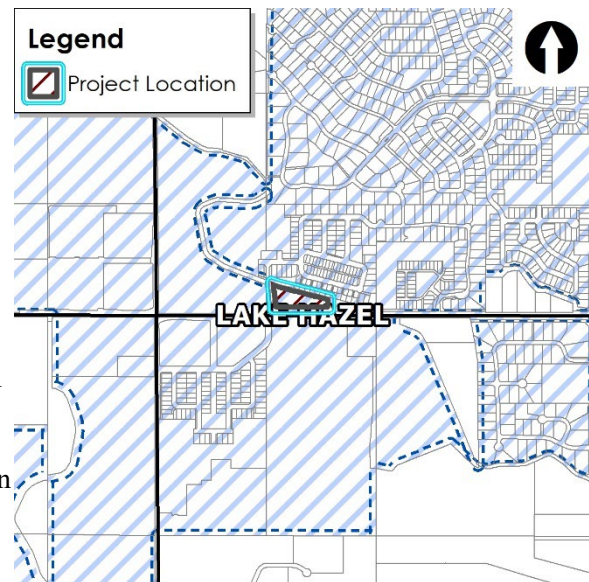
HEARING DATE: 9/6/2022

TO: Mayor & City Council

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

SUBJECT: H-2022-0036
Lavender Place Subdivision

LOCATION: The site is located at 2160 E. Lake Hazel Road, approximately 1/4 mile east of S. Locust Grove on the north side of Lake Hazel, in the SE 1/4 of SW 1/4 of Section 32, Township 3N, Range 1E.



I. PROJECT DESCRIPTION

- Preliminary Plat consisting of four (4) single-family attached building lots and 26 single-family townhome lots on approximately 3.79 acres of land in the existing R-40 zoning district;
- Conditional Use Permit to construct 26 townhome lots within the R-40 zoning district;
- Private Street application for proposed single-family development requiring administrative approval only, by Breckon Land Design on behalf of LH Development, LLC.

NOTE: Application also includes three (3) Alternative Compliance requests, discussed in subsequent sections of the staff report.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	3.79 acres	
Future Land Use Designation	Medium-High Density Residential (8-12 du/ac)	
Existing Land Use(s)	Vacant land	
Proposed Land Use(s)	Attached Single-family Residential and Townhome Residential	
Lots (# and type; bldg./common)	26 townhome lots and four (4) single-family attached lots.	
Number of Residential Units	30 residential units	
Density	Gross – 7.92 du/ac	
Open Space (acres, total [%]/buffer/qualified)	Open Space was approved as part of previous Lavender Heights approvals.	
Amenity	Seating area.	

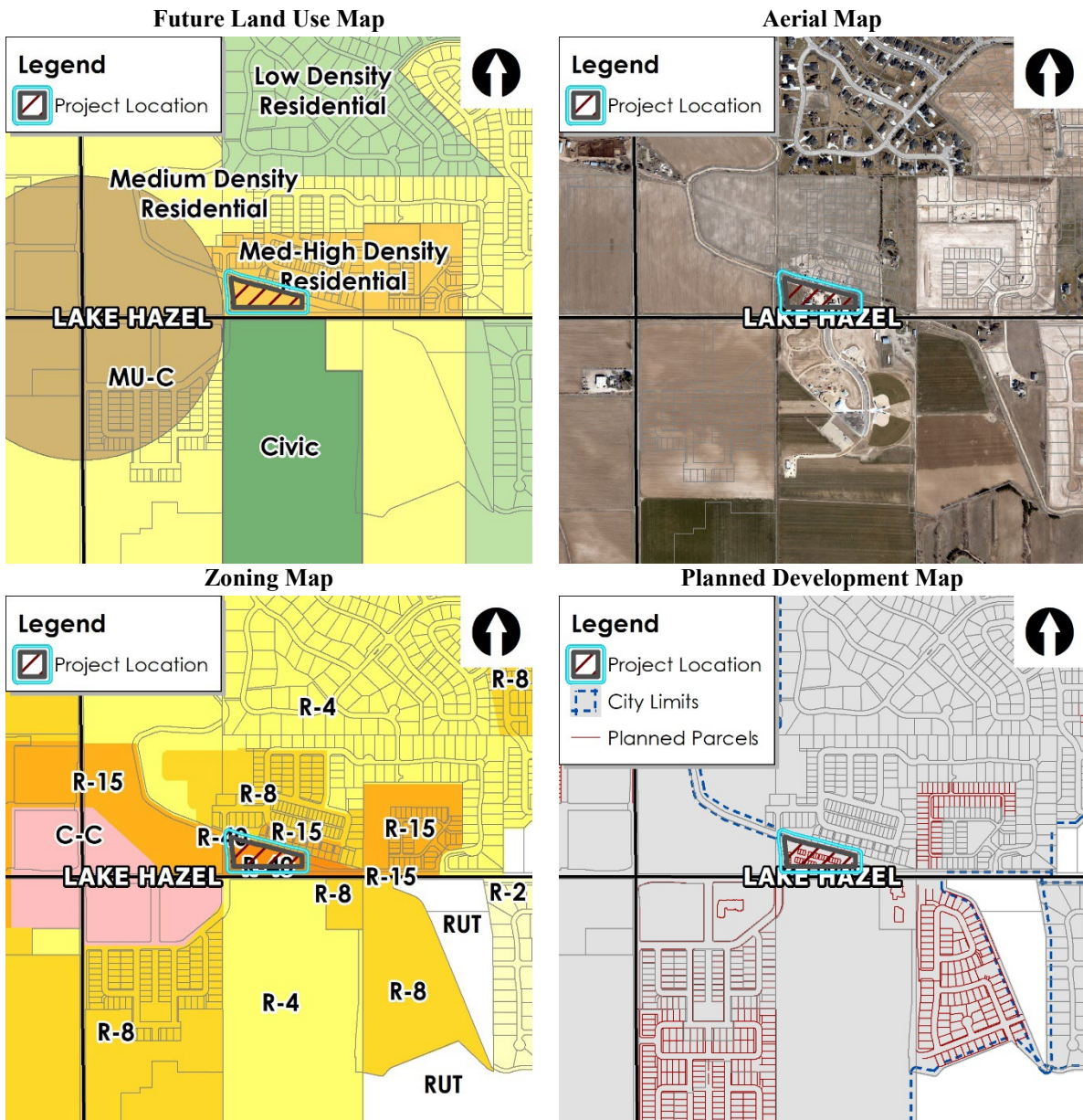
Description	Details	Page
Physical Features (waterways, hazards, flood plain, hillside)	Farr Lateral is adjacent to the site along the entire north boundary.	
Neighborhood meeting date; # of attendees:	March 2, 2022 – No attendees	
History (previous approvals)	H-2020-0004 (Lavender Heights Sub., AZ, PP); H-2022-0017 (MDA)	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) 	Yes	
<ul style="list-style-type: none"> Requires ACHD Commission Action (yes/no) 	No	
<ul style="list-style-type: none"> Traffic Impact Study (yes/no) 	No	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	No direct access to Lake Hazel. Access is proposed via a new private street connection to S. Bloomerang Avenue, an existing collector street abutting the west property boundary.	
Stub Street/Interconnectivity/Cross Access	No stub streets are proposed or required as there are no existing stub streets.	
Existing Road Network	Lake Hazel and Bloomerang are existing public streets.	
Existing Arterial Sidewalks / Buffers	Through previous approvals (H-2020-0004), arterial sidewalks and buffer have been constructed.	
Proposed Road Improvements	New private street for access to all proposed lots.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	4.1 miles from Fire Station #4 (Approximately 600 feet from approved fire station #7 on Lake Hazel; response time will fall within the 5-minute response time goal area).	
<ul style="list-style-type: none"> Fire Response Time 	Project currently does not reside within the Meridian Fire 5-minute response time goal area.	
<ul style="list-style-type: none"> Resource Reliability 	Fire Station #4 reliability is 77% (below the goal of 80%)	
<ul style="list-style-type: none"> Risk Identification 	Risk Factor 2 – Residential with hazards (open waterway – Farr Lateral)	
<ul style="list-style-type: none"> Accessibility 	<ul style="list-style-type: none"> Proposed project meets all required road widths, access, and turnaround dimensions. 	
Police Service	No Comment	
Wastewater		
<ul style="list-style-type: none"> Distance to Sewer Services 	N/A	
<ul style="list-style-type: none"> Sewer Shed 	Black Cat Trunkshed	
<ul style="list-style-type: none"> Estimated Project Sewer ERU's 	See application	
<ul style="list-style-type: none"> WRRF Declining Balance 		
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes	

Description	Details	Page
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Flow is committed Sewer main and manhole must be centered along easement. Utility easement not listed on Declaration St. 30' easement is required for sewer and water running in parallel. 	
Water		
<ul style="list-style-type: none"> Pressure Zone 	5	
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application	
<ul style="list-style-type: none"> Water Quality Concerns 	None	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes	
<ul style="list-style-type: none"> Impacts/Concerns 	<ul style="list-style-type: none"> Per the Pre-application notes applicant to connect to Lake Hazel Road in addition to Bloomerang connection. Connect at the eastern side of the site. Max length for one-inch lines feeding two lots is 80' from main to water meter vaults. Service to lot 19 and 20 appear longer than 80. Address if line is one-inch. 20' easement needed up water meter vault and past as space allows. 	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Mary Wall, Breckon Land Design – P.O. Box 44465, Boise, ID 83711

B. Owner:

Taylor Merrill, LH Development, LLC – P.O. Box 344, Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	7/5/2022	8/21/2022
Radius notification mailed to properties within 500 feet	6/30/2022	8/18/2022
Site Posting	7/22/2022	8/24/2022
Nextdoor posting	6/30/2022	8/18/2022

V. STAFF ANALYSIS

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

Medium-High Density Residential (MHDR) – This designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from eight to twelve dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity.

Lavender Place subdivision is approximately 3.8 acres and was annexed into the City in 2020 as part of Lavender Heights Subdivision. As part of this annexation, the subject site was approved with the R-40 zoning district and was anticipated for a future multi-family development. Since these approvals, the Applicant has received a development agreement modification (H-2022-0017) to change the presumed land use on the subject site from multi-family to single-family attached and single-family townhome units. In addition, the subject site and its future use does not require a minimum amount of open space and amenities because it is part of the Lavender Heights development and will share the approved open space and amenity package with the rest of the residents. However, the Applicant is proposing a plaza area with seating to provide an amenity within this specific area of the project. Further, the Applicant is proposing the project to be largely “alley” loaded with all but two of the proposed units fronting on green space to comply with the Private Street applicability standards; subsequently, multiple detached sidewalks are included for added pedestrian access through the site.

With the proposed plat of 30 residential units and requested land use of alley-loaded single-family attached and townhome units, the Applicant is proposing its densest product (almost 8 units per acre) along Lake Hazel and introducing a new housing type to the overall Lavender Heights development. Both of these factors help the proposed project further comply with the MHDR future land use designation and the comprehensive plan overall. In addition, the proposed placement and site design offer great pedestrian connectivity to the nearby Discovery Park (across the street) to the south and to the remaining open space and amenities within Lavender Heights. According to the submitted conceptual elevations, the Applicant is proposing to construct the homes within this project of similar style to those within the parent development, Lavender Heights. This furthers Staff’s belief that the proposed Lavender Place Subdivision complies with the comprehensive plan and previous approvals.

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

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

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *As discussed above, the subject project is proposed with a housing type not seen within the parent development of Lavender Heights nor within nearby developments. Staff finds the addition of single-family townhomes and single-family attached units add to the diversity of housing available in this area of the City.*

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). *All public utilities are available for this project site due to the Lavender Heights development currently under construction to the north. The abutting public roadways are constructed to their full widths at this time (Lake Hazel is planned for widening in the future) with additional right-of-way dedicated with previous applications. This project does not currently lay within the Fire Department response time goal of 5-minutes but will once Fire Station 7 is constructed and staffed directly south of the property, anticipated in late Summer 2023. Further, the proposed project meets all Fire required turnarounds, road widths, and meets the maximum number of units allowed off of a singular access, 30 homes. West Ada School District has not made comments on this application but an additional 30 homes are expected to generate approximately 24 school aged children.*

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

“Preserve, protect, and provide open space for recreation, conservation, and aesthetics” (4.05.01F). *The subject property is less than 5 acres in size so code does not require a minimum amount of open space. Furthermore, the subject property is already annexed into the City and is part of a larger development (Lavender Heights) that contains open space and amenities in excess of code requirements at the time of approval. The Applicant is proposing a relatively small area of open space in this project in the form of a plaza with benches for seating and includes other accessory landscape areas in the project for aesthetics and quality of life. Because the subject project will be part of the overall Lavender Heights HOA and is proposed with easy access to a multi-use pathway segment and open space directly to the north, Staff finds the subject site provides appropriate open space for the proposed project in the larger context of the development and the immediate area.*

“With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities” (2.02.01A). *This new subdivision is located between E. Lake Hazel Road, an arterial street, and the Farr Lateral that is proposed with a segment of multi-use pathway previously approved with the Lavender Heights development to the north. The previous approvals included approximately 7 acres of usable open space that interconnects with internal sidewalks and a large multi-use pathway segment throughout the development; the subject project continues this design element while introducing a new housing type to the area. In addition, the proposed development will continue to preserve opportunities for residents to get to Discovery Park; Discovery Park lies across E. Lake Hazel Road, directly south of this project. Staff is recommending slight modifications to the plat to accommodate a more direct path north-south through the site to allow for even easier, more direct access to the park.*

“Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D). *The proposed project includes multiple detached sidewalks and micro-paths throughout the site and fronts nearly half of the units towards a new segment of multi-use pathway offering ample pedestrian facilities that connect to the adjacent parent subdivision to the north, Lavender Heights, and to the arterial sidewalk along Lake Hazel. Staff finds the proposed site design and proposed pedestrian facilities will link the*

project to existing and planned development in the area, specifically to Lavender Heights to the north and Discovery Park to the south.

“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). *Urban services include services and uses beyond that of utilities and emergency response; gas stations, grocery stores, public parks, and other retail/office uses are essential for a good quality of life. The subject site is relatively far removed from commercial services at this time but the new Albertson’s grocery store approximately 1 and a half miles to the northeast and planned commercial approximately ½ mile to the west will help fill the urban services gap currently existing in this area of the City. Furthermore, the City’s soon-to-be largest public park is located directly south of the subject site, Discovery Park. Therefore, despite commercial services not currently being within walking distance of the subject site, Staff finds the planned development in vicinity of the project site constitutes adequate urban services for this project. In addition, Lavender Place Subdivision is an extension of the already under construction Lavender Heights Subdivision to the north and is adjacent to multiple other developments in this area of the City. These facts further Staff’s belief the subject site will be adequately served by public and urban services in the near-term future.*

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

C. Existing Structures/Site Improvements:

There are no existing structures on the subject site. However, a segment of the Farr Lateral lays within the subject site and runs along the entire north boundary. This waterway is proposed to remain open and was previously approved to do so.

D. Proposed Use Analysis:

The proposed uses within this project are all residential—single-family attached (2 units connected) and single-family townhomes (3 or more attached units). The proposed single-family attached residential use is a permitted use within the existing R-40 zoning district but the proposed townhouse dwellings require Conditional Use Permit (CUP) approval within the R-40 zoning district, per UDC Table 11-2A-2. The Applicant has submitted a CUP with the preliminary plat application for this purpose. The submitted Lavender Place plat is proposed to be constructed in one (1) phase but is essentially phase 4 of the parent development, Lavender Heights Subdivision.

Staff supports the residential uses proposed within the Lavender Place Subdivision because they help the project meet the minimum density requirements of the overall Lavender Heights project and will add two additional housing types to this project and to the immediate area. This is supported by our comprehensive plan as discussed above. Therefore, Staff recommends approval of the subject CUP request for townhomes within the existing R-40 zoning district. The required findings can be found in Section IX at the end of this report.

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

The submitted preliminary plat is proposed within existing R-40 zoning district area and requires compliance with the dimensional standards within UDC Table 11-2A-8. Specifically, the plat should depict compliance with the minimum lot size requirement of 1,000 square feet. Because home placement on the building lot is not yet known at the time of preliminary plat submittal, setbacks cannot generally be reviewed at this time. However, per the submitted plat, the Applicant is showing the building envelope on each lot including the proposed zero lot-lines for the attached units. In addition, all subdivision developments are also required to comply with

Subdivision Design and Improvement Standards (UDC 11-6C-3).

The proposed preliminary plat and submitted plans appear to meet all UDC requirements of the R-40 zoning district including minimum building lot size and building setbacks based on the depicted building envelopes shown. Further, the submitted plat appears to meet all UDC standards outlined in UDC 11-6C-3 except for the Common Drive standards and the maximum length allowed for a dead-end street. The Applicant is requesting Alternative Compliance to the common drive standards—Staff analysis on this is in the below Access section (Section V.G).

In addition, the Applicant requires Council approval for the proposed dead end street that exceeds 500 linear feet but is less than 750 feet (approximately 680 linear feet), per UDC 11-6C-3B.4b. Per the allowances noted within this code section, Staff recommends approval of the proposed street length as there is no opportunity for connectivity to the north due to the Farr Lateral abutting the entire north boundary and because staff does not support an additional access to Lake Hazel to the south, an arterial street.

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

The Applicant submitted conceptual building elevations for the proposed residential dwellings. Note that attached single-family and townhomes require Design Review approval before building permit submittal. Therefore, Staff will review each set of elevations for compliance with the single-family residential architectural standards. Staff recommends the Design Review application be submitted with the final plat application.

The submitted elevations depict two-story homes with two-car garages for each unit. As discussed above, the proposed homes are “alley” loaded and therefore have the garage facades facing the internal private street and the pedestrian access for each home entrance faces green spaces throughout the site. The elevations depict varying color choices with lap siding as the main field material and varying accent materials including stone and architectural wood material (see snip below).



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

Access to Lavender Place is proposed via construction of a new private street (depicted as E. Declaration Street) that connects to S. Bloomerang Avenue (a collector street) at the west property boundary. The private street is proposed at a width of 25 feet measured to the back of the rolled curb, with no sidewalk. Private streets are governed by the standards outlined in UDC 11-3F-4 and the findings in UDC 11-3F-5. Further, vehicular access to each residential building lot is proposed from this private street and provides 5’ of concrete beyond the edge of the private

street to delineate the driving surface from the building lots. NOTE: Two of the homes are depicted with driveways at least 20 feet in depth and width per code and two are shown with driveways less than 20 feet deep but deeper than 5 feet. More analysis on this is below.

According to the submitted plat, the proposed private street complies with all UDC standards except for the common lot requirement and the prohibition that a common drive takes access from the private street. According to submitted plat, the Applicant has noted the private street is on a common lot (Lot 2, Block 11) but this common lot encompasses other common area as well. UDC 11-3F-4A requires the private street be on its own singular common lot. Therefore, the Applicant is required to revise the plat to add an additional common lot solely for the private street.

The Applicant is requesting Alternative Compliance (ALT) to the Private Street standard that prohibits a common drive taking access from the private street, as allowed per UDC 11-5B-5B. In order to meet the City's desired density in this area and within the Lavender Heights overall development, the Applicant is proposing a common drive off of the private street to serve 4 building lots on its west side. Further, the Applicant is proposing 3 off-street parking spaces at the end of the common drive. Staff supports the inclusion of the common drive within this development to allow additional building lots that increase the overall gross density as envisioned by the Comprehensive Plan and to meet the minimum number of units required within the existing Development Agreement. Therefore, Staff supports the Applicant's Alternative Compliance request to the UDC 11-3F-4A.6 standard. See the required findings in Section IX below.

However, Staff does have concerns with the placement and design of the driveways for Lots 32 and 33. Due to the design of the private street, both of these driveways are deeper than 5 feet (minimum garage alley setback) but are not 20 feet deep to accommodate an off-street parking space. Staff is concerned these sub-standard driveways will encourage residents to park in these areas and would prohibit safe vehicular movement on the private street near the entrance of the project. Staff does not have a specific revision but wants to point out this probable conflict so the Applicant can make revisions to the plat and design to mitigate this issue. With the submittal of the final plat, provide an exhibit either showing that the distance between the face of garage and the private street is 20' or 5'. Parking in front of a garage less than 20 feet deep is prohibited.

In addition to the ALT needed for the common drive off of a private street, an additional ALT request is being made for an alternative to the common drive standards (UDC 11-6C-3D) to allow four (4) lots to take access from the same side of the common drive where code allows only three (3) lots. As shown on the submitted plat, the Applicant has proposed 4 lots to take access from the west side of the common drive and a 4-plex building directly east of the common drive that takes access from the private street. Staff finds it is feasible to modify the layout of the plat to comply with the common drive standards but finds this would be more wasteful in the overall layout of the proposed plat and would likely reduce the density within the project. Due to its location and future land use designation of medium-high density residential, the City does not envision a reduction in density along this Lake Hazel corridor. So, Staff finds the proposed site design is an efficient use of the subject area and offers an equal means for meeting the common drive standards. Further, Public Works does not have concerns with the common lot and conflicts with services, which is one of the main reasons for this provision in code. See the required findings in Section IX below.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. The Applicant has submitted an Alternative Compliance request to these standards per their allowance in UDC 11-

5B-5.

Per the submitted parking exhibit (see snip below), the Applicant is proposing to alternatively comply with the off-street parking standards by providing 18 parking spaces that will be designated for each specific unit. Each of the proposed residential units is shown with a 2-car tuck under garage providing the required off-street parking for 2-bedroom homes and meets the requirement of a 2-car garage for 3-bedroom units. However, due to the odd-shape of the parcel that creates a constrained building area, the Applicant proposed private streets and an alley-loaded product that does not readily allow for the required 20' by 20' parking pad for the nine (9) 3 and 4-bedroom homes. The Applicant placed the parking spaces directly across the private street from each unit to minimize the distance homeowners would have to traverse to access their additional parking spaces. In addition to the 18 parking spaces designated for the residents, the Applicant is also showing 7 additional guest parking spaces. NOTE: Parking is prohibited on the private street as well as along Lake Hazel and Bloomerang, the collector street where the private street takes access from.

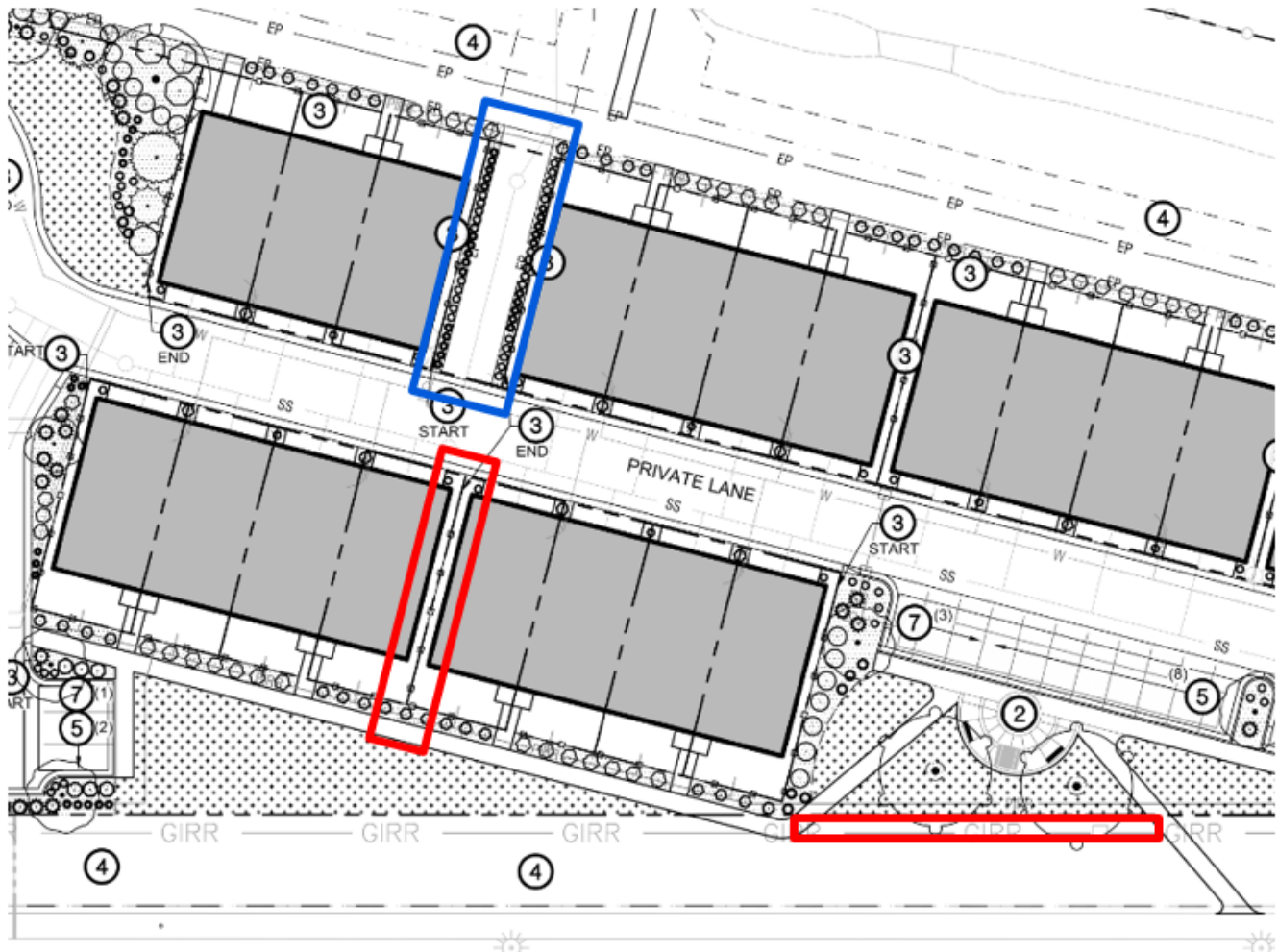


Staff finds the proposed alternative as one option to meet the intent of the off-street parking requirements when accounting for the required density of the existing Development Agreement, site constraints, and limited access for the site. However, upon further review, Staff is recommending a modification to the ALT request: Staff recommends one parking space is allocated for each 3 or 4-bedroom unit instead of two spaces. It is difficult to predict the number of cars each unit will produce so Staff finds it more prudent to offer additional spaces for the entire development and not just the units with more bedrooms. Staff's recommendation would increase the number of guest spaces from seven (7) up to 16 spaces which should allow for more appropriate flexibility in their use for future residents and guests of this development. An additional option, should Commission or Council find the amount of off-street parking is not adequate overall, is to limit the number of units containing 3 or 4 bedrooms as a plat condition. Staff's Alternative Compliance findings for this request are below in Section IX at the end of this report.

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

5-foot wide detached sidewalks are proposed throughout the development that provide the main

pedestrian access for all of the building lots. In addition, the project includes the final 750 feet of multi-use pathway conceptually approved with the Lavender Heights development that runs along the north of the project and provides pedestrian access for half of the proposed units. As part of the previous approvals, there is an existing 5-foot wide pathway connection from this property to the north that crosses the Farr Lateral via a pedestrian bridge and provides interconnectivity between Lavender Heights phase one and the proposed Lavender Place subdivision. This 5-foot pathway connects to the multi-use pathway segment and leads into a 20' wide paved area near the north portion of the site that is required as access for the public sewer main (see blue marked area below). The proposed sidewalks and multi-use pathway meet UDC standards and comply with previous approvals of this site.



Because of the clear north-south connection from the subject site to the open space within phase 1 to the north over the pedestrian bridge and the sewer easement, Staff finds it applicable to help maintain this north-south movement. With the proposed design, two 4-plex buildings impede this natural pedestrian flow and no additional sidewalks are shown to help connect this noted area to the sidewalk along Lake Hazel. As depicted in red above, Staff is recommending a new 5-foot wide micro-path is located between Lots 24 and 25, Block 11 (the two 4-plex buildings shown along Lake Hazel) and for the Applicant to add an additional sidewalk segment around the plaza to for better pedestrian connectivity—Staff is open to more than one design to accomplish the goal of increasing pedestrian connectivity in this area. The new common lot need only be 10 feet

wide to accommodate the 5-foot micro-path and approximately 2.5 feet of landscaping on each side; Staff does not find it necessary to provide a tree along this new micro-path lot for shade as its purpose is simply to be a cut-through between the two buildings where no other convenient north-south pedestrian access currently exists. This appears to be possible by shifting the eastern 4-plex 10 feet to the east and closer to the guest parking spaces (building would be approximately 8 feet from parking space instead of 18 feet). Staff will work with the Applicant to determine the best possible design for this recommendation.

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

The required landscaping regulated by code within the proposed development is landscaping along the multi-use pathway segment (UDC 11-3B-12). The required street buffers to Lake Hazel (arterial) and S. Bloomerang (collector) were constructed with phase 1 of the Lavender Heights Subdivision. The submitted landscape plans do not show landscaping along the pathway as this was shown on the previously approved plans for Lavender Heights. Because the subject plat contains this pathway within its property boundary, the Applicant should revise the landscape plans to depict the existing/proposed landscaping along the multi-use pathway to ensure code compliance.

The Applicant is proposing a number of trees and landscape beds within the development to offer shade and additional aesthetics to the development. This includes shrubs and other vegetative ground cover within landscape beds along the perimeter of the building lots and trees around the proposed plaza area and adjacent to the proposed parking spaces. In accord with Staff's recommended revision to the plat to include an additional north-south micro-path between Lots 24 and 25, Block 11, the Applicant should add some shrubs and vegetative ground cover adjacent to this new micro-path. With the final plat application, the Applicant should make these revisions.

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

The subject plat is less than 5 acres (approximately 3.8 acres) so no minimum open space or amenities are technically required in order to comply with City Code. Despite not being required, the Applicant is proposing a plaza area along the southern property boundary that includes two benches and a picnic table to add an amenity within this project area. Furthermore, future residents of this plat will be part of the larger Lavender Heights Subdivision HOA currently under development to the north and will share in the approved open space and amenities of the larger project (approximately 7.7 acres of open space, multi-use pathway segment, and a swimming pool). In addition, the subject site is directly north of the City's Discovery Park that is currently constructing phase 2 of its planned development and will contain a total of approximately 70 acres of public park and amenity space.

Staff finds the proposed and planned open space and amenities of the Lavender Place and Lavender Heights Subdivisions and the adjacent Discovery Park provide adequate open space and amenities for aesthetic and recreational opportunities.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. 4-foot steel tube fencing is proposed as shown on the landscape plan and appears to meet UDC standards. No fencing is shown on the submitted landscape plans within the Farr Lateral easement area.

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

The subject site contains a segment of the Farr Lateral, an irrigation lateral maintained by Boise Project Board of Control (BPBC). Through the previous Lavender Heights Subdivision approvals, the Applicant was allowed to keep this waterway open and was required to construct a

10-foot multi-use pathway along its length for a regional pathway connection through this area of the City. With the subject plat and proposed development, the waterway is still proposed to remain open and the multi-use pathway will be installed per the original approvals for this site. Any proposed fencing will have to comply with those standards outlined in UDC 11-3A-6 & 11-3A-7.

N. Pressurized Irrigation (*UDC 11-3A-15*):

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

VI. DECISION

A. Staff:

Staff recommends approval of the requested Preliminary Plat and Conditional Use Permit per the Findings in Section IX of this staff report. The Director and Staff have approved the requested administrative applications associated with this project (Private Streets and Alternative Compliance requests).

B. The Meridian Planning & Zoning Commission heard these items on August 4, 2022. At the public hearing, the Commission moved to recommend approval of the subject Preliminary Plat and Conditional Use Permit requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Breckon, Applicant Representative; Taylor Merrill, Applicant.
- b. In opposition: None
- c. Commenting: Jon Breckon; Taylor Merrill;
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: Bill Parsons, Planning Supervisor

2. Key issue(s) of public testimony:

- a. Applicant – desire for project to be approved as conditioned by Staff and for Commission to keep 3-bedroom units and parking alternative as proposed.

3. Key issue(s) of discussion by Commission:

- a. Parking Alternative and whether units should be limited to 2-bedroom throughout the entire site due to parking constraints of private street and adjacent public roads;
- b. Safe access to Discovery Park due to location being so close to park;
- c. Concept of trash service with proposed private street and design;

4. Commission change(s) to Staff recommendation:

- a. Remove parking in hammerhead turnaround;
- b. Limit all units to no more than 2-bedrooms to help with parking and increase guest parking;

5. Outstanding issue(s) for City Council:

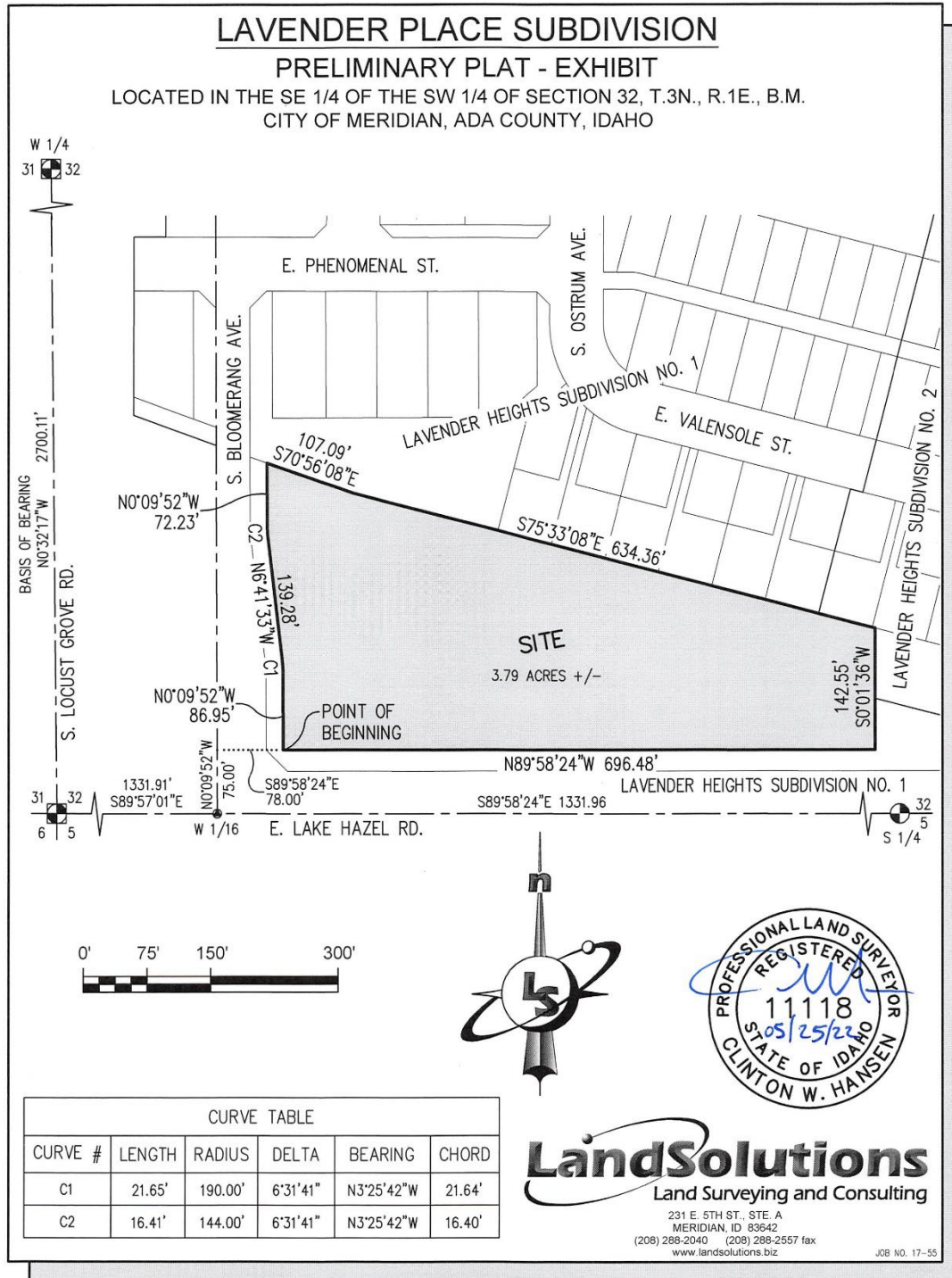
- a. Applicant has not removed parking in hammerhead in an effort to keep 3 additional guest parking spaces;
- b. **Applicant has revised parking exhibit per Staff's revised Alternative Compliance approval but requests to strike Commission's added condition regarding number of bedrooms per unit – Applicant has alternatively proposed to limit noted units to no more than 3-bedrooms and essentially provide 1 space per bedroom.**

C. City Council:

To be heard at future date.

VII. EXHIBITS

A. Preliminary Plat Legal Description and Exhibit Map



Legal Description
Lavender Place Subdivision – Preliminary Plat

A parcel of land located in the SE ½ of the SW ¼ of Section 32, Township 3 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at an Aluminum Cap monument marking the southwest corner of the SW ¼ of said Section 32, from which an Aluminum cap monument marking the northwest corner of said SW ¼ bears N 0°32'17" W a distance of 2700.11 feet;

Thence S 89°57'01" E along the southerly boundary of said SW ¼ a distance of 1331.91 feet to a 5/8 inch iron pin monument marking the southwest corner of the SE ¼ of said SW ¼;

Thence N 0°09'52" W along the westerly boundary of said SE ¼ of the SW ¼ a distance of 75.00 feet to a point;

Thence leaving said boundary S 89°58'24" E a distance of 78.00 feet to an angle point on the southeasterly boundary of Lavender Heights Subdivision No. 1, as shown in Book 122 of Plats on Pages 19137-19140, records of Ada County, Idaho being the **POINT OF BEGINNING**;

Thence along the boundary of said Lavender Heights Subdivision No. 1 the following courses and distances:

Thence N 0°09'52" W a distance of 86.95 feet to a point of curvature;

Thence a distance of 21.65 feet along the arc of a 190.00 foot radius curve left, said curve having a central angle of 6°31'41" and a long chord bearing N 3°25'42" W a distance of 21.64 feet to a point of tangency;

Thence N 6°41'33" W a distance of 139.28 feet to a point of curvature;

Thence a distance of 16.41 feet along the arc of a 144.00 foot radius curve right, said curve having a central angle of 6°31'41" and a long chord bearing N 3°25'42" W a distance of 16.40 feet to a point of tangency;

Thence N 0°09'52" W a distance of 72.23 feet to a point;

Thence S 70°56'08" E a distance of 107.09 feet to a point;

Thence continuing along the boundary of said Lavender Heights Subdivision No. 1 and extending along the boundary of Lavender Heights Subdivision No. 2, as shown in Book 122 of Plats on Pages 19344-19346, records of Ada County, Idaho S 75°33'08" E a distance of 634.36 feet to an angle point on the westerly boundary of said Lavender Heights Subdivision No. 2;



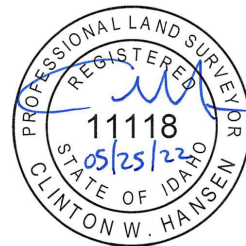
Lavender Place Subdivision
Preliminary Plat
Job No. 17-55
Page 1 of 2

Thence continuing along the boundary of said Lavender Heights Subdivision No. 2 and extending along the boundary of said Lavender Heights Subdivision No. 1 S 0°01'36" W a distance of 142.55 feet to an angle point on the boundary of said Lavender Heights Subdivision No. 1;

Thence along the boundary of said Lavender Heights Subdivision No. 1 N 89°58'24" W a distance of 696.48 feet to the **POINT OF BEGINNING**.

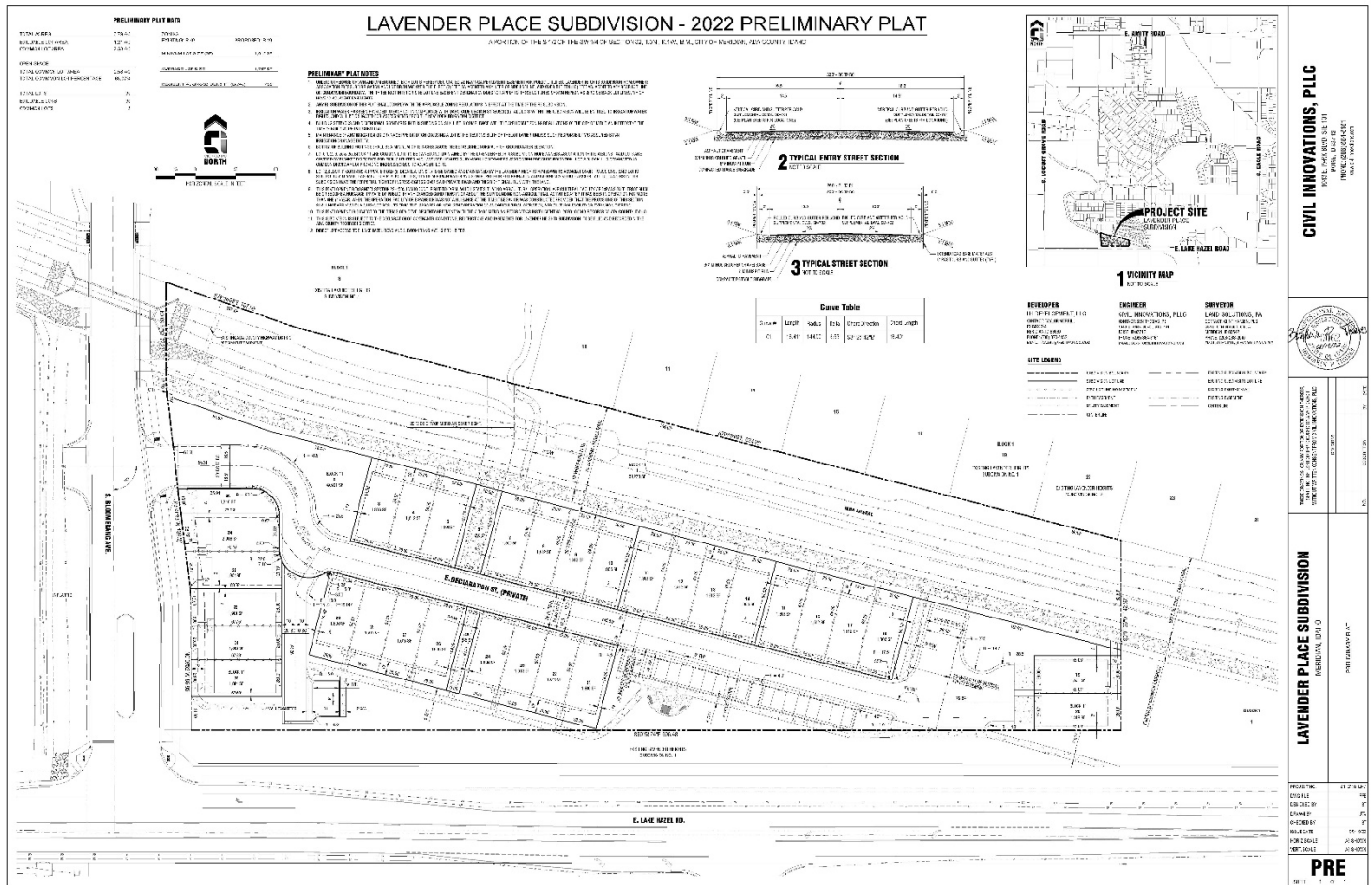
This parcel contains 3.79 acres more or less.

Clinton W. Hansen, PLS
Land Solutions, PC
May 25, 2022

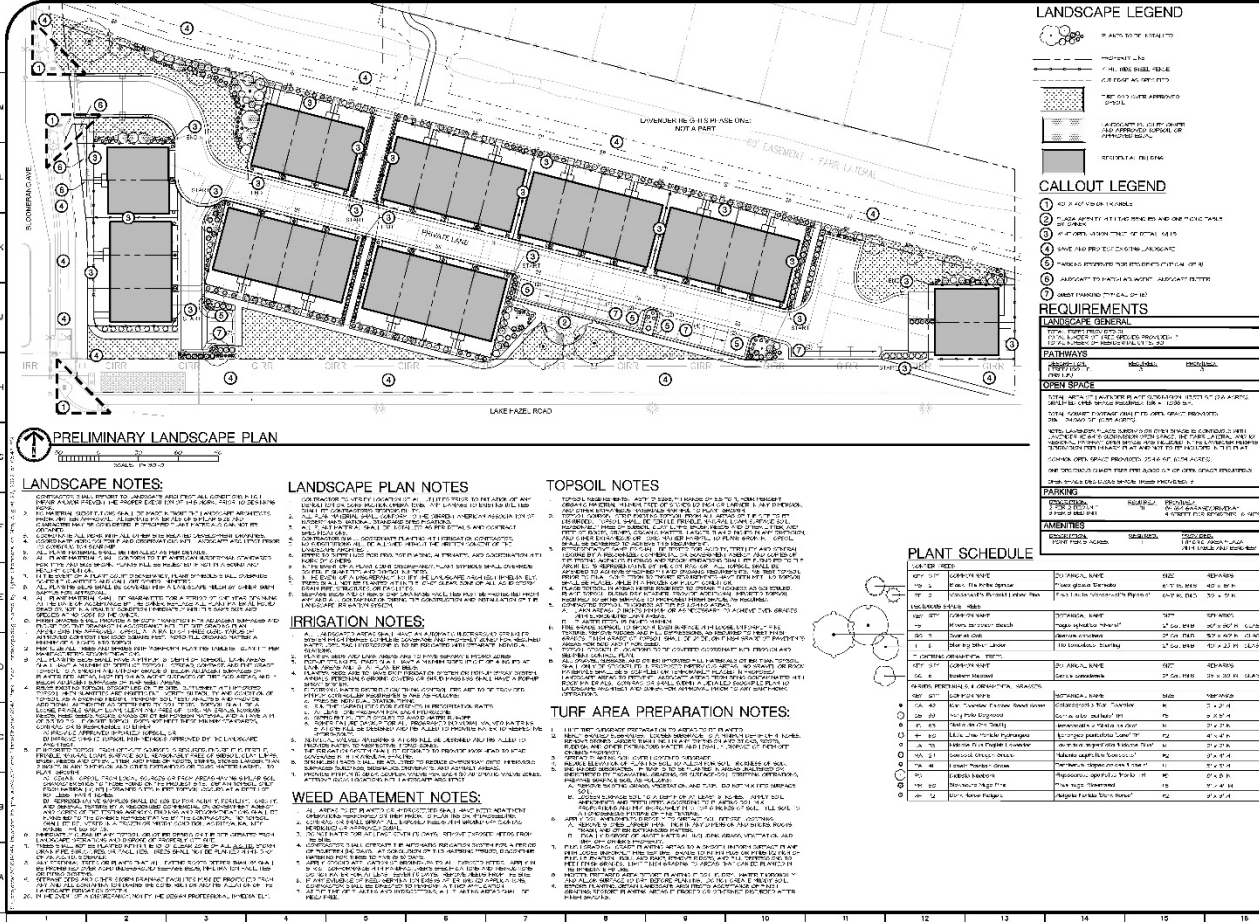


Lavender Place Subdivision
Preliminary Plat
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B. Preliminary Plat (dated: ~~3/30/2022~~ 8/19/2022)



C. Landscape Plans (date: 3/30/2022 8/22/2022)



PRELIMINARY LANDSCAPE PLAN

LANDSCAPE LEGEND

CALLOUT LEGEND

REQUIREMENTS

LANDSCAPE GENERAL

PLANT SCHEDULE

LANDSCAPE PLAN NOTES

TOPSOIL NOTES

IRRIGATION NOTES

TURF AREA PREPARATION NOTES

WEED ABATEMENT NOTES

PRELIMINARY LANDSCAPE PLAN

LANDSCAPE LEGEND

CALLOUT LEGEND

REQUIREMENTS

LANDSCAPE GENERAL

PLANT SCHEDULE

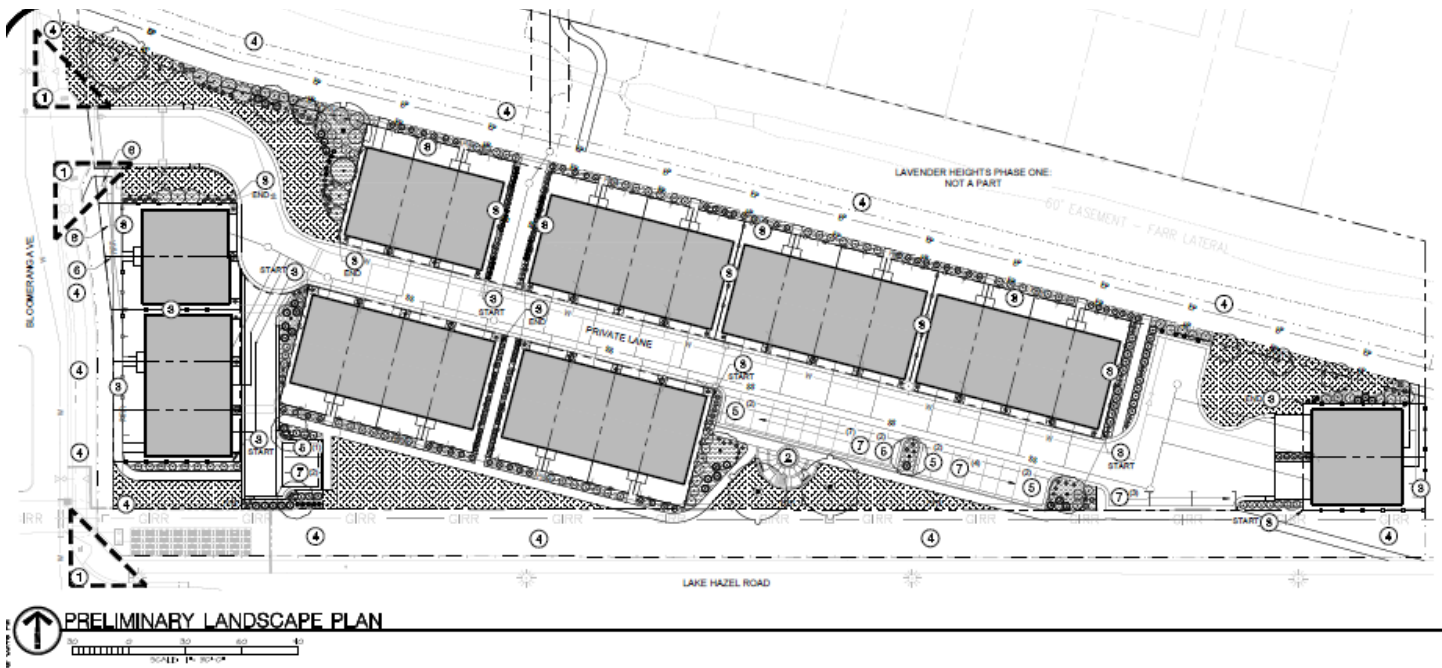
LANDSCAPE PLAN NOTES

TOPSOIL NOTES

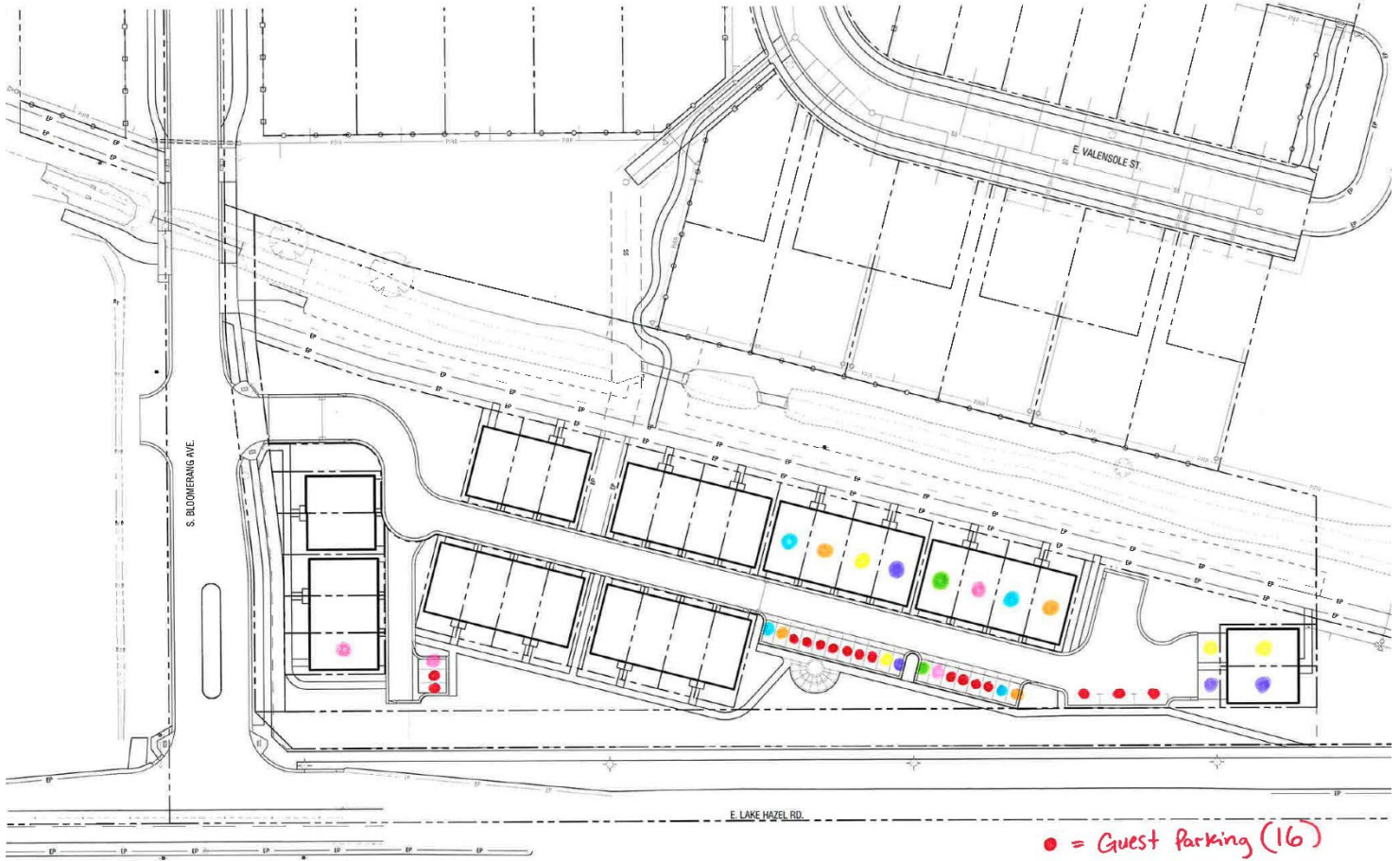
IRRIGATION NOTES

TURF AREA PREPARATION NOTES

WEED ABATEMENT NOTES



D. REVISED Parking Exhibit (NOT APPROVED):



↑ LAVENDER PLACE PARKING EXHIBIT
SCALE: 1" = 30'-0"

11 - 3 bedroom units
19 - 2 bedroom units

E. Conceptual Building Elevations



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The preliminary plat included in Section VII.B, dated March 30, 2022, shall be revised as follows prior to the City Council hearing:
 - a. Revise the plat to add a new common, micro-path lot between Lots 24 & 25, Block 11 and an additional sidewalk connection near the plaza area for added pedestrian connectivity through the project to the existing arterial sidewalk along E. Lake Hazel Road, per the analysis in Section V.I.
 - b. Add an additional common lot solely for the proposed private street per UDC 11-3F-4A and revise plat note #8 to reflect the new common lot.
 - c. Revise the placement and design of the driveways for Lots 32 and 33, Block 11 showing that the distance between the face of garage and the private street is 20' or 5' to help mitigate any conflicts of off-street parking and the proposed intersection of the common drive and private street, per the analysis in Section V.G. Parking in front of a garage less than 20 feet deep is prohibited.
 - d. Revise the Alternative Compliance Parking Exhibit (Exhibit VII.D) to depict one (1) open parking space per 3 or 4-bedroom unit instead of two (2) consistent with Staff's analysis in Section V.H.
 - e. Revise the plat to remove the parking shown within the hammerhead turnaround at the terminus of the private street.
2. The landscape plan included in Section VII.C, dated March 30, 2022, shall be revised as follows prior to the City Council hearing:
 - a. Revise the landscape plan to match the plat revisions noted in VIII.A1 above.
 - b. Add shrubs and other vegetative ground cover adjacent to the recommended new micro-path between Lots 24 & 25, Block 11.
3. Future homes within this development shall contain no more than 2-bedrooms per residential unit.
4. City Council approved the submitted preliminary plat with a dead end street greater than 500 feet in length (approximately 680 feet), per provisions in UDC 11-6C-3B.4b.
5. Future development shall be consistent with the previous approvals of the subject site: H-2020-0009 (Lavender Heights Subdivision), DA Inst. #2020-106343; and H-2022-0017 (MDA).
6. Future development shall be consistent with the minimum dimensional standards listed in UDC 11-2A-8 for the R-40 zoning district.
7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit except for those lots noted within the approved Alternative Compliance request and the attached parking exhibit (Exhibit VII.D)
8. The Applicant shall comply with all ACHD conditions of approval.
9. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.

10. Prior to the first Final Plat submittal, the Applicant shall obtain Administrative Design Review (DES) approval for the single-family attached and single-family townhomes in this development.
11. Prior to signature on a final plat, the applicant shall submit a public access easement for the multi-use pathway segment along the Farr Lateral to the Planning Division for approval by City Council and subsequent recordation. The easement shall be a minimum of 14' in width (10' pathway and 2' shoulder on each side).
12. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
13. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Flow is committed.
- 1.2 Sewer main and manhole must be centered along easement.
- 1.3 Utility easement not listed on Declaration St. 30' easement required for sewer and water running in parallel.
- 1.4 Per the Pre-application notes, applicant is required to connect to Lake Hazel Road in addition to Bloomerang connection. Connect at the eastern side of the site.
- 1.5 20' easement needed up to water meter vault and past, as space allows.
- 1.6 Due to E. Declaration St being private, streetlighting will be up to the developer.

2. General Conditions of Approval

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

document. All easements must be submitted, reviewed, and approved prior to development plan approval.

- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all

building pads receiving engineered backfill, where footing would sit atop fill material.

- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=265660&dbid=0&repo=MeridianCity>

D. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266645&dbid=0&repo=MeridianCity>

E. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=266650&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat Findings:

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

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

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

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

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

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

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

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

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

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

Commission is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has offered their support of the proposed development with the proposed road layout in mind.

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

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

B. Conditional Use Permit findings:

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

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

Commission finds that the submitted site plan shows compliance with all dimensional and development regulations in the R-40 zoning district in which it resides except for those noted and required to be revised.

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

Commission finds the proposed use of single-family townhome residential is in accord with the comprehensive plan designation of Medium-High Density Residential within the Meridian Comprehensive Plan and the requirements of this title.

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

the same area.

Commission finds the design, construction, and proposed operation and maintenance will be compatible with other uses in the general neighborhood and should not adversely change the essential character of the same area, if all conditions of approval are met.

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

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

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

Commission finds the proposed use will be served adequately by essential public facilities and services if all conditions of approval are met.

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

All public facilities and services are readily available for the subject site so Commission finds that the proposed use will not be detrimental to the economic welfare of the community or create excessive additional costs for public facilities and services.

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

Although traffic will slightly increase in the vicinity with the approval of any additional residential units, the proposed layout offers the best opportunity for safe circulation and provides opportunity for a new housing type within this area of the City. Therefore, Commission finds the proposed use will not be detrimental to any persons, property, or the general welfare.

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

The Applicant is preserving the existing Farr Lateral along the north property boundary and no other such features are known; therefore, Commission finds the proposed use should not result in damage of any such features.

C. Private Street Findings:

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

- 1. The design of the private street meets the requirements of this Article;**

The design of the proposed private streets complies with the standards listed in UDC 11-3F-4. See analysis in Section V for more information.

- 2. Granting approval of the private street would not cause damage hazard, or nuisance, or other detriment to persons, property, or uses in the vicinity; and**

Staff does not anticipate the proposed private street would cause any hazard, nuisance or other detriment to persons, property or uses in the vicinity if the street is designed as proposed and constructed in accord with the standards listed in UDC 11-3F-4B.

3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan.

The location of the private street does not conflict with the Comprehensive Plan and/or the regional transportation plan as it is proposed to connect to a collector street consistent with private street standards. With the constraints detailed and analyzed for this development, the Director finds that local street access has been provided via a private street.

4. The proposed residential development (if applicable) is a mew or gated development.

Despite a literal mew not being proposed with the Lavender Place project, the proposed residential development depicts all 30 units to front on green space meeting the intent of this standard. If the conditions of approval are adhered to, the Director finds this development in compliance with this finding.

D. Alternative Compliance findings (Common Drive standards UDC 11-6C-3D.1):

The Director has approved your request for alternative compliance to Unified Development Code (UDC) 11-6C-3D.1 for the subject property, based on the required Findings listed in UDC 11-5B-5E, as follows:

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

The Director finds it is feasible to meet the UDC requirement referenced above but it is not the best use of the subject development area as discussed in Section V.G above.

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

The Director finds the Applicant's proposed alternative means of complying with the intent of the UDC as proposed in the attached preliminary plat provides an equal means of meeting the requirement.

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

The Director finds that the alternative means will not be materially detrimental to the public welfare or impair the intended use and/or character of surrounding residential properties nor the adjacent public roads.

E. Alternative Compliance findings (Private Street standards UDC 11-3F-4A.6):

The Director has approved your request for alternative compliance to Unified Development Code (UDC) 11-3F-4A.6 for the subject property, based on the required Findings listed in UDC 11-5B-5E, as follows:

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

The Director finds it is not feasible to meet the UDC requirement to not include a common drive off of a private street due to the existing requirements of the DA (minimum number of units and only single-family residential) as discussed above in Section V.G above.

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

The Director finds the Applicant's proposed alternative means of complying with the intent of the UDC as proposed in the attached preliminary plat provides an equal means of meeting the requirement.

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

The Director finds that the alternative means will not be materially detrimental to the public welfare or impair the intended use and/or character of surrounding residential properties nor the adjacent public roads.

F. Alternative Compliance findings (Off-Street Parking standards UDC 11-3C-6A):

The Director has approved your request for alternative compliance to Unified Development Code (UDC) 11-3C-6A for the subject property, based on the required Findings listed in UDC 11-5B-5E, as follows:

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

The Director finds it is feasible to meet the UDC requirement for the number of off-street parking spaces if the Applicant was limited to no more than 2-bedroom homes for all units taking access from the alley as noted. Staff is not recommending this but the Council may require it.

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

Per the provisions outlined in code, the Director finds that Staff's revision to the Applicant's proposed alternative compliance request is an equal or superior means for meeting the off-street parking requirements as proposed on the preliminary plat and submitted parking exhibit (Exhibit VII.D above).

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

The Director finds that the alternative means will not be materially detrimental to the public welfare or impair the intended use and/or character of surrounding residential properties if the proposed conditions of approval are maintained.

ACTION ITEMS

3. Public Hearing continued from July 21, 2022 for Lavender Place Subdivision (H-2022-0036) by Breckon Land Design, Located at 2160 E. Lake Hazel Rd.

A. Request: Preliminary Plat consisting of four (4) single-family attached building lots and 26 single-family townhome lots on approximately 3.79 acres of land in the R-40 zoning district.

B. Request: Conditional Use Permit to construct the requested 26 townhome lots within the R-40 zoning district.

Seal: With all that, at this time I would like to continue the public hearing for Lavender Place Subdivision, H-2022-0036, and we will begin with the staff report.

Dodson: Thank you, Mr. Chair, Members of the Commission. Good evening. First one before us tonight -- I actually want to go ahead and share my screen -- is Lavender Place Subdivision preliminary plat and conditional use permit. Amongst a private street application, as well as three alternative compliance requests. It's simple, but yet complicated, so bear with me. The site consists of approximately 3.8 acres, zoned R-40, located 2160 East Lake Hazel, directly north of Discovery Park here east of -- what is that? East of Locust Grove. The application is for a preliminary plat consisting of four single family attached building lots and 26 single family townhome lots on 3.8 acres. A conditional use permit to construct the townhome lots within the R-40 zoning district and, as I noted, the private street application for access and three alternative compliance requests for common drive standards, private street standards and off-street parking. Lavender Place is -- was annexed into the city in 2020 as part of Lavender Heights. Part of the -- as part of this annexation the subject site was approved with the R-40 zoning district. The applicant is proposing the project to be largely alley loaded, with all but two of the proposed units fronting on green space to comply with the private street applicability standards. Subsequently multiple detached sidewalks are included for added pedestrian connectivity through the site. With the proposed plat of 30 residential units and the requested land use of alley loaded single family attached and townhome units, the applicant is -- is introducing a new housing type to the overall Lavender Heights Subdivision. In addition, the proposed placement and site design offer great connectivity to the nearby Discovery Park, which is directly to the south across Lake Hazel. It also has great access to the remaining open space and amenities within Lavender Heights to the north. According to the submitted conceptual elevations, which is here, and the applicant also has more in their presentation, the applicant is proposing to construct these homes with similar style and materials as the detached single family in the Lavender Heights Subdivision to the north. These facts make staff more like -- staff supports the project in terms of the Comprehensive Plan, as well as to be compliant with the previous approvals. The project does comply with all UDC requirements, except for those related to alternative compliance requests. The applicant is requesting alternative compliance to the private street standard that prohibits a common drive from taking access from the

private street. Also requesting alternative compliance to the off-street parking standards for the parking pad requirement for three and four bedroom homes and alternative compliance to the common drive standards requiring no more than three lots off of one side of the common drive. The staff and director have approved these requests, but have offered an alternative solution to the requested off-street parking alternative request. Per the submitted parking exhibit, the applicant is proposing to alternative comply with the off-street parking standards by providing 18 parking spaces that will be designated for each specific unit as color-coded here. Each of the proposed units is shown with a two car tuck-under garage, providing the required off-street parking for two-bedroom homes and meets the requirement of a two car garage for a three bedroom and four bedroom unit. However, due to the odd shape of the parcel that creates the constrained building area, the applicant has proposed private streets and an alley loaded project that does not readily allow for the required 20 by 20 foot parking pad for each unit that contains three or four bedrooms. The applicant placed the parking spaces directly across the private street from each unit to minimize the distance that future homeowners would have to traverse to access their designated parking spaces. In addition to the 18 parking spaces designated, the applicant shows seven additional guest parking spaces, which might be a little hard to see, but there is three here -- one, two, three -- three here and one here, which would be seven total. Note that parking is prohibited on the private street, as well as along Lake Hazel to the south and South Bloomerang to the west. So, there is no available on-street parking surrounding this development, unless they parked within the local street here, which would be very illogical. Staff does find that the applicant's proposed alternative as shown here is one option of meeting the intent of the off-street parking requirements when accounting for the required density of the development agreement, which has a minimum of 30 units, as well as the site constraints and limited access for the site. However, upon further review staff is recommending a modification to this request. Staff recommends one parking space is allocated for each three or four bedroom unit, instead of the two. So, basically, take the colored dots and cut them in half. This would allow the applicant to increase the number of guest spaces from seven to 16, which makes for more flexibility -- flexibility in their use for future residents and guests of the community. It is difficult to predict the number of cars that each unit will produce, so staff finds that this is a more prudent solution to offer additional spaces for the entire development and not just the units with more bedrooms. There are multiple ways to do this due to the site constraints. One of them would be for Commission or Council to recommend that no three or four bedroom units are allowed. Basically limit the number of bedrooms with the plat to two-bedroom units only. Commission and Council -- Commission can make that recommendation. Council would have to agree to that. Staff's other recommended site design revision is regard to adding a micro path lot to the -- to the development to further north-south connection through the project. So, staff recommended adding a micro path connection here, which would require this building -- it can shift ten feet or a mix of this building slightly shifting to the west and this one shifting to the east in order to accommodate a five foot micro path lot and two and a half feet of landscaping on each side. This would allow the applicant to add an additional sidewalk segment around -- or sorry. I would include adding an additional sidewalk segment by the plaza as well. So, basically, connect these sidewalks here and here -- and this is for the purpose of increasing the north-south connectivity through the site, because this is

great and it's a great connection, but it just stops and, then, there is no real sidewalk or pedestrian connection for residents to get to the arterial sidewalk or the collector sidewalk, which would, then, allow them easier access to Discovery Park. So, that's why staff is recommending this. Staff does also have concerns with the placement and design of the driveways for Lots 32 and 33, which would be these ones here. Due to the design of the private street, both of these driveways are deeper than five feet, which is the minimum garage setback for an alley loaded product, but are not 20 feet deep to accommodate an actual off-street parking space. So, staff is concerned that these substandard driveways will encourage residents to park, but would also inherently inhibit safe vehicular movement around this curve near the entrance of the site. There was no written testimony as of about 4:00 p.m. today. Staff does recommend approval per the conditions in the staff report and I will stand for any questions.

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

Breckon: Jon Breckon. Breckon Land Design. 6661 North Glenwood Street, Garden City. I have prepared a -- a short presentation that's very similar to Joe's and like to thank Joe. He's always a pleasure to work with and we have worked judiciously on this project to get to where we are today. It is a difficult site due to the shape and -- and some of the site constraints. With that I will -- I will proceed. Next slide, please. So, this is just general overview, kind of reiterating Lavender Heights Subdivision, which you may be familiar with, and Lavender Place, which is on that Lake Hazel frontage. The triangular shaped property -- it's between Lake Hazel and the canal on the north. Next slide. This is a -- this is an overview of Lavender Heights and the subdivision that's in the works on the north side and you can see the canal kind of wraps the property and bisects Lavender Place from the -- the rest of the development. There is also -- there is a -- a ten foot wide regional pathway that parallels that path or the waterway and also cuts through the north side of Lavender Place and that was one of the things we are trying to integrate into this design. Next slide, please. So, here is a bit of a zoomed in view. Our goal is to maximize the density and -- and -- and meet the original intent and goals of the project and what this design shows is that these -- these dwelling units front to the exterior on pathways on all sides and so you can see -- you know, we have got that regional pathway along the north and the -- the -- the entry -- the pedestrian entry to those units have a shared sidewalk that exits out onto that pathway. It's a similar situation on the west side on the Bloomerang frontage, as well as on the south side, Lake Hazel frontage, we have the same -- same design with the front door facing the green space and so that's made things very efficient for us and allows for minimizing the vehicular access into the site with, essentially, an alley load type of -- of design. Here is -- it kind of reiterates the building design and elevation. All of the units will be two-story and, then, there is a mix of two to three bedroom units, trying -- there again trying to maximize that density. Well, this is, essentially, the same thing I just talked about -- FLUM designation that's -- that is that frontage on the green space where the door -- front door faces the green space and this is a good slide, too. It kind of shows part of our site constraint, you know, is -- is that -- that Farr Lateral, that irrigation ditch on the north, which is an amenity in itself, but it is a

-- it takes up a large square footage of the site and that triangular shape was -- was part of our challenge. So, this slide identifies those -- those similar options. We got to the ten foot regional pathway and, then, we are proposing a -- a plaza picnic space as an amended -- added amenity that ties into that pedestrian way and, then, noted that Discovery Park is to the south and trying to allow for that pedestrian connection and use as additional amenity. This is -- shows that -- that parking and I should probably go ahead and say, you know, I have read through the staff report and we -- we are in agreement with Joe's recommendations and are -- would -- are willing to comply with the conditions of approval, be that -- you know, I guess it was -- but the parking modification to allow for more visitor parking was one of those items. You know, right now on this plan what they are showing there is the same thing where we have got two parking stalls for each of the three bedroom units and -- you know, but switching that to allow for more visitor parking, that's fine with us. So, this identifies that all -- that -- that corner there and I think we have a solution. I don't see that as an issue. We are glad to make that modification, as well as extending the pathway in between the units on the south to allow for that pedestrian connectivity and extending the sidewalk on the south as -- as Joe had mentioned. We have worked very closely with -- with Joe, as well as the fire marshal, to come up with this design and make sure we are -- we are meeting all of the needs of the city, allow for adequate emergency vehicle access. I think I just spoke to that. That -- that's the -- this is actually the -- the old multi-family concept that was used when we started the project two years ago. But that -- that's there -- is there if we need to discuss it. Stand for questions.

Seal: Okay. Anybody have any questions for the applicant or staff?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: Staff expressed an idea of possibly changing the three bedroom units to all two bedroom units. Is that something that you and staff considered in regard to establishing more parking?

Breckon: We had considered that. We -- we had talked through that option. You know, one of the big goals was to try to maximize density here as -- you know. And originally it was slated to be multi-family and so this is -- is kind of where we landed on that point to try to provide a mix of -- of housing option, as well as maximize that density and provide adequate parking. All the units do have two car garages, but, then, you know, per the code the -- the three bedroom units need to have additional parking available and due to the alley load concept that we have here where, you know, the -- the garage side fronts that private lane, they do not have a traditional 20 foot driveway in front of the garage.

Lorcher: Okay. One other question on Bloomer -- Bloomerang Avenue, is that lighted at Lake Hazel? Is that a -- a street -- a signal or is it just a -- a turn in; do you know?

Breckon: I don't know off the top of my head. Joe, so you know?

Lorcher: Is there a signal?

Dodson: Mr. Chair, it is not lighted. No. It is a -- there is a right-hand turn lane off of Lake Hazel, though, into this -- onto that collector road.

Lorcher: So, for the safety of the community of Lavender Place to be able to access the park across the street, what would be the way to be able to access that park safely?

Breckon: That's a great question. I know that Lake Hazel is slated for road frontage improvements by ACHD. Due to the -- the timing of the project those have not been installed at this time. I do know that that ten foot wide regional pathway that comes through there -- you can see on this overall plan extends to the east and I anticipate that it -- it continues on and that there would be a crosswalk at that location to allow that crossing.

Dodson: Mr. Chair?

Seal: Go ahead.

Dodson: Yeah. This -- this is a great question, Commissioner Lorcher. This came up at the original hearing for Lavender Heights. The other collector road -- so, we kind of have one at the quarter mile and, then, on the south side is going to be one at the half mile, directly east of the fire station lot, which is right here, that is where the anticipated crossing for the multi-use pathway would be located. Not at the Bloomerang one.

Seal: Any follow up? Good. And I will state the question a little more plainly. I guess how disruptive is it going to be if we recommend to make all these two bedrooms? Because in my mind -- I mean a compromise to me isn't -- we are going to let you go without parking by minimizing the amount of parking that you have to provide. The parking's necessary. We have seen that it's necessary. Every time we try and make any concessions like this it turns into problems and, you know, unfortunately -- and, again, I sympathize for this piece -- you know, I will call it in-fill. These -- these lots -- they are tough. They are really tough. And -- and I -- I like what you have done here. That said, you know, I mean the parking is going to be an issue here and I -- especially the one parking spot that you have in the hammerhead there. That one, it would be nice to see that one go away for sure, to have this limited to two bedrooms. I'm a member of an HOA and kind of rules like this that are self governed, you know, oh, that's my parking spot, not your parking spot, that's just -- neighbors are going to turn against neighbors in that as well. So, personally, I would like to see just the two bedrooms in there, so I -- you know, hopefully it still pencils out for you I guess is the question.

Breckon: Mr. Chair, our preference certainly would be to stick with the three bedrooms. Maybe we could work with staff to -- to look at the -- what that differential is. I understand your sentiment on the parking. However, I would also reiterate that we have worked quite diligently with staff to make sure that we do meet and provide adequate parking for all

these -- these units. We could maybe take another look at it if we could at least have some three bedrooms in there. I guess if -- if -- I guess the question would -- would be, you know, we are meeting -- we are meeting the -- the code requirements at this point, what -- what are we going to hold ourselves to if we are going to modify that? Is there a certain number that we need to hit or -- you know, if -- if we are meeting the -- the letter of the code what -- what -- what differential there would -- would be appropriate?

Seal: Okay. Yeah. I understand that. I mean -- and it sounds like you guys have done significant amount of work with staff and -- I mean to be honest with staff recommending just one parking spot as a concession, that's -- I -- I tend to try and support staff in -- in the decisions they make, so they are infinitely more wise than I am in a lot of ways. That said, this one just -- it's a tough one for me personally, so --

Breckon: Maybe also to just note that each one of these units does have a two car garage and a majority of them are two bedroom already.

Seal: Understood: As far as the -- like trash services and things like that, how do you envision that happening? That was another big one that I had here is like how are you going to get a trash truck in there and how does everybody have a trash can out there on trash day?

Breckon: Well, the -- the roll-away trash units would be -- would fit into the garage and, then, that is part of the reasoning to have that five foot apron in front of the garages there. It is a very efficient design.

Seal: Okay. All right. Anybody else have questions?

Wheeler: Mr. Chair?

Seal: Go ahead.

Wheeler: Hello, Jon. Got a question for you concerning the -- that -- I think it's lot number one, which would be up in the very top left corner right when you come in through the main bend -- yeah, come right down. So, I guess right below that where the lot would be for the dwelling. Okay. Then I'm doing the wrong one. Sorry. Go to your left. I'm sorry. Go to your left and it's that one right there. Yeah. There we go. Thank you. Thank you. Thanks for your help. On -- on that one right there that's the only one -- are those two -- those -- those units there or that building there is the only concern on my side is just seeing people entering and exiting there, because of all of the -- all the traffic that's going to be back towards there maybe wanting to exit. Are you guys fine with like putting up signs that would say like no trailer parkings, no on-street parking? I mean just extra signage, just to ensure that when people go buy toys with the -- the great RV financing that's out there and they start stacking them up in these things, because that's what's going to happen, there -- that's going to be a tight tight squeeze right there, so -- because most of the -- most of these garages will be used for storage and, then, somewhere these people are going to try to park their vehicles. There is also some --

Breckon: Mr. Chairman, Commissioner Wheeler, yes, signage -- signage would be welcome to reiterate the necessity to park appropriately and, you know, I guess that's -- that's -- this sort of housing style is not appropriate for, you know, RV parking or the folks that have extra toys, let's say, and they are very efficient, they are geared towards, you know, maybe a starter home for a young couple, a two-bedroom unit or, you know, someone who has an active lifestyle and travels a lot or maybe an older couple, that sort of thing, that, you know, doesn't want a lot of yard maintenance, doesn't have a lot of stuff and, you know, doesn't require a three or four car garage with -- with RV parking and so all those items should be clear at the -- at the time of purchase.

Wheeler: I would -- I would hope so, but people have a way of just expanding stuff and that's where it's kind of like -- just to make sure that that doesn't happen; right? I mean it just -- it just happens, you know, once they get settled and that's why I'm kind of with -- with the staff's recommendation, too, on just making it two -- two bedrooms through there, because I just know it's going to get throughout the whole area, because I'm just -- it just seems that that's going to just cause more and more congestion, and more stuff, more and more space is being taken up.

Breckon: Mr. Chairman, Commissioner Wheeler, I -- I -- I understand and, you know, there, again, with like -- we have worked with staff diligently to provide parking and to maximize this space. You know, this -- this -- we are seeing more and more of this housing style and these efficient designs throughout the valley, whether it's a multi-family or single unit design such as this, there is -- there is definitely a need for this type of building and it is apparent that the folks that are producing these are -- are on board with that. There is quite a few you see -- we -- actually, we have been seeing a lot more of this design in in-fill projects in Boise and I don't anticipate that it's going to be an issue. We could certainly work with staff to adjust the parking a little bit further and -- and try to meet that percentage that we are -- we are looking to accomplish.

Wheeler: Very good. Thank you.

Dodson: Mr. Chair?

Seal: Go right ahead.

Dodson: Thank you. I just wanted to clarify two things. One, the private street has to be signed no parking fire lane per fire code. So, we will definitely be good on that. That's going to be per our Fire Joe, so it will be good there. I had another point and I just spaced. Oh. The comment about the two bedroom versus -- limiting the two-bedroom. I did not include that as a recommendation as a condition. I included it in the text and the analysis of my staff report. So, if that is something that Commission is going to do, that would be a new condition. Welcome.

Seal: Thanks, Joe. Anybody else? All right. Thank you very much, sir. All right. At this time we will take public testimony. Is there anybody signed up?

Hall: Is it on now? Okay. Mr. Chair, there is nobody signed up online or in person.

Seal: All right. Nobody raising their hand out there. I don't see anybody raising their hand online. Anybody in Chambers? Oh. Go ahead and come on up. Give us your name and address for the record.

Merrill: My name is Taylor Merrill. I'm with the Westpark Company. We are the developer of Lavender Heights.

Seal: Your address, please.

Merrill: My address is P.O. Box 344, Meridian, Idaho. 83680.

Seal: Thank you, sir. Go ahead.

Merrill: We appreciate the opportunity to have this presentation and -- and, again, working with Joe and staff, it's been kind of a -- I think it was one of your first projects, Joe, when we -- when we broke ground on this thing and it went from 90 lots to 191 lots over to -- to satisfy some density. This particular lot was 48 units. We had eight -- eight -- what is that, eight six-plexes, something like that initially, and have -- and -- and we have gone through the formal conditional use process. I think we had to modify the development agreement in order to get to this point to shave it down and to make that parking work. We think it's really important to have a mixed-use. In working through the design group on this, we have five products in Lavender Heights and kind of some large perimeter lots. We have got some single family traditional stuff. We have got an alley load product in there and we also have a courtyard product in there to achieve or to fit the many lifestyles, if you will, or the demands of homes, so to speak. When we refer to two and three bedrooms, it's important to us to have that mix and we worked hard on that mix. We worked really hard on that mix to accommodate and to shift and wiggle that parking in. It was important to us, you know, to have the presentation or the functionality of this development, particularly in this component, and -- and to come from kind of maybe a multi-family or into this -- we are excited about this project and I -- I would just like to stress that, you know -- I mean these aren't three car facilities, so to speak. You know, this is going to be a couple. This is going to be maybe a younger group. And we really need to preserve that third bedroom -- it's an office application, guys, is really what it is. It's that third amenity, so to speak. And our mix of it -- I don't know exactly what that number is, whether it's two to one or half and half. I -- I don't recall that off the top of my head. But I thought we worked well on the mix and we would really appeal to -- to -- to -- to maintain the -- the -- the report -- or the recommendations that the staff has to keep that mix in there. We don't think it will be a burden. We looked at the -- you know, again, working with -- with Joe and the fire department and all that to make this work. Jon brought up that one shot, but what did we have on this, eight, nine reiterations of it to get to this and we are excited about this little plat. It works well. The -- the flow in it and the private streets. So, again, I appreciate your -- your interest in this and what you guys are doing up there. It's really exciting in the -- in the whole of what we see going on in south Meridian right now. But I would ask that we support staff's recommendation and keep

that mix in there for us, so we can have that application, and I think we have thought through that parking concern, that would -- that would later -- or -- or, you know, with that -- that flow.

Seal: Okay.

Merrill: Thank you.

Seal: Thank you very much, sir. Appreciate it. All right. Anybody else in Chambers would like to come up? No? All right. I was going to say -- would the applicant like to come back up and say anything else? If not, you can signify no. Signify no. Okay. Thank you very much, sir. I appreciate that. So, at this time can I get a motion to go ahead and close the public hearing for Item No. H-2022-0036?

Lorcher: So moved.

Wheeler: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2022-0036, Lavender Place Subdivision. All in favor say aye. No opposed, so the motion carries.

MOTION CARRIED: FOUR AYES. TWO ABSENT.

Seal: Okay. Who wants to go first?

Lorcher: Mr. Chair, I will.

Seal: Go ahead, Commissioner Lorcher.

Lorcher: Well, I agree with Joe. This is simple, but complicated.

Seal: Oh, you are out of time.

Lorcher: Like you said, in-fill is really challenging and it's gone through several different versions until the applicant came up to this one and clearly the other versions did not suit this site. So, the townhomes I think are a great idea. I love the idea of the houses facing the -- the waterway and the multi-use. The third or fourth bedroom that's actually proposed in here could invite families to come in here. I'm concerned about safety going across the street to Discovery Park and some of the other amenities and I think developers and -- when we put together these applications we have good intentions that everybody's going to follow the rules and -- but this really doesn't invite any guests to their homes. There is nowhere to park. They can't park in the street. If they are going to park in the subdivision they have to go -- it looks like a quarter mile to the -- maybe north and you can't park on any of the streets and -- and if all those are assigned parking, I think it's going to end up being a little bit of a cluster. So, if you were advertising a two bedroom plus a den that would be different than advertising three or four bedrooms, because you

are inviting people to have people in capacity in those rooms and we know that most two car families -- or families have 2.5 cars, some have one, some have three, some have four, some have less and to Commissioner Wheeler's point, people accumulate stuff and there is no requirement that they have to park their cars in their garage. So, this could be a perfect storm for some challenges for a very small space for this community. So, I do support the two-bedroom units going down -- or the three bedroom units going down to the three parking spaces, but I'm not sure if that's going to be enough to make this work the way it is. That's my thought.

Seal: Okay. Yeah. I'm similar. I mean I -- I really like the product. I know -- I mean I know a young man that would love to live in one of these things, so -- because housing prices are just out of reach for most people at this point and that -- in that he would likely not be able to live in it alone, he would have to carry some kind of roommate in order to make the payment. So, I mean right there just having two or three bedrooms opens up to that scenario for sure. So, I mean if every one of them has a car, then, you have a three or four bedroom, that's three or four cars. So, depending on how tight they want to live in there, so that's one of the scenarios. The other scenario is, you know, the Super Bowl Sunday type of thing where a couple people in here decide they are going to throw a party, there is just nowhere to park, other than the designated spots. So, you know, I mean if -- if we want to keep a three bedroom scenario in there, instead of a four bedroom, that would to me make it more palatable. Cap it at, you know, no more -- not to say that you can't have them all three bedroom, but keep the two bedrooms two bedroom and, then, make a cap on three bedrooms and, then, as Joe recommended go down to the one space. That to me is palatable I guess is the word for it. Then you have the designated spaces. I am concerned about those first two units, just the safety of getting in and out of them, you know, because it is a private drive and all that. So, maybe even the one at the end of that, limit that to two bedrooms just to keep the minimum amount of people that you can on that shared driveway. I'm not a big fan of shared driveways anywhere to begin with and, then, possibly eliminate the parking spot that's in the hammerhead. You know, depending on what's parked in there, somebody does a -- you know, a wild job of parking in there and the next thing you know the fire truck can't get turned around, so they get to play bumper cars to get themselves in where they need to be, but that's my thoughts on it. I -- I really do like the product. I think it's something that's needed, you know, and it is -- it does have a starter home type of feel to it. It is something that I think is needed in the Meridian area for sure. It just -- that's a lot of stuff to put on a little tiny lot. So, we are -- we need to make sure that, you know, we are not allowing something in. That's going to come back and -- and have people beat up on us, because, you know, people are more than happy to come in here and beat up on everybody when things don't work out and when parking isn't enough or when the streets aren't wide enough or when people can't put their trash cans out, so those are things that we have heard over and over and over when people come in and testify. So, we -- you know, we can substantiate the -- you know, the way that we talk about these things for sure, so -- sorry, I have rambled on for a while, so if -- if the other Commissioners would like to jump in, please, feel free. Commissioner Wheeler, go ahead.

Wheeler: I like in-fill projects a lot, because it takes use of the -- the land that's there that everybody jumps over. Plus it also stretches the creativity of developers and the city and able to use something like this. So, to me I'm -- I'm a big fan of -- of this product type right here and especially next to a park. That's going to be fantastic once they figure out how to get across it and everything like that in a safe -- in a safe way. But to be able to have that right across the street for what you are seeing is different families or whatever their mixes might be, but, man, to be able to have that to go run to during these summer nights is great. I'm just with what the other Commissioners have said and the Chairman have said about the -- just the -- the -- the traffic flow in here. I'm not a big fan of three bedroom units in here, because that just is going to be an extra car. I like the idea of two spaces per those units that we see -- the way that they are colored out. I just have -- I just know that the garages are going to get filled up and the cars are going to go somewhere and, then, that's when it's going to get just a little bit tougher and more difficult for traffic in there, more for safety purposes than it is just for commuter traffic, and I also understand that the developer has got to get an ROI and a -- and a return that's commensurate with risk. So, trying to balance all of that and also to make this something that's going to be good and long term for the city, I just -- I -- it's -- it's just really hard for me to think about adding in three bedrooms in here.

Seal: Thank you. Commissioner Stoddard, do you have anything?

Stoddard: No. I agree, actually, with all three of your comments. I think the parking is definitely an issue and -- and I agree about people filling their garages and that's the biggest problem I see with it. It's just the access and the parking.

Seal: Okay. With that we are --

Lorcher: Mr. Chairman?

Seal: Yep.

Lorcher: Chairman, do we want to ask the applicant if they want to work with staff a little bit more for a continuance or would they want to just take it to City Council?

Parsons: Mr. Chair, Members of the Commission, that's -- that's what I was going to suggest. Keep in mind you guys are a recommending body here. So, again, if you like staff's conditions of approval you can make that recommendation forward -- take that forward with City Council and the applicant will have a chance to have the same discussion with them and convince them to do something different. So, don't feel like you have to try to solve the problem tonight. Again, staff -- it sounds like you want to support staff, you want to make the project right and we commend you for doing that, because we know Council doesn't want to have issues either, but if you feel like you just can't get there certainly you can make a recommendation going forward and they can take it up with City Council.

Seal: Okay. Well, I'm -- I'm -- I mean what I'm hearing is two bedrooms. That's -- I mean I'm probably the only one on tonight -- and I don't get -- I don't get to make a motion. The one good thing about sitting here to do this. So, I think if it's going to -- I mean if you want to go back and work with staff, it's -- if we are going to allow a continuance, then, there has to be an appetite for more than just two bedrooms. If not, I would say make your recommendations, let it go forward to City Council and they will chew on it. That's -- that's where I'm at. I don't -- I don't want to have them have a continuance for something that -- you know, if they are going to work with staff, staff's already said that they are willing to concede the -- the parking spots. We have kind of -- the feedback that I have heard so far is that that's -- that's too much, you know, and I'm on that same page. I think that's conceding too much in order to make this fit. So, if it goes back to staff to work on it, I think we have to have a stomach for more than two bedroom. If that's okay with everybody, then, we can go through the motions.

Lorcher: Mr. Chair, do we want to ask the applicant if they have a preference?

Seal: We need to reopen the public hearing, so -- if you would like to do that I will -- I will take a -- take a motion on that.

Lorcher: I motion to open the public hearing, so the applicant may speak.

Seal: For -- oh, do I have a second?

Lorcher: For -- oh, my gosh. For Lavender Place Subdivision, Item No. H-2022-0036.

Seal: Do I have a second? Okay. Then --

Wheeler: Mr. Chairman?

Seal: Yep. Go ahead.

Wheeler: I think -- Commissioner Lorcher, I think we can kind of discuss that through and, then, let them just go ahead and approach that to City Council and talk about it and be able to work out maybe some of our recommendation before they speak with City Council, as sort of a thought on that one, because that's what I'm hearing from -- from staff on that, that we are just recommending and, then, they can work out those details with staff and then -- or with Council and, then, they can make those modifications on that if need be.

Lorcher: Okay.

Wheeler: So -- what was the modification that needed to be done for the parking?

Seal: The parking -- the -- well, that's --

Wheeler: The visitor parking? Was that the one that had the -- the guest parking, those three -- two spots that was there at the hammerhead?

Seal: That was -- I would recommend they do away with the -- any of the parking in the hammerhead, so -- I mean it's already hard enough to get in and out of there, so that's -- me personally I would like to see something like that, but, again, I don't make a motion. The -- I mean, really, what needs -- really, what it comes down to to me is the -- the three and four bedroom units and the parking that's associated with that. Like Joe said, he didn't recommend that they make it only two bedroom or three bedroom, only that that was something they could -- could be done if we decided to go that route. So, really, that needs to be in the motion, whatever it needs. You know, I would recommend that that's in the motion that is made.

Wheeler: I'm ready to make a motion, if you -- if you guys are good, unless you wanted to, Commissioner Lorcher, or -- okay. All right.

Seal: Go right ahead.

Wheeler: Okay. After considering all staff, applicant, and public testimony, I move that we recommend approval for the City Council of File No. H-2022-0036, as presented in the staff report for the hearing date of August 4th, 2022, with the following modifications: That there is no parking in what is known as the hammerhead and that no units greater than two bedrooms be allowed.

Seal: Is there a second?

Stoddard: Second.

Seal: Okay. It's been moved and seconded to approve Item No. H-2022-0036 with the aforementioned modifications. All those in favor say aye. Any opposed? Okay. No opposed, motion carries. Thank you very much. Appreciate it. Always interesting to work through those.

Starman: Mr. Chairman? I'm sorry, can I just seek clarification? Commissioner Lorcher, were you a yea or nay?

Lorcher: Oh. I will say yea.

Starman: Yea. Thank you.

MOTION CARRIED: FOUR AYES. TWO ABSENT.



AGENDA ITEM

ITEM TOPIC: Ordinance 22-1990: An Ordinance Adding Meridian City Code Section 9-2-2-10(E), Regarding Requiring Installation and Maintenance of Water Recycling Systems for Commercial Car Washes; Adopting a Savings Clause; and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1990

BY THE CITY COUNCIL:

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

AN ORDINANCE ADDING MERIDIAN CITY CODE SECTION 9-2-2-10(E), REGARDING REQUIRING INSTALLATION AND MAINTENANCE OF WATER RECYCLING SYSTEMS FOR COMMERCIAL CAR WASHES; ADOPTING A SAVINGS CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, by installing water recycling systems, owners of car wash facilities will use less water, thereby saving money on assessments for water and wastewater connections, and experiencing lower monthly billing for water use;

WHEREAS, by installing and maintaining water recycling systems, car wash facilities will reduce water use, thereby conserving domestic water for other uses;

WHEREAS, by recycling water for reuse, car wash facilities will reduce the volume of wastewater entering the City of Meridian Wastewater Resource Recovery Facility, thereby reducing demand on the WRRF and freeing capacity;

WHEREAS, water recycling systems in car washes reduce impacts on the environment by using less water and producing less waste; and

WHEREAS, the City Council of the City of Meridian finds this ordinance to be in the best interest of the public health, safety, and welfare;

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

Section 1. That Meridian City Code section 9-2-2-10 shall be amended by the addition of subsection (E), to read as follows:

E. All new commercial car wash facilities shall install and maintain a water recycling system. The applicant shall provide plans and other information as deemed necessary by the City, to be reviewed and approved by the City Engineer or their designee.

Section 2. That all City of Meridian ordinances, or resolutions, or parts thereof, which are in conflict herewith, are hereby repealed.

Section 3. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

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. 22-1990

An ordinance adding Meridian City Code section 9-2-2-10(e), regarding requiring installation and maintenance of water recycling systems for commercial car washes; adopting a savings clause; and providing an effective date.



AGENDA ITEM

ITEM TOPIC: Ordinance 22-1991: An Ordinance Amending Meridian City Code Section 9-4-34, Regarding Point of Liability for Maintenance of Sewer Service Line; Repealing Conflicting Ordinances; and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1991

BY THE CITY COUNCIL:

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

AN ORDINANCE AMENDING MERIDIAN CITY CODE SECTION 9-4-34, REGARDING POINT OF LIABILITY FOR MAINTENANCE OF SEWER SERVICE LINE; REPEALING CONFLICTING ORDINANCES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City is authorized by Idaho Code section 50-332 to operate and maintain a domestic sewer system, and the City does exercise such authority, including by the adoption and enforcement of Title 9, Chapter 4, Meridian City Code;

WHEREAS, the City is responsible for maintenance and repair of sewer infrastructure within the public right-of-way, and the private sewer system user is responsible for maintaining sewer infrastructure from the public right-of-way to the building connected to the City sewer system;

WHEREAS, it is necessary to clarify this point of liability as it is described in Meridian City Code;

WHEREAS, the City Council of the City of Meridian finds the following ordinance to serve the best interest of the public health, safety, and welfare;

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

Section 1. Meridian City Code section 9-4-34 shall be amended to read as follows:

9-4-34: POINT OF LIABILITY FOR MAINTENANCE:

A. User Responsibility: All users shall have the responsibility of, and be liable for, and shall pay for, all costs and expenses of maintaining their own sewer lines extending from their property improvement (i.e., house or building) until such sewer lines pass the vertical plane of the public right-of-way. This maintenance liability of the user includes ensuring that the entire sewer service line to the public right-of-way is clear and free from obstructions. The city shall be responsible for the structural repair of the portion of the sewer service line located in the public right of way. If a sewer easement specifies maintenance liability other than as set forth in this provision, the provisions of the sewer easement shall prevail.

Section 2. That all City of Meridian ordinances, or resolutions, or parts thereof, which are in conflict herewith, are hereby repealed.

Section 3. That this ordinance shall be effective immediately upon its passage and publication.

PASSED by the City Council of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED:

ATTEST:

Robert E. Simison, Mayor

Chris Johnson, City Clerk

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 -1991

An ordinance amending Meridian City Code section 9-4-34, regarding point of liability for maintenance of sewer service line; repealing conflicting ordinances; and providing an effective date.



AGENDA ITEM

ITEM TOPIC: Ordinance No. 22-1992: An Ordinance of the City of Meridian, Idaho Amending Ordinance No. 21-1945, the Appropriation Ordinance for the Fiscal Year Beginning October 1, 2021 and Ending September 30, 2022 (FY2022), Appropriating Monies That are to be Allocated by the City of Meridian, Idaho in the Sum of \$(72,671,298); and Providing an Effective Date

CITY OF MERIDIAN ORDINANCE NO. 22-1992

BY THE CITY COUNCIL:

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

AN ORDINANCE OF THE CITY OF MERIDIAN, IDAHO AMENDING ORDINANCE NO. 21-1945, THE APPROPRIATION ORDINANCE FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022 (FY2022), APPROPRIATING MONIES THAT ARE TO BE ALLOCATED BY THE CITY OF MERIDIAN, IDAHO IN THE SUM OF \$(72,671,298); AND PROVIDING AN EFFECTIVE DATE

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

Section 1. That Ordinance No. 21-1945, the appropriation ordinance for the City of Meridian, Idaho, for the fiscal year commencing October 1, 2021 and ending September 30, 2022 be and the same is hereby amended as follows:

Capital Improvement Fund - 55					
			FY2022	FY2022	FY2022
			Original Budget	Amendments	Final Budget
Revenues					
	Total Revenue			\$ -	\$ -
Expenditures					
	Operating				
		Administration		\$ -	\$ -
		Fire		\$ -	\$ -
		Police		\$ -	\$ -
		Parks		\$ -	\$ -
	Total Operating		\$ -	\$ -	\$ -
	Capital				
		Administration	\$ -	\$ -	\$ -
		Fire	\$ 7,322,334	\$ 2,229,240	\$ 9,551,574
		Police	\$ -	\$ 2,320,775	\$ 2,320,775
		Parks	\$ -	\$ -	\$ -
	Total Capital		\$ 7,322,334	\$ 4,550,015	\$ 11,872,349
	Carryforward - Operating				
		Administration			\$ -
		Fire			\$ -
		Police			\$ -
		Parks			\$ -
	Carryforward - Operating		\$ -	\$ -	\$ -

Carryforward - Capital			
Administration	\$ -		\$ -
Fire	\$ -		\$ -
Police	\$ 2,661,520	\$ 480,685	\$ 3,142,205
Parks	\$ 24,077		\$ 24,077
Carryforward - Capital	\$ 2,685,597	\$ 480,685	\$ 3,166,282
Total Carryforward	\$ 2,685,597	\$ 480,685	\$ 3,166,282
Total Expenditures	\$ 10,007,931	\$ 5,030,700	\$ 15,038,631
Transfers	\$ (196,412)	\$ -	\$ (196,412)
Total Expenditures with Transfers	\$ 9,811,519	\$ 5,030,700	\$ 14,842,219
(Use)/Addition of Fund Balance	\$ (9,811,519)	\$ -	\$ (14,842,219)

Enterprise Fund - 60 - 65

		FY2022 Original Budget	FY2022 Amendments	FY2022 Final Budget
Revenues				
Water/Sewer Sales	\$ 28,034,077			\$ 28,034,077
Other Sources	\$ 18,502,663			\$ 18,502,663
Total Revenue	\$ 46,536,740	\$ -		\$ 46,536,740
Expenditures				
Personnel				
Utility Billing	\$ 557,712	\$ (1,647)		\$ 556,065
Public Works	\$ 4,852,683.45	\$ 34,343		\$ 4,887,026
Water	\$ 2,674,812	\$ 21,107		\$ 2,695,920
Wastewater	\$ 4,084,597	\$ 26,083		\$ 4,110,680
Total Personnel	\$ 12,169,805	\$ 79,886		\$ 12,249,691
Operating				
Utility Billing	\$ 754,440	\$ (0)		\$ 754,440
Public Works	\$ 702,174	\$ 357,382		\$ 1,059,556
Water	\$ 3,902,271	\$ (50,001)		\$ 3,852,271
Wastewater	\$ 4,238,515	\$ (325,000)		\$ 3,913,515
Total Operating	\$ 9,597,400	\$ (17,619)		\$ 9,579,782
Total Personnel and Operating	\$ 21,767,205	\$ 62,267		\$ 21,829,473
Capital				
Utility Billing	\$ -			\$ -
Public Works	\$ -	\$ 17,618		\$ 17,618
Water	\$ 5,674,000	\$ 2,372,352		\$ 8,046,352
Wastewater	\$ 13,575,000	\$ 304,001		\$ 13,879,001
Total Capital	\$ 19,249,000	\$ 2,693,970		\$ 21,942,970

Carryforward - Capital				
Utility Billing	\$	-		\$ -
Public Works	\$	17,619	\$ -	\$ 17,619
Water	\$	6,807,204	\$ (1,456,515)	\$ 5,350,689
Wastewater	\$	20,959,974	\$ (2,372,683)	\$ 18,587,291
Total Carryforward - Capital	\$	27,784,797	\$ (3,829,198)	\$ 23,955,599
Total Carryforward	\$	28,707,538	\$ (4,331,491)	\$ 24,376,047
Total Expenditures	\$	69,723,743	\$ (1,575,253)	\$ 68,148,490
Transfers	\$	3,326,340	\$ -	\$ 3,326,340
Total Expenditures with Transfers	\$	73,050,083	\$ (1,575,253)	\$ 71,474,829
(Use)/Addition of Fund Balance	\$	(26,513,343)	\$ 1,575,253	\$ (24,938,089)
Governmental Funds (01,07,08,20,50)				
		(01,07,08,20,50)	(01,07,08,20,50)	(01,07,08,20,50)
		FY2022	FY2022	FY2022
		Original Budget	Amendments	Final Budget
Revenues				
Property Taxes	\$	42,424,938	\$ -	\$ 42,424,938
Other Revenue	\$	29,873,116	\$ 3,449,364	\$ 33,322,480
Total Revenue	\$	72,298,054	\$ 3,449,364	\$ 75,747,418
Expenditures				
Personnel				
Administration	\$	6,913,332	\$ (139,285)	\$ 6,774,047
Fire	\$	13,704,683	\$ 216,656	\$ 13,921,339
Police	\$	22,230,167	\$ 247,536	\$ 22,477,703
Parks	\$	4,135,351	\$ 108,596	\$ 4,243,947
Community Development	\$	4,746,790	\$ 28,806	\$ 4,775,596
Total Personnel	\$	51,730,323	\$ 462,310	\$ 52,192,633
Operating				
Administration	\$	3,942,618	\$ 892,902	\$ 4,835,520
Fire	\$	2,242,632	\$ 284,637	\$ 2,527,269
Police	\$	3,584,034	\$ 311,463	\$ 3,895,497
Parks	\$	2,879,033	\$ 1,197,346	\$ 4,076,379
Community Development	\$	2,052,618	\$ 82,088	\$ 2,134,706
Total Operating	\$	14,700,935	\$ 2,768,437	\$ 17,469,372
Total Personnel and Operating	\$	66,431,258	\$ 3,230,747	\$ 69,662,005
Capital				
Administration	\$	150,000	\$ -	\$ 150,000
Fire	\$	8,100,079	\$ 1,533,405	\$ 9,633,484
Police	\$	5,399,300	\$ (46,300)	\$ 5,353,000
Parks	\$	18,222,255	\$ 3,404,029	\$ 21,626,284
Community Development	\$	-	\$ -	\$ -
Total Capital	\$	31,871,634	\$ 4,891,134	\$ 36,762,768

Carryforward - Personnel			
Administration	\$ -	\$ -	\$ -
Fire	\$ -	\$ -	\$ -
Police	\$ -	\$ -	\$ -
Parks	\$ -	\$ -	\$ -
Community Development	\$ -	\$ -	\$ -
Total Carryforward - Personnel	\$ -	\$ -	\$ -
Carryforward - Operating			
Administration	\$ 692,451	\$ (76,827)	\$ 615,624
Fire	\$ -	\$ 19,000	\$ 19,000
Police	\$ -	\$ 71,572	\$ 71,572
Parks	\$ -	\$ 31,000	\$ 31,000
Community Development	\$ -	\$ -	\$ -
Total Carryforward - Operating	\$ 692,451	\$ 44,746	\$ 737,197
Carryforward - Capital			
Administration	\$ 362,194	\$ (41,580)	\$ 320,614
Fire	\$ 2,585,093	\$ (332,763)	\$ 2,252,330
Police	\$ 1,575,795	\$ (1,083,429)	\$ 492,366
Parks	\$ 1,906,501	\$ (396,833)	\$ 1,509,668
Community Development	\$ 42,367	\$ (10,980)	\$ 31,387
Total Carryforward - Capital	\$ 6,471,950	\$ (1,865,586)	\$ 4,606,364
Carryforward			
Administration	\$ 1,054,645	\$ (118,406)	\$ 936,239
Fire	\$ 2,585,093	\$ (313,763)	\$ 2,271,330
Police	\$ 1,575,795	\$ (1,011,857)	\$ 563,938
Parks	\$ 1,906,501	\$ (365,833)	\$ 1,540,668
Community Development	\$ 42,367	\$ (10,980)	\$ 31,387
Total Carryforward	\$ 7,164,401	\$ (1,820,840)	\$ 5,343,561
Total Expenditures	\$ 105,467,293	\$ 6,301,041	\$ 111,768,334
Transfers	\$ (3,129,926)	\$ -	\$ (3,129,926)
Total Expenditures with Transfers	\$ 102,337,367	\$ 6,301,041	\$ 108,638,408
(Use)/Addition of Fund Balance	\$ (30,039,313)	\$ (2,851,676)	\$ (32,890,990)

Total Budget - All Funds

		FY2022 Original Budget	FY2022 Amendments	FY2022 Final Budget
Revenues				
	Total Revenue	\$ 118,834,794	\$ 3,449,364	\$ 122,284,158
Expenditures				
	Total Personnel and Operating	\$ 88,198,464	\$ 3,293,014	\$ 91,491,478
	Total Capital	\$ 58,442,968	\$ 12,135,120	\$ 70,578,088
	Total Carryforward	\$ 38,557,536	\$ (5,671,647)	\$ 32,885,890
	Total Expenditures	\$ 185,198,968	\$ 9,756,487	\$ 194,955,455
Transfers		\$ 2	\$ -	\$ 2
Total Expenditures with Transfers		\$ 185,198,969	\$ 9,756,487	\$ 194,955,456
(Use)/Addition of Fund Balance		\$ (66,364,175)	\$ (6,307,123)	\$ (72,671,298)

That the sum of \$(72,671,298) be allocated for use of authorized activities.

Section 2. This Ordinance shall be in full force and effect from and after its passage, approval and publication, according to law.

PASSED by the City Council of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED:

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

STATE OF IDAHO)

County of Ada) ss.
)

On this 6th day of September, 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
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 -1992

An Ordinance of the City of Meridian, Idaho amending Ordinance No. 21-1945, the Appropriation Ordinance for the fiscal year beginning October 1, 2021 and ending September 30, 2022 (FY2022), appropriating monies that are to be allocated by the City of Meridian, Idaho in the sum of \$(72,671,298); to provide for a waiver of the 2nd and 3rd readings pursuant to Idaho Code §50-902; and providing an effective date.



AGENDA ITEM

ITEM TOPIC: Ordinance No. 22-1993: An Ordinance, Pursuant to Idaho Code §50-1002 and §50-1003, Providing for a Title and Findings, Providing for the Adoption of a Budget and the Appropriation of \$219,724,039 to Defray the Necessary Expenses and Liabilities of the City of Meridian, in Accordance with the Object and Purposes and in the Certain Amounts Herein Specified for the Fiscal Year Beginning October 1, 2022 and Ending on September 30, 2023; to Levy All Such Appropriate Taxes and Levies as Authorized by Law Upon Taxable Property; and to Collect All Authorized Revenue; to Provide for a Waiver of the 2nd and 3rd Readings Pursuant to Idaho Code §50-902; and Providing for an Effective Date and the Filing of a Certified Copy of This Ordinance with the Secretary of State

CITY OF MERIDIAN ORDINANCE NO. 22-1993

BY THE CITY COUNCIL:

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

AN ORDINANCE, PURSUANT TO IDAHO CODE §50-1002 AND §50-1003, PROVIDING FOR A TITLE AND FINDINGS, PROVIDING FOR THE ADOPTION OF A BUDGET AND THE APPROPRIATION OF \$219,724,039 TO DEFRAY THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF MERIDIAN, IN ACCORDANCE WITH THE OBJECT AND PURPOSES AND IN THE CERTAIN AMOUNTS HEREIN SPECIFIED FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING ON SEPTEMBER 30, 2023; TO LEVY ALL SUCH APPROPRIATE TAXES AND LEVIES AS AUTHORIZED BY LAW UPON TAXABLE PROPERTY; AND TO COLLECT ALL AUTHORIZED REVENUE; TO PROVIDE FOR A WAIVER OF THE 2ND AND 3RD READINGS PURSUANT TO IDAHO CODE §50-902; AND PROVIDING FOR AN EFFECTIVE DATE AND THE FILING OF A CERTIFIED COPY OF THIS ORDINANCE WITH THE SECRETARY OF STATE

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

Section 1. TITLE: This Ordinance shall be entitled and cited as the “2022-2023 Fiscal Year Annual Appropriation Ordinance of the City of Meridian.”

Section 2. FINDINGS: The City Council finds:

A. That it has duly Noticed and held a Public Hearing on the 16th day of August, 2022 for a Proposed Budget for Fiscal Year 2022-2023 (FY2023) City of Meridian, Idaho; and

B. That the total revenue anticipated to be available to the City of Meridian during Fiscal Year 2022-2023 is correctly stated in the Adopted Budget which is herein set forth in Section 3; and

C. The appropriations and sums of money as hereinafter set forth in Section 3 are deemed necessary to defray all the necessary expenses and liabilities of the City of Meridian for Fiscal Year 2022-2023.

Section 3. ADOPTION OF BUDGET AND APPROPRIATION OF EXPENDITURE: The City Council does hereby adopt as and for the budget and the appropriation of expenditure for the City of Meridian for Fiscal Year commencing October 1, 2022 and ending on September 30, 2023 the following:

			FY2021	FY2022	FY2023
			Actual	Original Budget	Original Budget
Capital Improvement Fund - 55					
			FY2021	FY2022	FY2023
			Actual	Original Budget	Original Budget
Revenues					
	Total Revenue		\$ 59,321		
Expenditures					
	Operating				
		Administration			
		Fire			
		Police			
		Parks			
	Total Operating		\$ -	\$ -	\$ -
	Capital				
		Administration		\$ -	
		Fire		\$ 7,322,334	
		Police	\$ 1,977,476	\$ -	
		Parks		\$ -	
	Total Capital		\$ 1,977,476	\$ 7,322,334	\$ -
	Carryforward - Operating				
		Administration			
		Fire			
		Police			
		Parks			
	Carryforward - Operating		\$ -	\$ -	\$ -
	Carryforward - Capital				
		Administration		\$ -	
		Fire		\$ -	\$ 9,551,574
		Police		\$ 2,661,520	\$ 4,773,665
		Parks		\$ 24,077	\$ 24,076
	Carryforward - Capital		\$ -	\$ 2,685,597	\$ 14,349,315
	Total Carryforward		\$ -	\$ 2,685,597	\$ 14,349,315
	Total Expenditures		\$ 1,977,476	\$ 10,007,931	\$ 14,349,315
Transfers			\$ (3,646,860)	\$ (196,412)	\$ -
Total Expenditures with Transfers			\$ (1,669,385)	\$ 9,811,519	\$ 14,349,315
(Use)/Addition of Fund Balance			\$ 1,728,706	\$ (9,811,519)	\$ (14,349,315)

Enterprise Fund - 60 - 65

		FY2021	FY2022	FY2023
		Actual	Original Budget	Original Budget
Revenues				
	Water/Sewer Sales	\$ 27,917,452	\$ 28,034,077	\$ 29,247,953
	Other Sources	\$ 22,047,053	\$ 18,502,663	\$ 20,461,056
	Total Revenue	\$ 49,964,505	\$ 46,536,740	\$ 49,709,009
Expenditures				
	Personnel			
	Utility Billing	\$ 465,325	\$ 557,712	\$ 573,640
	Public Works	\$ 4,015,431	\$ 4,852,683.45	\$ 5,096,175.47
	Water	\$ 2,289,797	\$ 2,674,812	\$ 2,859,585
	Wastewater	\$ 3,374,999	\$ 4,084,597	\$ 5,389,155
	Total Personnel	\$ 10,145,553	\$ 12,169,805	\$ 13,918,555
	Operating			
	Utility Billing	\$ 714,674	\$ 754,440	\$ 795,418
	Public Works	\$ 852,900	\$ 702,174	\$ 1,080,794
	Water	\$ 3,074,636	\$ 3,902,271	\$ 2,852,576
	Wastewater	\$ 3,732,013	\$ 4,238,515	\$ 4,612,684
	Total Operating	\$ 8,374,222	\$ 9,597,400	\$ 9,341,472
	Total Personnel and Operating	\$ 18,519,775	\$ 21,767,205	\$ 23,260,027
	Capital			
	Utility Billing		\$ -	\$ -
	Public Works		\$ -	\$ -
	Water	\$ 2,802,953	\$ 5,674,000	\$ 9,928,000
	Wastewater	\$ 4,049,250	\$ 13,575,000	\$ 12,678,000
	Total Capital	\$ 6,852,203	\$ 19,249,000	\$ 22,606,000
	Carryforward - Operating			
	Utility Billing		\$ -	
	Public Works		\$ 307,854	\$ 536,178
	Water		\$ 232,362	\$ 254,048
	Wastewater		\$ 382,525	\$ 470,256
	Total Carryforward - Operating	\$ -	\$ 922,741	\$ 1,260,482
	Carryforward - Capital			
	Utility Billing		\$ -	
	Public Works		\$ 17,619	\$ 7,487
	Water		\$ 6,807,204	\$ 9,785,407
	Wastewater		\$ 20,959,974	\$ 26,356,159
	Total Carryforward - Capital	\$ -	\$ 27,784,797	\$ 36,149,053
	Total Carryforward	\$ -	\$ 28,707,538	\$ 37,409,535
	Total Expenditures	\$ 25,371,978	\$ 69,723,743	\$ 83,275,563
	Transfers	\$ 2,733,024	\$ 3,326,340	\$ 3,490,600
	Total Expenditures with Transfers	\$ 28,105,002	\$ 73,050,083	\$ 86,766,163
	(Use)/Addition of Fund Balance	\$ 21,859,503	\$ (26,513,343)	\$ (37,057,154)

Governmental Funds (01,07,08,20,50)				(01,07,08,20,50)	(01,07,08,20,50)	(01,07,08,20,50)
				FY2021	FY2022	FY2023
				Actual	Original Budget	Original Budget
Revenues						
		Property Taxes		\$ 30,617,436	\$ 42,424,938	\$ 45,556,044
		Other Revenue		\$ 50,326,465	\$ 29,873,116	\$ 41,363,527
		Total Revenue		\$ 80,943,900	\$ 72,298,054	\$ 86,919,571
Expenditures						
		Personnel				
		Administration		\$ 5,812,223	\$ 6,913,332	\$ 7,115,490
		Fire		\$ 12,536,582	\$ 13,704,683	\$ 16,622,414
		Police		\$ 19,116,254	\$ 22,230,167	\$ 25,030,255
		Parks		\$ 3,892,147	\$ 4,135,351	\$ 5,222,622
		Community Development		\$ 3,630,889	\$ 4,746,790	\$ 4,877,309
		Total Personnel		\$ 44,988,095	\$ 51,730,323	\$ 58,868,090
		Operating				
		Administration		\$ 4,071,360	\$ 3,942,618	\$ 4,266,251
		Fire		\$ 1,856,501	\$ 2,242,632	\$ 2,740,517
		Police		\$ 3,258,454	\$ 3,584,034	\$ 4,889,646
		Parks		\$ 3,475,395	\$ 2,879,033	\$ 3,877,288
		Community Development		\$ 3,318,284	\$ 2,052,618	\$ 3,956,884
		Total Operating		\$ 15,979,993	\$ 14,700,935	\$ 19,730,587
		Total Personnel and Operating		\$ 60,968,089	\$ 66,431,258	\$ 78,598,676
		Capital				
		Administration		\$ 357,004	\$ 150,000	\$ 116,735
		Fire		\$ 779,458	\$ 8,100,079	\$ 1,050,927
		Police		\$ 1,514,521	\$ 5,399,300	\$ 581,935
		Parks		\$ 1,345,974	\$ 18,222,255	\$ 1,636,000
		Community Development		\$ 34,310	\$ -	\$ -
		Total Capital		\$ 4,031,268	\$ 31,871,634	\$ 3,385,597
		Carryforward - Personnel				
		Administration		\$ -	\$ -	\$ -
		Fire		\$ -	\$ -	\$ -
		Police		\$ -	\$ -	\$ -
		Parks		\$ -	\$ -	\$ -
		Community Development		\$ -	\$ -	\$ -
		Total Carryforward - Personnel		\$ -	\$ -	\$ -
		Carryforward - Operating				
		Administration		\$ -	\$ 692,451	\$ 3,495,170
		Fire		\$ -	\$ -	\$ 443,506
		Police		\$ -	\$ -	\$ 44,366
		Parks		\$ -	\$ -	\$ 904,890
		Community Development		\$ -	\$ -	\$ 49,115
		Total Carryforward - Operating		\$ -	\$ 692,451	\$ 4,937,047

	Carryforward - Capital			
	Administration	\$ -	\$ 362,194	\$ 327,251
	Fire	\$ -	\$ 2,585,093	\$ 10,060,007
	Police	\$ -	\$ 1,575,795	\$ 5,502,846
	Parks	\$ -	\$ 1,906,501	\$ 19,287,737
	Community Development	\$ -	\$ 42,367	\$ -
	Total Carryforward - Capital	\$ -	\$ 6,471,950	\$ 35,177,842
	Carryforward			
	Administration	\$ -	\$ 1,054,645	\$ 3,822,421
	Fire	\$ -	\$ 2,585,093	\$ 10,503,512
	Police	\$ -	\$ 1,575,795	\$ 5,547,212
	Parks	\$ -	\$ 1,906,501	\$ 20,192,627
	Community Development	\$ -	\$ 42,367	\$ 49,115
	Total Carryforward	\$ -	\$ 7,164,401	\$ 40,114,888
	Total Expenditures	\$ 64,999,356	\$ 105,467,293	\$ 122,099,161
	Transfers	\$ 913,836	\$ (3,129,926)	\$ (3,490,600)
	Total Expenditures with Transfers	\$ 65,913,192	\$ 102,337,367	\$ 118,608,561
	(Use)/Addition of Fund Balance	\$ 15,030,708	\$ (30,039,313)	\$ (31,688,990)
Total Budget - All Funds				
		FY2021	FY2022	FY2023
		Actual	Original Budget	Original Budget
	Revenues			
	Total Revenue	\$ 130,967,726	\$ 118,834,794	\$ 136,628,580
	Expenditures			
	Total Personnel and Operating	\$ 79,487,864	\$ 88,198,464	\$ 101,858,704
	Total Capital	\$ 12,860,946	\$ 58,442,968	\$ 25,991,597
	Total Carryforward	\$ -	\$ 38,557,536	\$ 91,873,739
	Total Expenditures	\$ 92,348,810	\$ 185,198,968	\$ 219,724,039
	Transfers	\$ -	\$ 2	\$ -
	Total Expenditures with Transfers	\$ 92,348,810	\$ 185,198,969	\$ 219,724,039
	(Use)/Addition of Fund Balance	\$ 38,618,916	\$ (66,364,175)	\$ (83,095,459)

Section 4. That the general tax levy and all appropriate taxes and levies be imposed as authorized by law and all authorized revenue is collected.

Section 5. That the 2nd and 3rd readings of this ordinance are waived by suspension of the Rule as allowed pursuant to Idaho Code §50-902.

Section 6. The City Clerk is directed to forthwith publish this Ordinance and file a certified copy of the same with the office of the Secretary of State of Idaho as provided in Idaho Code §50-1003 and the same shall be in full force and effect from and after its passage, approval and publication, according to law.

PASSED by the City Council of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED by the Mayor of the City of Meridian, Idaho, this 6th day of September, 2022.

APPROVED:

Robert E Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

STATE OF IDAHO)
) ss.
County of Ada)

On this 6th day of September, 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
Commission Expiration: _____

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. 22-1993

An Ordinance of the City of Meridian providing for the adoption of a budget and the appropriation of \$219,724,039 to defray the necessary expenses and liabilities of the City of Meridian, in accordance with the object and purposes and in the certain amounts herein specified for the fiscal year beginning October 1, 2022 and ending on September 30, 2023. To levy all such appropriate taxes and levies as authorized by law upon taxable property; and to collect all authorized revenue; to provide for a waiver of the 2nd and 3rd readings pursuant to Idaho Code §50-902; and providing for an effective date and the filing of a certified copy of this ordinance with the Secretary of State.