



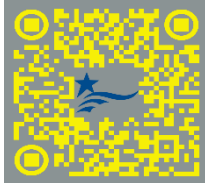
PLANNING AND ZONING COMMISSION MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Thursday, November 19, 2020 at 6:00 PM

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Agenda

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



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

VIRTUAL MEETING INSTRUCTIONS

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

<https://us02web.zoom.us/j/89102689085>

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

Webinar ID: 891 0268 9085

ROLL-CALL ATTENDANCE

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

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the November 5, 2020 Planning and Zoning Commission Regular Meeting](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

2. **Public Hearing Continued from October 15, 2020 for Skybreak (H-2020-0079)** by Laren Bailey, Conger Group, Located at 3487 E. Adler Hoff Ln.

Applicant Has Requested Withdrawal

A. Request: Annexation of 80.46 acres of land with an R-8 zoning district.

B. Request: A Preliminary Plat consisting of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, 1 private street lot and 1 lot for the existing home) on 79.69 acres of land in the R-8 zoning district.

3. **Public Hearing** for 2810 E. Franklin Rd. (H-2020-0097) by KM Engineering, Located at 2810 E. Franklin Rd.

A. Request: Annexation of 1.01 acres of land with a C-G zoning district.

4. **Public Hearing** for Poiema Calvary Chapel (H-2020-0095) by The Land Group, Inc., Located at 3727 E. Lake Hazel Rd.

A. Request: A Conditional Use Permit to construct a new church facility built in two phases to total 52,000 square feet and 320 parking spaces at total build-out on approximately 7 acres of land on Lot 1, Block 2 of Poiema Subdivision in the R-15 zoning district.

5. **Public Hearing** for Wadsworth Meridian Subdivision (H-2020-0104) by Wadsworth Development, Located at 3085 E. Ustick Rd.

A. Request: Preliminary Plat consisting of five (5) commercial building lots in the C-G zoning district for ownership purposes.

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the November 5, 2020 Planning and Zoning Commission Regular Meeting

Meridian Planning and Zoning Meeting

November 5, 2020.

Meeting of the Meridian Planning and Zoning Commission of November 5, 2020, was called to order at 6:00 p.m. by Vice-Chairman Lisa Holland.

Members Present: Commissioner Lisa Holland, Commissioner Bill Cassinelli, Commissioner Andrew Seal, Commissioner Rhonda McCarvel and Commissioner Steven Yearsley.

Members Absent: Commissioner Nick Grove and Chairman Ryan Fitzgerald.

Others Present: Adrienne Weatherly, Andrea Pogue, Bill Parsons, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

- | | |
|---|---|
| <input checked="" type="checkbox"/> Lisa Holland | <input checked="" type="checkbox"/> Rhonda McCarvel |
| <input checked="" type="checkbox"/> Andrew Seal | <input type="checkbox"/> Nick Grove |
| <input checked="" type="checkbox"/> Steven Yearsley | <input checked="" type="checkbox"/> Bill Cassinelli (Joined at 6:53 p.m.) |
| <input type="checkbox"/> Ryan Fitzgerald - Chairman | |

Holland: Good evening to everyone. Welcome to the Planning and Zoning Commission for November 5, 2020. We are doing a joint virtual and in-person meeting. So, thanks to Commissioner Seal for being there in person for us, while some of the other Commissioners are here on Zoom. On your screen you should see Commissioners who are present for this evening's meeting, as well as some of our staff are at City Hall, including the city attorney, our city clerk's office and some of the staff from our Planning Department as well. Everybody else that is participating -- there might be some of you at City Hall, but others might be on Zoom and you can observe the meeting. We will be able to see that you are here, but your ability to talk and be seen will be muted while the meeting is -- is happening. During the public testimony portion of the meeting you will be unmuted and able to comment. If you have previously sent in a presentation for the meeting it will be displayed on the screen during the time you are called and the clerk will run that presentation for you and they can also assist with bringing up a slide from another presentation if you need it, so just go ahead and ask. If you are just attending and want to watch the meeting you are certainly welcome to just watch on the city's YouTube channel, which is at meridiacity.org/live. And we will open up each item individually and, then, start with the staff report. Staff will report their findings on how the item adheres to our Comprehensive Plan and Uniform Development Code. After staff has made their presentation the applicant will come forward and present their case and respond to any staff comments and they will have 15 minutes to do so. After that becomes finished we will open up the floor for public testimony and, then, give the applicant a chance to respond as well after that. Once public testimony is open this evening, the clerk will call the names of people who have signed up to testify on the website. You will be unmuted

at that point in time and we will call on you individually and remember to state your name and address for the record for us and you will have three minutes to address the Commission, unless you are representing a larger group, like an HOA. After that time we may ask you for any questions for clarification. Once you are done they will mute you again and you will no longer have the ability to speak. Once all those who have signed up in advance are called, I will invite any others who would wish to testify and if you wish to speak on a topic you may press the raise hand button in the Zoom app. You can wave at Commissioner Seal at City Hall or if you are listening through a cell phone or landline, you can always press star nine to be unmuted and wait for your name to be called. If you are listening on multiple devices make sure you mute those devices, so that you don't experience feedback and everyone can hear you clearly and we won't be able to take questions until the public testimony portion, so if you have a process question during the meeting you can always e-mail cityclerk@meridiancity.org and they will attempt to help you address the question as quickly as possible. So, with that we would like to call the meeting to order officially and we will start with a roll call, Madam Clerk, if you wouldn't mind.

ADOPTION OF AGENDA

Holland: Great. Thank you. Just trying to get the agenda loaded back up here again. One second. Clicked too many things on my screen. We have a few items on the agenda tonight. The first is to adopt the agenda. Can I get a motion to adopt the agenda as presented?

Seal: So moved.

McCarvel: So moved.

Seal: Second.

Holland: Got a motion and a second. All those in favor? Hearing none opposed, motion passes.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

CONSENT AGENDA [Action Item]

1. Approval of the October 22, 2020 Planning and Zoning Commission Special Meeting Minutes

Holland: Next on the agenda is the Consent Agenda, which is the approval of the October 22nd, 2020, Planning and Zoning Commission special meeting minutes. Can I get a motion to approve the Consent Agenda?

Seal: So moved.

McCarvel: Second.

Holland: Okay. Got a motion and a second. All those in favor. Hearing none opposed.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

Holland: We will move on. Items moved from the Consent Agenda.

ACTION ITEMS:

2. Public Hearing for Oakwind Estates Subdivision (H-2020-0093) by Engineering Solutions, Located at 5685 N. Black Cat Rd.

- A. Request: Preliminary Plat for 94 single family lots, 92 townhome lots, 26 common lots and 3 common driveway lots on 24.54 acres.

Holland: To Action Items and the first item on our agenda is the public hearing for Oakwind Estates Subdivision, H-2020-0093, by Engineering Solutions, on Black Cat Road and we will begin with the staff report.

Tiefenbach: Good evening, Madam Chair, Members of the Commission. Alan Tiefenbach, Associate Planner with the City of Meridian. This is a request for a preliminary plat and a development agreement modification. Let's see if I can get this to work for me here. So, it's a preliminary plat for 94 single family lots, 92 townhome lots, 26 common lots on just a little less than 25 acres. As I said, it also includes a modification to the existing development agreement, which designates the property for multi-family and self storage. Give you just a bit of history on this. In 2008 this property received annexation approval for a large master planned residential development at the time called Oak Creek. In 2013 the subject property was rezone to the R-15 zoning district as part of the Ultra North Subdivision. So, this 24 and a half acre property is part of a much larger 295 acre property. So, this subject property, as I mentioned, was approved for multi-family on the north side and self storage on the south side. The self storage was only to be customarily incidental to the residential, so it can't be a standalone self storage as a primary use, it was only to serve the residents of that subdivision. The DA was amended at the time to allow this. In 2018 the multi-family portion of this property, about 16 some acres, was proposed to be rezoned to R-8 to develop single family detached. This was another amendment to the development agreement to remove that multi-family requirement. This went to the Planning Commission and the Planning Commission recommended approval, but it never made it to the Council and since has been withdrawn. That said, the Oaks North plat and the DA for the Oaks North are what still governs this property. Here are the maps just to sort of show you what -- what is recommended for in the future land use map is medium density residential, zoned R-15. This is the -- the red lines represent properties that are being developed presently now and yellow represents anything that's actively in hearing. So, I will talk a little bit about this plat. Again, as listed

above there has been several rezonings and DAs relating to this property and as part of the -- as I said, the Oaks North plat. Excuse me. And the property is about 24 and a half acres of the -- almost 300 acres of the Oaks North plat. The northern 17 and a half acres is presently zoned to allow multi-family of between eight to 15 dwelling units per acre. The southern seven, almost eight acres is zoned to allow self storage. This preliminary plat includes a new development agreement to allow single family -- I'm going to use this one, because I think it's easier to see this colored one. So, this preliminary plat would be -- would include a development agreement to allow single family on the northern half and townhouses on the southern half. The single family would be on lots of approximately 3,000 to 5,000 square foot. The townhouses will be on lots of between 2,100 and 3,200 square feet. The proposed street network stubs two streets, Cherrybrook Drive, which is here, and West Milano -- or excuse me. And West Daphne Street, which is here. And those connect to Trident, which you can see here. North Trident terminates up at the North Oaks and terminates down at McMillan to the west. This proposal would not provide direct access to the arterial, nor would it increase the number of access points to that arterial now. There are several internal roads, which you can see here, is Avilla and Milano and also there are -- there is an alley that you can see here. So, the townhouses are alley loaded. ACHD has commented that Marysville Street and Palustris, I think it's called, Avenue, that's these two streets here, are rather long and they are recommending traffic calming for these streets. That's one of the conditions of approval. And when we talk about traffic calming we are not saying speed bumps or road signs, ACHD is talking about things such as islands or narrowing it or doing more curves -- design elements to actually slow down traffic on those areas. I want to mention that the staff report mentioned that the applicant would be required to construct curb and gutter along with McMillan. However, it's been clarified that McMillan is an arterial and curb and gutter is not required. Another thing I want to clarify is that there was some confusion between the preliminary plat and the landscape plan. The preliminary plat showed that there would be five foot sidewalks built along McMillan. The landscape plan scaled out to be ten foot sidewalks. It's actually five foot sidewalks and if you look to the -- to the Oaks North to the east the sidewalks there are also five feet. So, the sidewalk would tie at the proper width. Finally, I guess I want to mention that the UDC states that residential development along the McDermott Road from Chinden to 84 is required to provide noise abatement and that would be here and that noise abatement would be by constructing a berm or a berm-wall combination. It has to be at least ten feet above the centerline of McDermott Road. As a condition of approval staff's recommending the applicant submit a landscape plan which meets those requirements prior to City Council. This development proposes 16 -- almost 17 percent of qualified open space. That's almost twice of what they are -- they are required to provide. This includes several grassy areas that are bigger than 50 by 100. That includes pathways. You can see one here. You can see pathways here. There are pathways running along here. There is pathways running along with the townhouses. There is also a central park, I guess you could call it, that includes like an outdoor picnic area. It also includes -- let's see. Hold on here. The applicant has provided building elevations, which I will show you here. These building elevations overall staff thinks to calling it good, but we did have concerns with these elevations, in particular the length of these roofs. If you look at this roof here -- we can start with that one. We believe that that roof should project across the home. We also had some issues with the length of the

Item 1.

roofs of these townhouses. We thought that these roofs should be broken up better. If you look at our architectural standards manual you will see that you can't have roof lines longer than 50 feet without having some kind of variation in the roof plain, so that was our recommendation. We also believe that these little roofs pitch elements that you see here should be carried around on the -- along the face of the townhouses. A condition of approval of the staff report was that the applicant revise these elevations prior to Planning Commission. I received some revised elevations today. This is what you will see. Overall I think staff supports the ones on the bottom. We still think the ones on the top should probably include some kind of elements above the garage door. We would prefer the roof or something like that be carried. If you look at the two on the bottom we think that they did a very good job of that. There is the roof continuing across on the bottom left. You can see they did like a -- like an exposed timber frame or trellis type elements above the garage door on this one. Moving along to the townhouses, they have since broken up these roofs. You can see how they have broken up the lengths of these roofs. We certainly like that. Similar to the elevations of single family, we think that these -- the little pitch elements of these overhangs -- there should be something above the garage door, whether they want to do another overhang like that or whether they do some kind of exposed timber frame, we think there should be some added visual relief. It would be our recommendation, looking at these new elevations, that the Planning Commission consider that and add that as a condition of approval. With that staff recommends that the Planning Commission approve this. We think that it includes less density than what was originally approved, but it still contains a diverse housing stock in terms of lot sizes, house sizes, in detached and detached housing projects. Also the qualified open space and amenities as proposed exceeds the minimum requirements. The amount of -- of open space is almost double what is required. It's central to the development and there is numerous pathways integrated into and out of the development. So, after -- so, with that staff recommends that the Planning Commission recommend approval to the City Council with the conditions as listed in the staff report and we still believe that there should be conditions for more enhancements to the architecture on several of the houses, as well as the townhouses, and I would entertain questions at this time.

Holland: Sorry, I was on mute. Any questions for staff from the Commission?

Seal: Madam Chair? Madam Chair?

Holland: Go ahead, Commissioner Seal.

Seal: Just a quick question here on the staff analysis, it's a little confusing. I think I understand essentially what's going on, but in the -- in Item B here it says: However, since the development agreement applies to the entire Oaks North and South, of which this property is only a small part, staff believes it would be better to leave the existing DA as is and create a new development agreement for this property. So, essentially, that takes -- what that's saying is take just this property out of the rest of the development agreement and leave that original development alone?

Tiefenbach: Members of the Planning Commission, Madam Chair, that's correct. We

would be removing this portion of the property out of the Oaks North development agreement and this would be a new development agreement that would -- that would apply to just this property, the 24 plus acres.

Seal: Okay. Thank you.

Holland: Any other questions for staff before we hear from the applicant? Hearing none, I believe Becky is with us to talk on the application. And if you wouldn't mind stating your name and address for the record, we would appreciate it, Becky. Thank you.

McKay: Madam Chair, Members of the Commission, Becky McKay, Engineering Solutions, business address 1029 North Rosario in Meridian. I'm hear representing the applicant BB Living, which is a division of Toll Southwest. Hang on here. So, the -- the property that you are looking at is that northeast corner of West McMillan and McDermott Road. As staff indicated, there is approximately 24 and a half acres there. You can see the previous phases that we have designed, recorded, or have submitted final plats and designs to the city on. The project Oaks North is proceeding forward. Oak South is completely built out now and so in this -- in this corner initially what -- what we had anticipated is based on the environmental impact study that was prepared by Idaho Department of Transportation for State Highway 16, phase two and phase three. They had indicated that McMillan Road would go up over McDermott and so we had -- initially when this was planned back in 2008 and came through as a pre-plat in 2013, that -- that we would have an overpass and so we would have significant grade that -- that would -- McMillan would start rising and so we proposed a use that we thought would be compatible with that, which would be mini storage that would service the Oaks development in its entirety and, then, we had multi-family buildings on the remainder. Over the past few years ITD has changed their plan and has submitted a new EIS to the feds and they are going to have State Highway 16 go over the top of McMillan. So, there will no longer be an overpass here and initially we had planned for a bypass of McDermott Road to come through our site, then, we had this significant amount of right of way allocated along the north and south part of McMillan Road to accommodate it and uses that would, obviously, be able -- would not be negatively impacted by the overpass. So, we kind of had to rethink our plans, because a lot has changed since 2008 and 2013. This is the property that you can see. This is a view of the property from the west boundary. As you can see it's relatively flat. We have Jump Creek Subdivision to the -- to the east of us. They come off of -- their access is off a Black Cat and off of McMillan Road. They have a collector that connects to us, extending out to Black Cat, aligning with the collector roadway in Bridgetower West. This was the original preliminary plat that was approved in 2013 by the City Council. As you can see we have -- where is my -- have to find it. There it is. So, we had this area that was going to be multi-family, R-15 apartment type development. We did not have any specific site plan. It was just approved for a certain number of units and, then, we had the -- oh, dang it. This thing gets squirrely on me. There we go. And then -- how come I always lose the cursor, Bill? There it is. Then we had this mini storage here and as you can see here was the overpass as it started to increase in elevation. State Highway 16 is west of -- west of McDermott about 300 feet and -- I'm having technical difficulties. And, then, we had what we call the McDermott

bypass -- that, then, McDermott would terminate and, then, bypass that overpass. So, obviously, with the changes in the ITD plan, we had to rethink what was going to transpire. So, this is -- this is what we came up with and one of the things that was, obviously, an integral part of our Oaks North and Oak South project was the fact that we would have diversity. Diversity in lot sizes. Diversity in different types of home -- housing products. We had significant open space. We had pathways. And so we -- we took a look at this and said, you know, what are we lacking as far as different product in the Oaks project. Townhomes were one. Secondly were patio homes for like empty nesters on smaller lots. We had our Garden product. We had our Woodland product. We had our Countryside product. And so we wanted to, obviously, add another dimension for the housing market in this project. This is the preliminary plat that you see right here. This is an overall colored rendering of what you see. So, we -- we kind of took the project. We have Trident, which is a collector roadway. So, I have no direct access onto McDermott, nor to McMillan. All of our access is on our internal collector roadway Trident. The number of vehicle trips proposed within this development are less than what was anticipated and accounted for in the original traffic study that was done on the site back in 2013. Ada County Highway District indicated that a new analysis would not be necessary, since we have been widening McMillan Road 17 feet from centerline in both directions, since we are north and south of McMillan, and we did construct a roundabout at our primary mid mile continuous collector, Rustic Oak, which exceeded a million dollars and so that -- that is -- has been constructed and is operational. So, what we looked at -- and we worked closely with BB Living and their architects KTGy, who are specialists in -- in this type of product, that the southern portion of the project that you see is townhomes. We wanted to have a mixture of front load and rear load, so that we had differing elevations. We have MEWs incorporated in the project and you can see that -- that some of the units are along a MEW. Some of them have front load. They all have garages. They all have 20-by-20 carport or car pads in front and, then, we do have one 20 foot wide alley, so we have rear load. The primary entrance into the project is Daphne. There it is. So, Daphne comes in right there off of Trident and we do have detached five foot wide sidewalks along Daphne on both sides. So, we have a nice soft entrance. That was a designated entrance. Meets all ACHD standards. All internal streets within the project are proposed as public streets, including the alley will be a public alley. So, we have a nice landscaped detached sidewalk coming into the project. Our primary amenity is centrally located and you can see that -- I don't know where that arrow goes. There he is. You can see our central amenity located at that location. So, it's easily available to all residents, since we have pedestrian pathways that go both north and south within the project and we have some pathways that go out to McDermott to the ten foot pathway. So, we have significant amount of pedestrian interconnectivity. Up to the north of the project we have the Creason Lateral, which was piped. There is a pathway along that Creason Lateral. It runs from McDermott and all the way through our project connecting to Jump Creek Subdivision, which is located on the far eastern boundary. Here is kind of a blow up of the amenity. What BB Living likes to have is a significant gathering place for their residents. They wanted to have an open lawn area and kind of a plaza area. This plaza area has playground equipment. It has an outdoor full kitchen. It has barbecue area. It has seating area. It has for -- for eating like a -- like a covered shelter and it also has kind of a conversation pit area where they have a fireplace. So, they are -- they are

big on creating a community network and as staff indicated we significantly exceed the minimum required open space under the ordinance with this development. One of the reasons that we require -- requested an amendment or revision of the development agreement is because the original development agreement that was tied to the overall project in 2013 said that the density within this area had to be a minimum of eight dwelling units per acre. Our gross density with the project is 7.58. So, we are under that eight dwelling units per acre, which required that we modify the DA. Now, obviously, over the past seven years there have been ordinance amendments. Things have changed. Some of the conditions in the original DA we have already satisfied. So, we are in agreement with staff to prepare a new DA for this 26 acres here or 25 acres. Sorry. So, that it's site specific and that's pretty standard when we have these older DAs trying to retrofit them. The code sections have changed. Other items have changed. Things that aren't applicable to this, but are applicable to other areas within Oaks North, so -- so, that -- that's the reason that staff has -- has requested that the Commission provide a condition to do a new DA for this project. This is kind of an example. I had BB Living from some of their other projects that they built in California, in Arizona, Nevada. This is -- this is their specialty. This shows you kind of an example of their shelter that they -- that they like and their plaza areas where they take great care to, obviously, make it inviting and landscaping. They have benches. They have picnic tables. They have a covered area. As you can see here is an example of one of their outdoor kitchens. So, they have -- they have barbecue areas, full kitchen areas. They kind of have a bar where the residents can gather. They are sheltered and -- and can converse and -- and, obviously, enjoy living in the project. This is another example where they have a plaza area. This one is not covered. It has -- it has barbecues. It has picnic tables. Hard surface plazas. Bike parking. So, they -- they want to, obviously, create an inviting environment for the residents and here is an example of another project that they have done where you can see they have -- they have a central fire pit. They have the Adirondack chairs. They have landscaping and -- to bring people together to enjoy the living environment. We did -- we did get comments from the staff concerning our elevations. The architects have made some revisions. These are not the final product. These are drafts. We did not have a lot of time. Once we received the staff report we realized that -- that the staff had requested revised elevations prior to Planning and Zoning Commission, not prior to Council. So, therefore, the architects were under the gun to prepare these drawings and so these, obviously, are breaking up that roofline in the townhomes where we have a continuous roof there. This -- this kind of shows you another breakup where they are breaking up and changing and modulating that roofline and you can see the same thing here. But, like I said, these are a work in progress and so the client is -- is, obviously, considerate of staff's comments and cognizant of the fact that the design review standards for the multi-family townhome -- townhome type buildings require modulation and articulation. On the single family dwellings -- I will wrap it up. Single family dwellings, we have provided staff with some additional elevations, basically breaking up that, creating kind of a porch, a little bit of more of aesthetic pleasing garage orientation and I will stand for questions.

Holland: Thanks, Becky. Any questions for the applicant from the Commission?

Seal: Madam Chair?

Holland: Go ahead, Commissioner Seal.

Seal: Just so I have a better understanding of the entire layout of the Oaks North and South -- and this relates to the Rustic Oak as it traverses through multiple subdivisions it looks like. What -- how much of that will be completed before this segment goes in?

McKay: We had a meeting this afternoon with the developers of Prescott Ridge, Hubbell Homes, to coordinate the timing of Rustic Oak. We have eight phases within Oaks North that have construction plan approval. We have I believe three phases that are constructed and recorded. We have phases four, five, six and seven that have been pre-conned and are underway. Rustic Oak was extended with phase one approximately 700 feet short of the south boundary of Prescott Ridge and, then, they will build Rustic Oak all the way to Chinden, so we will have a continuous mid mile collector, which was intended, and on a master street map. Phase eight, which we do have construction plan approval, and they will begin construction in the spring and complete next year. We will bring that collector roadway within -- and utilities within 300 feet of Prescott Ridge and in the meeting we had with Mitch Armuth and Don Hubbell this afternoon, they have agreed that if Toll will -- will construct Rustic Oak up to that 300 foot point, then, they will extend the sewer, the water, and the collector roadway up to their boundary and, then, within their first phase Rustic Oak will go clear to Chinden. I think everybody's on the same page. We also shared drawings, agreed on the transitioning of the lots, because they had some attached product next to some of our larger countryside bigger lots that are 11 and 12 thousand square feet on our north boundary and initially when the preliminary plat was approved in 2013 -- the reason those lots were so large on the north boundary is we had like 15 acre and 20 acre parcels with existing homes and they wanted transitioning. So, I did the transitioning and put our larger lots, our R-4 zoning along the north boundary, but today we kind of worked with Hubble and -- and Ryan Hammons with Toll and -- and Mitch Armuth and Don Hubble -- all agreed on appropriate transitioning, so that everybody was happy and the timing of the collector roadway. So, it appears that our phase eight will be under construction at the same time as their phase one. So, that continuous collector will be built in 2021.

Seal: And when do you see the occupancy and build out for Oakwind Estates?

McKay: You mean for -- for this project? We have it as two phases. We will begin construction plans here shortly and I believe they anticipate trying to get, obviously, underway shortly after we obtain Council approval and get the development agreement signed and recorded. Then that would allow us to, then, submit our final plat and construction plans. So, they would like to be underway I believe this winter and, obviously, paving their first phase in late spring, early summer, and, then, going vertical in the -- in the mid summer, late summer, and, then, they want phase two to be following shortly behind that. The staff has requested that we build all of our perimeter buffering along McMillan and McDermott with the first phase and we are comfortable with that.

Seal: Okay. And the reason I have asked the questions is because of the remarks from ACHD in their final letter that are kind of pressing to have that Rustic Oak completed really before there is occupancy in here and that's -- I mean essentially what -- that's what I read in the letter that they provided. So, that's why I'm trying to kind of press for -- is -- is that -- is that going to be a reality?

McKay: Madam Chairman, Commissioner Seal, their intent was not that -- that it be constructed prior to the occupancy in this development. I did attend via Zoom that ACHD meeting and what Council -- or Commissioner Baker wanted to be assured that the collector roadway would be connected up to Prescott Ridge, so that we could get the -- the additional mid mile collect established for the entire section to improve access for emergency vehicles and to, obviously, take the heat off of some of the intersections along the arterial, because we do have a continuous collector going from McMillan to Chinden and from -- obviously from McMillan wrapping out to Black Cat and, then, from Black Cat through Bridgetower West, which I designed, going out to Ten Mile. There was no stipulation that our occupancies would be dependent on that being in place. It was a recommendation, because that would be an off-site improvement and an exaction upon this project, because this particular project has two points of ingress and egress and we do meet the fire department regulations. We will be sprinkling the townhomes and according to my conversations with Joe Bongiorno, the single family dwellings will also require sprinklers, because we are at the five minute response and he indicated to me that even with the continuation of Rustic Oaks up to Chinden, it does not change the response time for Oakwind, but it does change the response time for Prescott Ridge. But we are -- I think Bill has been, obviously, pursuing the -- that the developers get together and do this in unison. So, that is what we are doing. We have come to an agreement and I think that's -- that's a critical thing, that we don't stop 300 feet short of them. We will allow them to build that sewer and water on that 300 feet and we will make up the gap when we design -- or build phase eight, which is designed and approved and ready to go.

Seal: Okay. Thank you.

McKay: Thank you.

Holland: Becky, one other question for you. On the southern side of the development where you have got the townhomes, the more dense product, I think my biggest concern is about parking. I know a lot of times when we see these kind of things -- and I know I saw a visual in the staff memo that showed where some parking areas would be kind of on the northern side of it, but I worry about that shared drive aisle, that kind of chunk that's in the middle there, that they don't really have a lot of extra parking and you are going to end up having people parked in the alley or parked around there. Do you have any comments about parking or some of those shared drives?

McKay: Yeah. Madam Chairman, we -- we did provide a parking plan for the staff, because that -- that is -- is not a requirement, but it has been strongly suggested by the staff when we do have narrower lots or we propose townhomes. So, all of our townhomes will have a two car garage. They will also have a 20-by-20 concrete pad. So, we will be

able to park four cars. And, then, we have provided a parking plan, which showed a significant number of additional parking areas available. Now, Daphne has no front-on housing and we only showed parking on the south side of Daphne. So, technically, you could park on the north side of Daphne. All of our streets are a full section, 33 feet from back to back, so we don't have any reduced street sections that would not allow parking. With those common drives we -- we did show the parking along the end blocks where -- where guests could park. We have to sign those -- those 20 foot wide common drives as no parking within those. I think we have between three and -- we have -- I think we have one that has four units on it. We tried to minimize those. It was just kind of difficult. We have reworked the site plan, both my staff and the architects, trying to minimize any of the -- the joint driveways and trying to provide as -- as much interconnectivity and parking as possible. As far as the single family lots, you know, those are -- those are patio homes. They will have two car garages. They will have a 20-by-20 pad and, then, on-street parking will be allowed on both sides of the street. We don't have any -- we have end block buffers, so there is parking at the end of the blocks without blocking a driveway. So, I think -- I think we have demonstrated that -- that we can accommodate guests within the project. Trident is a collector. There will be no parking -- there is no parking signs on Trident until such time as it goes north and we have front-on houses.

Holland: Thanks, Becky. Really quick, I'm going to ask -- Adrienne, it looks like Commissioner McCarvel got moved back to attendees. I think she had to call back in. If you wouldn't mind moving her back over to panelist.

Weatherly: Commissioner Holland, I'm trying. We are trying to work out a technical difficulty right now. I'm not able to move her over. So, I'm trying to work out if she can log out completely and, then, try to log back in, if we want to wait for that for a second while we lose our quorum and, then, regain it. I'm fine doing that. But, Rhonda, I can't get you back in, so -- we can try to do a fresh reboot with you if you want to hang up completely and try to get back in.

Holland: I will ask Andrea -- do we need to pause, Andrea, to have a quorum?

Pogue: It seems like it's taking a little bit longer than I initially thought, so I think we should take a break.

Holland: Okay. Sorry about that, Becky.

McKay: That's okay. One thing, Madam Chair. We did have two neighborhood meetings for the project. I had -- the first neighborhood meeting I had one individual show up that had bought a home south of McMillan within our Oaks South project. The second neighborhood meeting I had two residents that lived over off of Black Cat. They seemed to be pleased with the project and were happy that we had eliminated the apartment component and had gone to townhomes and patio homes. So, we did not --

Holland: Thank you for that.

McKay: -- have significant opposition.

Holland: Have a little bit of technical difficulties. Thanks everyone for hanging in there with us.

Seal: And, for the record, any delays are Bill's fault this evening.

Holland: It looks like we might have Commissioner McCarvel back. All right. It looks like we are back to having a quorum again. So, welcome back, Commissioner McCarvel. Was there any other questions for Becky before we open up to see if there is any public testimony?

Yearsley: Madam Chair?

Holland: Go ahead.

Yearsley: On your -- you stated it earlier, but in the development agreement there was a requirement for eight units to the acre. Is that the entire site or just the southern portion of this project?

McKay: No, sir. Madam Chair. That was just for the -- the R-15 multi-family areas that we had designated on the preliminary plat. We had three of them and in that -- in that initial DA it was just applicable to those R-15 areas, that our minimum density would be eight.

Yearsley: Okay. That's all I have. Thank you.

Holland: Thank you, Commissioner Yearsley. Any other questions? Hearing none, Madam Clerk, do we have anyone signed in to testify?

Weatherly: Madam Chair, we do not.

Holland: Becky, we will bring you back up in a minute.

Weatherly: Excuse me, Madam Chair. I'm sorry. We do not have anyone signed in on this project.

Holland: Okay. If anybody that is on the call would like to testify, if you want to raise your hand on the Zoom panel or wave at Commissioner Seal and he will let us know if there is anybody looking -- it looks like it's pretty quiet at Council chambers behind Becky, but --

Seal: Nobody in chambers.

Holland: Seeing none, Becky, do you have any final comments you would like to make?

McKay: No, ma'am. I think -- I think I have covered it all. I think we have a great project

and it's going to compliment the Oaks North development and provide an alternative type of housing that we don't have and the amount of open space and amenities is significant. This project stands on its own. These residents will, obviously, be able to use the pathways, clubhouse, pools, that are within Oaks North and Oaks South as part of their amenities also.

Holland: Thanks, Becky. If there is no more questions for the applicant or for staff, can I get a motion to close the public hearing for Oakwind Estates Subdivision, H-2020-0093, and move to deliberation.

Seal: So moved.

Yearsley: Second.

Holland: I have got a motion and a second I believe by Commissioner Yearsley. All those in favor? Okay. None opposed.

MOTION CARRIED: FOUR AYES. THREE ABSENT.

Weatherly: Madam Chair?

Holland: Adrienne, was that you?

Weatherly: I'm sorry, I didn't mean to interrupt you that prematurely. I will let you finish there and, then, I will interrupt.

Holland: I think we have a motion and a second and all were in favor, so we have closed for deliberation, but what's up, Adrienne.

Weatherly: My apologies. Commissioner Cassinelli is joining us at 6:52 p.m.

Holland: Thank you. Welcome, Commissioner Cassinelli. You are just in time for comments. You want to go first? I'm just kidding. Anybody would like to go first on making comments for the Oakwind Estates Subdivision?

Weatherly: Madam Chair, this is Adrienne again. I'm sorry, we are still having technical difficulties on Zoom, so, Commissioner Cassinelli, I'm unable to promote you to have your own ability to speak. If you would like to speak, please, raise your hand.

Holland: Got to love technical difficulties.

Weatherly: And that will be throughout the meeting, too. I apologize.

Holland: That's okay. I will just trust you to be my eyes and ears for Commissioner Cassinelli when he wants to speak. Could we get the picture back of the landscape plan for the Oakwind Estates? That may help for discussion. Since everybody else is jumping

the gun to talk, I will just say I don't have any huge concerns with it. I like that they have got the open space kind of in the central area. The biggest concern is kind of what I mentioned, that whenever you have got the higher density products, like the townhomes on the south side, parking can become an issue quickly for me on those. I also don't love the shared drives when there is more than three houses sharing a shared drive for the townhomes and I can't tell how many there are on that bottom right corner, but it looks like there is at least four townhome units that will be sharing that common drive. Could staff confirm that? I can't see that landscape plan very well.

Tiefenbach: Yeah. Sorry. Alan Tiefenbach. It looks like we have five townhouses sharing that drive down at the bottom right.

Holland: Okay. Thanks, Alan. That would be one of my requests is that they would limit it to no more than three on those shared drives. I just -- shared drives are always funky. They don't work super well and, then, you have got people who try to do big turns and, then, you get driveways that are blocked and people get mad and, then, it's hard with trash enclosures and trying to get all the cars on the edge of the common drive, it always seems to be a topic of conversation for the Commission. Those were one of my comments, though. Anybody else want to go?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Yeah. Same thing. The shared driveways are definitely cause for concern to me for similar reasons. They kind of cause their own traffic congestion on their own. One of the other things is just -- I mean the -- the parking plan that was -- that was shown -- and to me there just needs to be more parking in this -- you know, where the -- we have more -- more homes. It would be nice to see, you know, possibly some reconfiguration that allowed for more parking that was central to -- to the townhomes that are in this -- you know, something that might even expand the MEW or something like that. It just seems like there is -- you know, I mean, obviously, you want the density to be high, but with this high of density and the lack of parking dedicated to each one of the residences, as well as shared drives, you know, in here on the bottom of either side, I just see that there is going to be -- you know, I think that there will be continual issues with parking and ability to get around in here that could translate into, you know, emergency vehicles as well. So, that's something that I would definitely want to see is just more dedicated parking in here somewhere. Again, I'm not sure how they can accomplish that, but, you know, maybe give up a couple of the residents, expand the MEW in the middle, get some dedicated parking in there, something along those lines, as well as, you know, eliminating or reorienting things to only let so many houses on the common drives and I think -- I think your wording of no more than three is appropriate.

Holland: Thanks, Commissioner Seal. Yeah, I agree with your comment on parking, too. It always makes me nervous. I would like to see more of a dedicated parking, because I know what it's -- driving through some of these new townhome products that have the two

car garages and two driveways -- while it gives four parking spots, people aren't parking in their garages, they are putting stuff in their garages and parking on the driveway. So, you just see kind of rows of cars, which is unfortunate.

Yearsley: Madam Chair?

Holland: Go ahead. Was that Alan?

Yearsley: Steven Yearsley. Sorry.

Holland: Oh, sorry. Commissioner Yearsley, go ahead.

Yearsley: You know, I come back to this -- there is -- there is two things major that I -- I'm concerned. I think you are -- you are -- you are right on with the parking. I even think in the single family homes -- again, these are going to be very small homes, I mean the lots are 3,500 square feet. You are going to have a mediocre sized home, very small yard, they are going to have their garages full of stuff as well as -- so, they are going to be parking on the street and in the -- on the -- so, I think overall the other -- the -- the -- the -- you know, the whole project I'm concerned about parking, especially with the smaller lots that they have. The other concern that I have with -- given the small lots, you know, they have 15 percent open space, but -- and I would prefer to see 20, just because of -- there is -- there is no place for these kids to go. If they are -- if they have kids, you know, because there is -- there is no -- no space at their house to actually go in their backyard or maybe play a little bit in their front yard, but there really is no place to -- you just -- there is going to be a sea of homes with no -- with very small yards. So, I would prefer to see closer to 20 percent open space in this area as well.

Holland: Thanks, Commissioner Yearsley. Yeah, I always like it when there is more open space than required and I know that they are meeting -- or they are exceeding the open space requirement with the park and the pathways that they have in here. I don't disagree that if you are living in that southern area you are just kind of in a row of homes and cars and there is not really a lot of area for playing. So, I don't disagree with you there either. Commissioner McCarvel or Commissioner Cassinelli, any comments you would like to make?

McCarvel: Madam Chair?

Holland: Go ahead, Commissioner McCarvel.

McCarvel: Yeah. I would definitely agree with the parking scenario. It just looks very compact down there and, you know, with the landscape visual and everything it looks pretty, but we know what's going to happen in real life and so I -- I would like to see a little more parking somewhere.

Holland: Yeah. Commissioner Cassinelli, I know you love talking about parking.

Cassinelli: Yeah. I don't have a whole lot to add, since I'm jumping in late on this one, but -- but those are the -- what's been said is -- you know, I would say -- I would just echo -- ditto those comments.

Holland: So, I'm not sure if anybody has some suggestions on how we would form that in a -- in a motion -- if we wanted to have them come back to us as a continuance and come back with another concept or if we would rather just make some conditions that sounds like there was agreement on eliminating the shared drive to no more than three, but we would need to see some additional parking and ideally a little bit more open space. Anyone's thoughts on that? Do we want to look at a continuance or are you happy to try and put some conditions in there that can help guide that?

Parsons: Madam Chair?

Yearsley: Madam Chair?

Holland: Commissioner Yearsley.

Yearsley: I think -- I don't know if we need to hold it up for that. I think we can put some conditions in the approval and move it off to the City Council for their review with those conditions.

Parsons: Yeah. Madam Chair?

Holland: Bill, were you commenting?

Parsons: Madam Chair, this is staff.

Holland: Go ahead, staff.

Parsons: There is -- there is a couple of things that are at play tonight that I want you to take under consideration is that what's before you tonight is a plat. What Council will be acting on is a DA modification. So, if that's something that you want -- if these changes that you want to see with the plat need to be incorporated as part of a recommendation as part of the DA modification that Council will take action on, because under the code just for a straight subdivision, the code only requires ten percent open space. So, it's hard for this body to say provide 20 percent open space when they are already exceeding what code allows. So, again, if that's something you want to see more parking, more open space, loss of units, then, I would recommend that you include that as part of some DA provisions that the Council could take under consideration. That will make them part of the plat conditions.

Holland: Thanks, Bill. Appreciate that insight.

Parsons: You're welcome.

Holland: So, if anybody wants to take a stab at making a motion, certainly welcome to, but it sounds like a couple of things we could do is move forward with recommendation of approval of the plat and, then, make a suggestion that Council would take into consideration a request to consider more parking and open space as part of the DA.

Seal: Madam Chair?

Holland: Go ahead, Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to City Council of file number H-2020-0093, as presented in the staff report for the hearing date of November 5th, 2020, with the following modifications: That the plat be approved, but we are recommending for the DA that no more than three residents on shared drives, that they provide plans for dedicated parking central to the townhomes before City Council, and they work to increase the open space in the townhome area, as possibly part of the parking.

Holland: We have a motion on the table. Is there a second?

Yearsley: I will second that.

McCarvel: Second.

Holland: Commissioner Yearsley seconded first. All those in favor? Any opposed? Hearing none, motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

3. Public Hearing for Goddard Creek Subdivision (H-2020-0092) by Conger Group, Located in the Northwest Corner of W. McMillan Road and N. Goddard Creek Way

- A. Request: Development Agreement Modification (Inst. #102012598) to allow the development of an age restricted community consisting of thirty-four (34) attached SFR homes instead of offices.
- B. Request: A Rezone of approximately 5 acres of land from the R-4 to the R-15 zoning district.
- C. Request: A Preliminary Plat for 34 residential lots and 8 common lots in the proposed R-15 zoning district.

Holland: All right. With that we will move on to the public hearing for Goddard Creek Subdivision, H-2020-0092, by Conger, and we will begin with the staff report.

Parsons: One second, Madam Chair.

Holland: Whenever you are ready, Bill.

Parsons: We got to do some COVID disinfecting here while we switch staff members here, so bear with us.

Holland: No problem. Thank you.

Parsons: The sign of the times here. Thank you, Madam Chair, Members of the Commission. The last item on the agenda this evening is the Goddard Creek project. This property is located at -- on McMillan and West Goddard -- excuse me -- North Goddard Street. This property was before this Commission several times over the last couple of years and has quite a bit of history on it. The applications before you are a rezone and a preliminary plat. Of course, concurrently submitted were also a couple alternative compliance requests -- or an alternative compliance request, a private street request, which is -- or which are -- which have been approved at the director level and, then, of course, another development agreement modification in which this body could add some DA provisions, but ultimately the Council will have the decision making ability on that -- that application as it moves forward through the hearing process. The subject site consists of 4.62 acres of land, currently zoned R-4 in the city and is located, again, at the northwest corner of McMillan and Goddard Creek Way. The adjacent land uses -- we have to the west C-C zoning and a self storage facility. To the north we have R-4 zoning, although it is developed with a 170 unit multi-family development that was approved with the Lochsa Falls PUD back in 2002. To the east we have the collector street, Goddard Creek, and, actually, a common lot that abuts this property as well on the -- along the roadway there that is owned by the Lochsa Falls homeowners association and it's not part of this project. And to the south is, again, McMillan Road and, then, across the street from that is Bridge Tower, which is R-4 and, again, single family detached homes. There is a lot of history on this site. So, essentially, in 2002 this property was approved as a use exception as part of the Lochsa Falls PUD process, which allowed -- although it's zoned R-4 currently, it allows office uses to develop on this site. There have been several attempts over the years to get something other than office uses entitled on this property. In 2017 there was a conditional use permit for another multi-family development on this site in which ultimately the -- the Planning and Zoning Commission did recommend denial of the conditional use permit and after -- based on that recommendation of denial they elected to withdraw that application prior to City Council taking action on that and so, therefore, Council did approve the CUP for the storage facility, the comp plan amendment to change it from the office to the mixed use community designation that's currently on this property and, then, they also -- the Council also approved the DA to remain in effect for this site, which allows the office uses. In 2019 the most recent applications -- was before you was the Goddard Creek Townhome Subdivision and that project was endorsed by the Planning and Zoning Commission. Again, it was controversial. I remember it was a split tie vote, came down to three to two, if I remember -- or some -- something to that effect. You guys felt it was a great project, but it wasn't the right location. Ultimately it went to City Council. City Council heard the neighbors, kind of reflected on the public record, like your guys' testimony, agreed that it wasn't the right time for this project and, ultimately, denied that project. The primary

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difference between this project and that project at the time was that was a townhome unit development and it had a total of 44 units. The plat before you tonight is -- is actually a less dense project and it consists -- it lost -- it has ten fewer units and rather than two story townhome they are proposing single -- single story -- single family attached homes. You can see here this is something new that we are trying to provide for this body and City Council -- is, essentially, staff is including maps as part of our presentations to you that shows current roadway improvements planned in the area and what other developments have been proposed within a couple mile radius of this proposed project. So, that's what you see there. You can see -- if all of you have gone to the new Costco you will see that Ten Mile has actually been widened to five lanes all the way up to Chinden now, so that -- those road projects are nearing completion and, then, you can see all the other preliminary plats that have been approved in the area, including some final plats. So, again, just trying to give you a little bit more information as you guys deliberate on applications and keep you informed as to what's been approved in the area surrounding any future developments coming forward. So, again, here is the proposed preliminary plat. Again, it's -- the applicant is proposing to rezone this from the R-4 zone to the R-15 zone, which was consistent with the previous approval. Again, this is a 34 lot, 50 foot -- age restricted development is proposed for this site. As I mentioned to you, it is a mixed use community on the Comprehensive Plan and typically we like to three -- we like to see three distinct land uses on a specific property. But given the fact that we have storage, multi-family, and farther to the west some adjacent commercial development -- commercial properties that aren't fully developed yet, staff believes developing this with a single use as proposed still is consistent with that comp plan designation and the proposal density on this particular project this evening is a gross density that's 7.36 dwelling units to the acre, which falls right in between that density range of six to 15 dwelling units to the acre in the Comprehensive Plan. Access to this site is provided via a private street, which is -- on this map you can see it says West -- West Selway Rapids Lane and that was meant to serve as access for the apartments, but also for the future office that was to develop. So, staff didn't really anticipate residential developing on this site at that time when those apartments went in and so now we are kind of stuck with a situation where we have a piece of property that is bound by an arterial on the south side and a common lot on the east side where there is no real viability of having a public street connection to this development and, therefore, the applicant is proposing a private street as part of the development. Now, the UDC does try to discourage private streets for single family developments, unless it's either a MEW development or a gated community and neither one of those are proposed for this project this evening. And the applicant has also submitted an alternative compliance to allow the two common driveways off the private street, which have been approved by the director. Staff has also conditioned -- because there is no gated community proposed for this site and there isn't really room to provide adequate gates and separations per the code, we have recommended a condition as part of -- a condition of approval as part of this project that the applicant create some kind of -- go through the alternative compliance with their final plat submittal and incorporate some kind -- some decorative entry features at both of these entrance locations to almost mimic like it is a 55 an older or a gated community. Let's just do it as a decorative entry feature, rather than having an actual gate to provide access. Because this project -- this project is over 30 units the fire department will

required emergency access and that is proposed to McDermott Road here -- or, excuse me, to McMillan Road here. So, they are meeting the fire department requirements. One of the unique characteristics of this particular project is the applicant's ability to work with the adjacent neighborhood. I think in the previous projects there was quite a bit of opposition to both the townhome project and the previous multi-family project and so this applicant was able to work with them. They made some concessions to the neighbors where they were asked to make this an age restricted development, which they are amenable to. The residents were -- were asked -- asked the developer to make -- limit the height of these buildings to single stories, which they are amenable to, and, then, also there is a real parking issue with the apartment complex in this development and so what the applicant has gone ahead and done is they have provided 16 additional guest parking here along the north side of the road here and then a -- where West Selway Rapids comes into the development they are actually proposing to widen that to add some additional parallel parking along that roadway to offset some of those parking concerns that we have heard from the neighbors in the past. So, I would just like to go on the record and commend the applicant for stepping up and trying to make those concessions and try to address some of those concerns they have heard with previous applications. This development, as you know, is under five acres in size, so the UDC -- except for the 25 foot wide landscape buffer along West McMillan Road, there really is no requirement for usable open space, but as you can see here the applicant is trying to include some detached sidewalks and some parkways to count as some qualified open space and, then, they are also providing a central open space and a covered picnic area for the residents to use as part of this development. One of staff's recommendations is because this will be an age restricted development or proposed to be one, we wanted to make sure whatever -- and -- and the private streets -- and our private street standards don't require sidewalks on -- on those streets, but the applicant is providing that on the internal street section. We wanted to make sure that they enhanced the pedestrian connectivity into the site by not only extending any sidewalks from the Selway apartments from the north, but also delineate pedestrian walkways through the private roads to guide citizens and residents to the use of that open space. So, in our staff report we require the applicant to provide us a pedestrian circulation plan with their final plat application that shows an interconnected pathway that comes off of McMillan Road, may be able to have some crossings -- if you can see my cursor here -- have some crossings that ties into the sidewalk that runs in front of the guest parking and, then, have another crossing that heads east that ties pedestrians and residents to this open space and, then, also do the same along the north boundary just to kind of get more of an enhanced pedestrian connectivity and safety aspect to the development. The applicant did provide sample elevations, so you can see here that there is a mix of siding materials and different variations in rooflines. Some of these units are built throughout our community and been very successful by the client. I would just let the Commission know that any attached unit such as these requires design review from staff prior to getting buildings permit submittal, so they have been conditioned to do so. Staff did look at the public record before the tonight's festivities and we did note that there was one person that had sent written testimony in. If you have had a chance to look at the public record you can see staff actually responded in the e-mail and explained the merits of the development and it seemed like we were able to gain -- change her mind of the development going from

maybe proposing a denial to -- or in support of what the applicant was proposing to do. And staff also received an e-mail late this afternoon from the applicant in which they have read through the staff report and they are in agreement with all staff conditions. So, with that Planning and Zoning -- Planning and Zoning staff is recommending approval of the rezone and the preliminary plat and we would humbly stand for any questions from you.

Holland: Do we have any questions for staff?

Cassinelli: Madam Chair?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Bill, the parking -- I have got a concern there. Let me back up just a little bit. Did the -- did the applicant not propose a gated community? And -- and the reason why I'm asking -- to me some of the parking -- I mean I like that they are adding in extra parking, but the concern would be that every time we have looked at stuff in this area here historically, the -- one of the biggest objections is the parking situation at the Selway and how it spills over into -- it goes -- it -- it goes east of Goddard Creek -- I can recall a lot of these comments. So, it seems to me that the parking that they are adding in -- what's to stop people from the Selway apartments using some of those spots?

Parsons: Yeah. Madam Chair, Members of the Commission, there really isn't. I mean the applicant has not proposed gates. Certainly they are going to have their own CC&Rs and how they are going to control that. I think maybe the applicant should probably address that concern. But from our standpoint and looking at this, these are private streets, so, technically, they could restrict people from driving on them, not necessarily West Selway Rapids Lane, because that's access to the apartments, but certainly anything that connects into that in that loop road they can -- they could sign that as private property and not for use for the apartment complex. So, that's something that they are going to have to manage and determine how they are going to deter people from using that parking area.

Cassinelli: Okay. Thank you.

Seal: Madam Chair?

Holland: Other questions for staff?

Seal: Madam Chair?

Holland: Go ahead, Commissioner Seal.

Seal: On the -- the loop road here, is there a -- is parking available on any of that or is that -- it doesn't look like it's the 30 foot --

Parsons: Madam -- Madam Chair, Members of the Commission, there is not. It's -- it's

the minimum width of 24 feet per the city standard. So, they do not -- they are not -- they are going to have to put up no parking signs to make sure no one's parking and blocking that roadway for the fire department.

Seal: A follow-up question on that. On the shared driveway, as you said, they already have director approval for the shared driveways? Does that mean that's something we can't condition? Considering we just conditioned it on the last application.

Parsons: Madam Chair, Members of the Commission, there is -- there is still a DA, so there is still some -- some wiggle room there for you. All I'm stating is -- as far as driveway access by a company driveway is allowed -- as open to that. So, if you wanted to restrict the number of units, that's something you could do as part of a recommendation to be included at a -- at a DA provision. But as far as allowing units to take access off a common driveway, yes, the director has approved the two common drives.

Seal: Okay. Appreciate that.

Holland: Any other questions for staff? Hearing none, is the applicant here? It looks like we have got Hethe Clark on.

Clark: Hi, Commissioners. Hethe Clark for the applicant. 251 East Front Street in Boise. And I am going to turn on my little presentation here. Okay. So, as Bill mentioned, this is a project that -- that I would say has kind of been through the wringer. It's got a pretty decent history to it and that's always fun to kind of look back and see where things have been and how they have gotten there. As Bill mentioned, this project is on -- off of McMillan between Ten Mile and Linder. As you can see it's one of those last properties on that square mile to develop and down the street from Rocky Mountain High School and it's what I'm going to call the -- we will call it the big box shopping quadruple double. It's got Walmart, Costco, Fred Meyer, and Winco all right in the immediate vicinity. Like I say, it's -- it's been through the wringer and Bill mentioned the history -- the previous applications with the apartments and, then, the last iteration with the 44 unit project. P&Z had recommended approval of that project and, then, it went down at Council due to the -- as I understand it due to traffic and parking concerns. So, that's been a lot of what we have tried to pay attention to. So, with this plan, again, it's a reduction from the prior application of 44 units down by ten to 34. There is additional parking as Bill mentioned, so in addition to the -- the two in the garage, two on each driveway, we provided 15 internal stalls on the south along Ap -- Ap -- Apgar -- that's easy for me to say. I have struggled with that all day. Apgar. And, then, in addition, to kind of address what Commissioner Cassinelli had mentioned, we did -- have provided an additional eight up on West Selway Lane. That's in addition to widening that by eight feet. So, we have tried to be very responsive to what we have heard as being that concern in terms of -- in terms of parking in that area. We have proposed detached housing with single level, trying to be responsive to the neighbors again. And, again, I think this is important, it's an age restricted community. This applicant, the landowner, Schmidt Investments, has experience with that and that will help to further address I think any of the concerns about traffic and parking. With -- with age restricted communities you see less traffic generation

and less need for parking. As you can see, you saw this -- Bill showed you some of the attached product. Again, single level and two plus two on the parking on each unit. In terms of neighbor interaction, I need to give some credit to Laren Bailey of Conger Management Group. He did the -- you know, he put on the Kevlar and went to the neighborhood meetings and talked to the neighbors. He did have -- had conversations with those folks. There was eight people that attended the initial one. They did have a follow-up neighborhood meeting to discuss -- or to look at the proposed elevations and a couple people showed up to that one. Overall it's our understanding that the neighbors have appreciated the concept of a senior living approach, you know, with the, you know, associated reduction in traffic and with the belt and suspenders approach to adding parking. We talked a little bit about some of the solutions that we have worked on with staff, just to kind of help you know how this has gone and the collaboration that's gone on there. So, again, we worked -- we worked with staff to arrive at an alternative compliance approval for the -- for the private street and I think Bill's gone -- gone into detail on that to a level that I don't need to really deal with that too much. I will just say that we are in agreement with staff's recommendation of installing pillars and faux gates on the -- on the entries. So, over on West Selway. So, they would be at each of the entries to the project. Going along with that, we would be -- we will be installing the pedestrian amenities that Bill mentioned. So, that includes the sidewalk connection at the western entry over at West Selway. There will be pedestrian treatment there at each entry. Also down at the shared driveway to McMillan and also at the -- the open area -- park area here on the east. There will also be, as Bill mentioned, a sidewalk connection on the south to the McMillan Road, a meandering sidewalk that you can see on the bottom of this drawing. As I mentioned with parking, at an age restricted community, they tend to be over parked. Again, we have provided the 15 internal parking spaces at West Selway Rapids Lane. Again, we have committed to widening that lane to address any fire concerns. In response to Commissioner Cassinelli's question, I think I -- my response would be very similar to Bill's. We don't expect overparking through here, but it is private property. So, if there is an issue, the -- this little HOA would be able to sign that and -- and help address that. But, again, we don't -- we don't expect to have that type of problem. I'm trying to keep this easy for everybody. So, on the staff report we are in agreement with the terms and conditions of the staff report. We appreciate the work that Bill and Joe have done on this. Appreciated Joe reaching out to the -- the public in response to the questions. This does provide a variety of housing types in an area that already has a pretty abundant mix of uses and we think it's -- it's checked all the boxes and we would ask for an approval tonight. So, with that happy to answer any questions that you may have.

Holland: Thank you for that. Any questions for the applicant? I will actually start with one question. So, I know that the neighbors seem to be happier about the age restricted units, but it seems like we have been having a lot of age restricted units coming into Meridian lately and I know for resale value it can be tricky, because it is only a limited population that can buy those types of products. Are you set on having the age restricted community?

Clark: Commissioner Holland, I would just say, yeah, that's the -- that's the model here and, you know, it's -- my understanding of the market and I know that this applicant feels

the same way, is that there is a really significant demand for age restricted communities throughout the -- throughout the area. So, yes, that -- that is the plan and that has been what we have discussed with staff and that's what we would proceed to do.

Holland: Okay. Any other questions for the applicant?

Cassinelli: Madam Chair?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Hethe, could you go to -- it looks like it's slide number five with the elevations. Thank you. I'm going to -- I'm going to ask, only because we have been down this road before with the applicant, are we talking -- are these all meant to have full eaves all the way around the home?

Clark: Madam Chair, Commissioner Cassinelli, this -- this is a different client. Not -- not the same client. Not the same model. But -- and, yes, there are eaves on this model.

Cassinelli: Okay. Sorry. I'm just confused then.

Clark: That's okay. It's okay. It's a small community and I'm here a lot for, you know, certain clients, so I get it.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just a couple of questions on the -- since there is going to be faux gates in there, will that be posted as a private drive? That will be posted is my question.

Clark: Madam Chair, Commissioner Seal, yes, that would be posted as a private drive.

Seal: The follow-up question to it is why not real gates, if you are going to go through trying to make something -- doing something elaborate to provide that it looks like a gate, why not just put gates in?

Clark: Madam Chair, Commissioner Seal, it really is a matter of room. You are going to -- you are going to end up with stacking distance questions. You know, if those gates would be opening in front of lots, they go internal, they would be opening up onto Selway if they are external and it doesn't make sense. This -- the faux gates -- you know, they are much more effective practically given the size constraints and they still I think convey the -- the point, which is that it's -- it's a private community, it's not a -- not a through street, not -- not a place that, you know, folks are going to necessarily head into. So, we are using visual cues, rather than the physical barriers.

Seal: Final question. Do you have any elevations of showing the park area with the picnic

shelter, what that might look like? I mean I -- I tend to agree with what's in the staff report where you have all of this going on and, then, you have a big open area and you are going to put a picnic shelter in it. So, it seems kind of lackluster considering the -- what's going in here.

Clark: Madam Chair, Commissioner Seal, I think we have a condition of approval to show -- to show detail on that, if I remember correctly. And Bill might be able to jump in there. But to -- I think that they asked for more detail on that when we come back at final plat and I think that would be typical for that. I mean we are certainly open to the Planning and Zoning Commission's recommendations on that, but -- and -- and we would be happy to provide more detail as this goes, which -- as would be typical.

Seal: Okay. Thank you.

Holland: Any last questions for Hethe before we open up for public testimony? Seeing none, Hethe, we will be right back with you. Madam Clerk, do we have anyone signed in to testify?

Weatherly: Madam Chair, we do have some people signed in. Dan and Penny Fisher are on the line with us. Fishers, one moment. And no one -- while I'm transferring them over, Madam Chair, no one is in house, so we don't have anybody here to raise their hand.

Holland: Okay. All right. It looks like what was labeled as Fishers is over on the panelist side now, so if you wouldn't mind stating your name and address for the record and, then, feel free -- you have got three minutes for us. And you will have to unmute yourself or the clerks can help you with that, too, if you need. It looks like you are talking, but I'm not hearing anything from -- from our side. Is that just me? Is anybody else able to hear them?

Cassinelli: I'm not hearing anything.

Seal: Nothing in chambers either.

McCarvel: I don't hear him.

Holland: There -- there is an option. I'm not sure if you can hear us, but there is an option that you can call in. It looks like you are still trying to talk to us, but if you go to the bottom you can switch to using phone audio. Sometimes that helps if your computer is not working. So, right down on the bottom left corner where it's next to the mute button, if you click the up arrow, there is this option that says switch to phone if you want to try that. But, I'm sorry, we are not able to hear you right now. Adrienne, is there anyone else that we want to try while we are trying to figure out how to help these guys?

Weatherly: Madam Chair, Penny and Dan Fisher were the only two that signed up with a wish to testify.

Holland: Looks like they are still trying to talk, but we can't hear them.

Weatherly: I'm going to try one thing, Madam Chair, if I could here.

Holland: Go ahead, Madam Clerk. I always hate when technology doesn't work with us the way we want it to.

Weatherly: Penny or Dan, if you could try to talk again and we can see if we can try to hear you. Madam Chair, I have tried all the tricks up my sleeve and we still can't hear them in chambers either.

Holland: Yeah. I'm not quite sure what to do here either.

McCarvel: Yeah. I wonder if they are muted on their end.

Holland: And it's Penny and Dan, is that what you said?

Weatherly: Yes. Correct.

Holland: If you guys can hear us at all, if there is another way that you can call into the meeting we would love to hear from you. Adrienne, do we have a call in number that they can try?

Weatherly: We do have the number right here. Penny and Dan, the phone number to call in is 1-669-900-6833. The ID number is 89068341242. I do see that you have the ability to raise your hand, but you are unmuted, so you would be allowed to talk now and we still cannot hear you. If you want to try calling in with the information I just gave you we can try that way.

Holland: It looks like they hung up from there, so we will see -- they came over to panelists one more time.

Weatherly: Madam Chair, we are trying to pull out all the stops here to try to get them set up.

Holland: Yeah. Dan and Penny, we still can't hear you. I'm sorry. Can you hear us? You can hear us. Do you have the option to call in on the number that Adrienne gave you? Okay. It looks like they are trying to call in, so we are just going to wait another minute for you.

P.Fisher: Can you hear us now?

Holland: We can. And if you could go ahead and mute your computer, so that way we don't get the feedback, that would be great.

D.Fisher: Sorry about that. Okay. Thank you for your patience. We really appreciate it.

Dan Fisher. 2382 West Apgar Creek Drive in Meridian. And we are the -- we are the last house on Apgar Creek before Goddard Creek. So, we are the closest house to the development. Overall I like the 55 and older concept and I really appreciate that and think that that's definitely headed in the right direction. My primary concerns are still parking. I don't think that -- I think that the parking spots that are going to be on Selway Rapids would be immediately gobbled up by vehicles from Selway. So, I don't -- I don't think that that would make even a dent in the parking issue. My second concern is the back of the unit that faces Goddard Creek and McMillan, they don't have any real detail to them, other than some variation in colors, but there is no stone, there is no -- no real textures, no beams, anything like that to make them a little more attractive. I think that that might be a good idea. If you look at what was proposed and -- for the mini storage and, then, you look at what was actually built, there is -- they are not even identifiable between what was -- what we were shown in drawings versus what was built. It's horrible. The corrugated steel right on the outside. The -- nothing stucco and cinderblock. It's one of the worst looking mini storages in the city. So, I think we would really be benefited by sprucing this up a little bit.

P.Fisher: My name is Penny Fisher. Also at 2382 West Apgar Creek Drive. One -- one of the concerns that we do have, like Dan said, is -- is the parking. We do have the overflow in front of our home and probably nine times out of ten it is not -- it's just from Selway. So, I do worry if you guys require like the gated, that they would have to remove those extra parking spots in the top and that was a very -- that was a selling point for a lot of the people that we spoke with, is that would remove some of it. We like the 55 and older age, because it didn't affect the school population and that was one of the big things. This would be -- this would be 55 and older. We wouldn't have the worry of the overpopulation of the school. We do feel like there would be less of traffic, but, again, the biggest concern is the parking and, then, the -- just making it fit over the aesthetics overall is -- we do like the stone, like Dan said, but we want to make sure that it goes through and, then, if we were to rezone it we want to make sure that there is a contingency that if this project for any reason does not go through, that the zoning does not go through as well. But it was the only contingent for this project and only this project.

Holland: Thank you, Dan and Penny. Are there any questions for Dan and Penny while they are on the line with us? We -- we greatly appreciate you guys making the time to join us tonight and sorry about the technical difficulties. Thanks for calling back in and we are glad we got you back on the line. So, we appreciate your comments.

P. Fisher: Thank you.

D. Fisher: Thanks.

Holland: Adrienne, do we have anybody else signed in to testify?

Weatherly: We didn't have anybody else sign in with a wish to testify, Madam Chair.

Holland: Okay. It looks like there might be one other person in the attendee panel, but if

they would like to testify now is the time to raise your hand. If not, we will hand it back over to Hethe, if he had got any closing comments he would like to make. Hethe, it looks like the floor is yours. Go ahead, sir.

Clark: Great. Once again for the record Hethe Clark. 251 East Front Street. Representing the applicant. Thanks to the Fishers for your comments. Just to respond, with regard to the appearance, the -- these are duplexes, so they will have to go through design review. So, the city will have another bite at the apple to ensure that that -- that everything looks appropriate. With regard to the -- I guess the -- the question of whether the proposal would ride through with -- with any changes, I guess, in terms of who the applicant is -- this is a -- a development agreement modification, which means that there are conditions of approval that the zoning is tied to. So, if there was going to be a change in the project there would have to be a development agreement or modification in order to make that happen. With regard to the parking, I understand the concern. It sounds like it's been something folks have been living with. When we are putting those additional eight stalls and widening Selway by eight feet, we think that we are helping to address an existing problem and not one that's created by this project, which we believe is going to be adequately parked and is parked well in excess of what code requires. So, we have the two plus two at each unit and, then, in addition to that, the 15 stalls on the south. So, we are hoping that -- you know, to be a good neighbor on that front and help to address the -- the concern that Fishers have shared. With regard to some of the comments before, I just wanted to circle back on those. With regards to the amenity, Commissioner Seal, it's condition 3-A that I was trying to think of that requires us to come back with details of site amenities. You know, a picnic shelter is a typical amenity for a 55 plus community. I mean, obviously, you are not going to put a tot lot in, but, you know, appreciate the -- the comments there and that's something that we will take to heart as we put together that final list of site amenities at final plan -- or final plat. And, then, I did -- I -- this didn't come up in -- in our conversation, but with regard -- I heard Commissioner Seal ask about the number of lots on the common driveways. Just to circle up on that -- so, the maximum -- as I understand code is six. There is only three on each of these. So, we have tried to be mindful of that. I think that the -- the city is looking at a code amendment to cap it at four. We would still be below that. So, we think that we are not only within the four corners of the code as it exists, but as the -- the intent of future code amendments. So, with that I think I have hammered this to death and I would be happy to follow up on anything that you have got left.

Holland: Thanks, Hethe. Any final questions for Hethe before we move to deliberation?

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: Just in -- in looking at the drawings that are out here and -- I mean it basically shows that there is four off the common drives. That's -- I mean that's what I'm looking at and that's what I'm seeing. So, if it is just three, then, that's, essentially, what we are aiming for is -- I mean just an overall reduction in the shared driveways, because they

seem to be everywhere and they are always an issue no matter if there is just two of them on there, so having three -- having more than three seems to be a really big issue.

Clark: Madam Chair, Commissioner Seal, if you can see my cursor, I'm not sure that you can. But you can see that this -- I think would be what you are referring to is the fourth. That would take access from the street. Same would be true down here on West Apgar. So, those -- those actually take access from the street -- or take access from the common drive.

Holland: Hethe, one follow up to that -- and I think one of the other challenges we always see -- and I know it's only one day a week, but where people put their trash carts, because that always tends to be an issue. They put them on somebody else's driveway and, then, there is problems getting around them. Do you guys have another designated area for trash enclosures or anything like that to try and help with the trash carts?

Clark: Madam Chair, Commissioner -- actually, just Madam Chair. So, the -- we have talked to the -- the garbage companies about that and there -- there are solutions to deal with that, so for a nominal fee folks can have it picked up at the door or at the garage, if that ends up becoming an issue. Otherwise, it would -- it would be at the street as typical.

Holland: Yeah. I think that the -- that goes back to the challenge about the shared drives, because I don't imagine the garbage company wanting to go all the way up the -- the shared drive to go pick up carts, but --

Clark: Yeah. Madam Chair, in that case they go out to the street. So, folks would bring them out to the street.

Holland: Okay. Yeah. I think that's -- that's where we always get back to the challenges with common drives, because it just -- they stack up so quick on the streets, because there is not really a good place to put them if there is not a driveway to put against them.

Clark: I understand.

Holland: Okay. Thank you.

Cassinelli: Madam Chair?

Holland: Any questions for Hethe?

Cassinelli: Madam Chair?

Holland: Commissioner Cassinelli.

Cassinelli: Hethe, on the -- on those eight spots up on Selway Rapids, are you kind of -- are you conceding those to the apartments?

Clark: Madam Chair, Commissioner Cassinelli, I don't -- I don't know how necessarily -- we are not -- not giving up ownership of those parking spaces by any means. They are going to be external in many ways to the project and so I expect that there is going to be lots of different folks, including folks from the apartments, that might use them from time to time. We don't -- what we are trying to do is to try to help alleviate the existing problem there. We think we are going above and beyond by doing that. Saying that we are just giving them up to the apartments I think that might be overstating it, but we are providing additional parking there that might be used by them.

Cassinelli: Okay.

Holland: Any other questions for Hethe? Hearing none, thank you, Hethe, and I would be open to a motion to close the public hearing for Goddard Creek Subdivision, H-2020-0092, to move to deliberation.

Cassinelli: So moved.

Seal: Second.

Holland: Moved by Commissioner Cassinelli, seconded by Commissioner Seal. All those in favor? Any opposed?

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: All right. The floor is yours, Commissioners. Anyone want to go first?

McCarvel: Madam Chair?

Holland: Go ahead, Commissioner McCarvel.

McCarvel: Our little map disappeared. I -- I tend to like what they have done. It seems to be pretty night and day from things we have seen. They have, obviously, taken into consideration a lot of the concerns of this area, including the eight external parking spots and I think the additional parking close to where those shared drives are will be a big help. All except for trash day and the addition of the sidewalks and everything and the -- I do like the age restricted aspect to this, because it just reduces many of the concerns of projects that have been in the past.

Holland: Thanks, Commissioner McCarvel. My comments in general -- I will jump in next. I -- I like the loop itself. I remember we have talked about this specific lot many times and it's kind of an awkward in-fill piece now the way that it developed and originally it was supposed to be offices, but it doesn't really fit for office. So, I think what they are proposing here makes sense. I'm not opposed to the way the development is. I appreciate that they have done some extra parking. I appreciate the little pocket park green space that they put in there. My biggest challenge is those common drives. I would prefer to not see more than three houses sharing that and I know it -- even though that

fourth house is kind of on the edge of it, it still looks like it's part of that shared drive to me, because it's connected to where that curb cut is. Because I don't know if there is anything we can do to alleviate that, but it is always a concern to me, because I always hate those shared drives. They just don't seem to function very well to me. My other comment in general is I -- I really don't love all the 55 and older subdivisions we have been approving, because there seems to be a lot of them and not that there is anything wrong with having an age restricted community, but it does challenge the marketability of those properties in the future if -- it gives a very narrow window of who could buy those properties and what they could be reused for in the future if there is resale. So, it's always challenging to me, because if our demographics change at some point and we end up having a bunch of communities with 55 and older restrictions, it just seems like a challenge to the market, but maybe that's a moot point and maybe there is more demand for that than I know of. But that's just a general comment, not something I would feel to take out of there, just something I wanted to put on record. Commissioner Seal, you want to go next?

Seal: Yes, ma'am.

Holland: And you are muted I think.

Seal: No. I'm unmuted. I should be unmuted.

Holland: Okay. You are okay now.

Seal: I echo some -- some of your statements in there. I mean adding the extra parking that -- to me that's above and beyond. I mean that's addressing, you know, directly a problem that's been brought to their attention. So, I really appreciate that. I do like the lay -- you know, the general layout of it. I'm -- I'm not a person that, you know, would probably be looking for, you know, a townhouse type community. That said I can -- there -- there is, you know, obviously, some demand for them, so -- especially kind of the townhome communities that are, you know, more or less kind of maintenance free. So, you know, the less common area kind of the better for -- for, you know, some of the 55 and older communities seems to be something that they -- they actually want, instead of having, you know, huge parks and parkways and things like that. One thing I think they could -- should definitely consider is like a central -- central trash collection site. I mean that would make me feel a little better about the -- you know, the shared driveways that are in there. Unfortunately, you know, one of the places I think it would land is possibly where they have added extra parking spots. So -- so, I'm a little divided on that for sure. You know, if there was a place to put, you know, central trash collection that could take up a couple of parking spots, I think that would alleviate a lot of problems that they are going to run into come trash collection days, so -- and those -- especially with the smaller streets and not allowing any parking on them, to have all the, you know, the -- the trash collection receptacles out there kind of presents some safety issues for me as we go down that road. So, I mean I would -- I would like to have them consider central trash collection and I still think that no more than three residents on shared driveways is -- especially considering, again, the density in here is more than fair.

Holland: Thanks, Commissioner Seal. Commissioner Yearsley, Commissioner Cassinelli, any comments?

Yearsley: Madam Chair?

Holland: Go ahead, Commissioner Yearsley.

Yearsley: I -- I guess my biggest concern -- and I don't know how to address it -- is I don't like private driveways. We -- so, actually, I'm -- I'm on the board of our HOA and we have quite a few private driveways and they become quite an expense that they have to maintain. You know, I'm not going to say we shouldn't have the private driveways, but I would like to have them reach out to the homeowners association and at least provide them some guidance on what they should be doing for maintenance and -- and storing money away for future improvements as those roads, you know, deteriorate. So, that would be my biggest concern and -- so, that's all I have.

Holland: Great comment. Thanks, Commissioner Yearsley. Any other comments out there?

Cassinelli: Madam Chair?

Holland: Go ahead, Commissioner Cassinelli.

Cassinelli: Pretty much everything. I'm going to kind of echo what everybody else has said, but I will just throw my comments out. I -- I kind of agree with you with maybe there has been a lot of age restriction going in, but I -- but I -- from what I hear there is demand for it and I think in this piece it -- it will help alleviate the -- the traffic. So, you know, there is -- there is some places that I have seen around town where I think it really fits and I think this is one place where the age restriction is a plus, because that's -- every time we have heard -- you know, every time when this parcel has come up the traffic and parking have been I think the number one things. If I can put a comment out there to maybe address the -- the Fishers -- and I don't know if they have spoken at one or two of the previous Planning and Zoning meetings. I think one time there was either two or three story proposed units going in there and they didn't want three stories looking down in their backyard. I think as far as -- you know, these are all single story. They are not going to even see the back of the home. Maybe a patio cover or two, but, you know, most of it won't be popping up above a six foot fence, you know, at the angle that they will have. So, I don't think that that's an issue. The -- I'm in -- I have got the same concerns about private -- not necessarily the private streets, those were great comments that Commissioner Yearsley addressed. So, I think we do got to make sure that -- that there is a -- there is a clause in there for the homeowners association to be well aware of -- of what their -- what their requirements are. But those -- I think -- I -- the way I'm looking at it and the way I see it, you can kind of spin it how you want. I'm counting four homes each of those -- on those shared driveways and the other thing -- to comment on the -- with the trash, in a lot of -- in a typical single family development with shared driveways there is a little bit more space on the homes that are up front, because they have got --

you know, they have got a full -- a full width yard with just a -- with a -- with a driveway. So, there is a little bit more room where you can put the trash receptacles. With the -- with the -- the attached homes here I think most of the frontage is going to be driveway and there can be very little room to put those. So, that is a concern of mine as well. I don't know how -- you know, short of having a -- a common collection area, how do you -- how you deal with that? But I think that is going to be a problem once a week, every week. And those are my comments.

Holland: Thanks, Commissioner --

Cassinelli: But in -- overall I'm in favor of it. I think it fits. Because it doesn't sound like an office development has -- has come along and I think this is the best we have seen yet. It fits. I think it just needs to -- it needs some tweaking. Oh. And one other comment, too. I'm in agreement with Commissioner Seal, I would like to see a little bit something more in that common area, given that 55 and over, and the picnic area is nice, maybe just a -- just a thought, just a comment for the -- for the developer. Maybe like a -- even a shuffleboard or -- or something else in there for the -- to give the residents something to do.

Holland: Okay. So, just to recap the things we have talked about. Comments about the private drive, that they should be putting in extra -- that they should put some resources forward with the HOA towards helping with that and that would be a suggestion. I don't know if that's something we can condition or not, but I agree with you, I'm not a big fan of private driveways either. I'm not sure what we can do there, if we can make a condition on that, but --

Yearsley: This is Steven. I don't know if we could condition it, but I would, you know, appreciate the applicant to let the HOA -- give them some guidance, because I -- we have -- before on Planning and Zoning Commission we have heard a lot of people talk about their infrastructure failing within the HOAs and no one knows what they should be doing to help make those last longer. So, at least providing some guidance, you know, from the engineer to the HOA, it would be helpful. So, like I said, I don't know if it needs to be a condition, but just have them, you know, if they would, just provide that guidance for them.

Holland: Any comments? The shared drives are a challenge it sounds like to almost all of us, so I -- I would like to see us restrict the number of those or have a requirement that they need to put in a parking -- or not a parking -- a trash enclosure. But I would rather see the elimination of one or two of those lots on there to make it easier instead. I will leave it open if anybody wants to try and attempt making a motion on this one.

Seal: Madam Chair?

Holland: Commissioner Seal.

Seal: After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2020-0092 as presented in the staff report

for the hearing date of November 5th, 2020, with the following modifications: That no more than three residences are allowed on shared driveways and that the applicant consider central trash collection enclosure, because of the small width of the streets and the common driveways.

Holland: We have a motion on the table. Is there a second or any discussion?

McCarvel: Second.

Holland: Okay. Motion and a second by Commissioner McCarvel. All those in favor? Any opposed? All right. Motion passes.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Holland: With that I believe that's all we have got on the agenda, unless staff has anything else. So, we have got one more motion for the night.

Yearsley: Madam Chair, I move we adjourn.

Seal: Second.

McCarvel: Second.

Holland: All right. Motion and a second. Any -- all those in favor? None opposed. Have a great night all.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

MEETING ADJOURNED AT 8:01 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

RYAN FITZGERALD - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from October 15, 2020 for Skybreak (H-2020-0079) by Laren Bailey, Conger Group, Located at 3487 E. Adler Hoff Ln.
Applicant Has Requested Withdrawal

A. Request: Annexation of 80.46 acres of land with an R-8 zoning district.

B. Request: A Preliminary Plat consisting of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, 1 private street lot and 1 lot for the existing home) on 79.69 acres of land in the R-8 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: November 19, 2020

Topic: **Public Hearing Continued from October 15, 2020** for Skybreak (H-2020-0079) by Laren Bailey, Conger Group, Located at 3487 E. Adler Hoff Ln.

Applicant Has Requested Withdrawal

- A. Request: Annexation of 80.46 acres of land with an R-8 zoning district.
- B. Request: A Preliminary Plat consisting of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, 1 private street lot and 1 lot for the existing home) on 79.69 acres of land in the R-8 zoning district.

Information Resources:

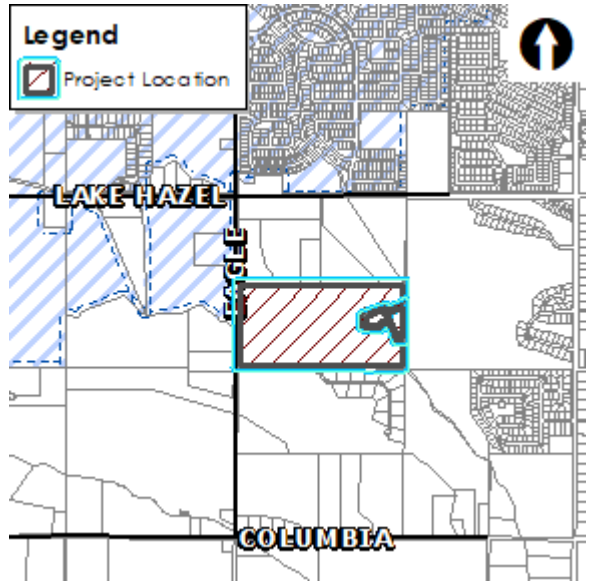
[Click Here for Application Materials](#)

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 10/15/2020
TO: Planning & Zoning Commission
FROM: Sonya Allen, Associate Planner
208-884-5533
SUBJECT: H-2020-0079
Skybreak
LOCATION: 7020 S. Eagle Rd. & 3487 E. Adler Hof Ln., in the south 1/2 of the NW 1/4 of Section 4, T.2N., R.1E. (Parcels # S1404244250 & S1404233650)



I. PROJECT DESCRIPTION

The Applicant has submitted the following applications:

- Annexation of 80.46 acres of land with an R-8 zoning district;
- Preliminary plat consisting of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, one (1) private street lot and one (1) lot for the existing home) on 79.69 acres of land in the R-8 zoning district;
- Private streets in the gated portion of the development serving 121 residential units with two (2) gates; and,
- Alternative Compliance to UDC 11-3F-4A.6, which prohibits common driveways off private streets, to allow such in three (3) locations within the gated area of the subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	79.69	
Existing/Proposed Zoning	RUT in Ada County (existing)/R-8 (proposed)	
Future Land Use Designation	Low Density Residential (LDR) & Medium Density Residential (MDR)	
Existing Land Use(s)	Single-family residential/agricultural	
Proposed Land Use(s)	Single-family residential (SFR)	
Lots (# and type; bldg./common)	353 SFR buildable lots/40 common lots/14 other lots (i.e. 12 common driveway lots, 1 private street lot & 1 lot for the existing home)	
Phasing Plan (# of phases)	8 phases	
Number of Residential Units (type of units)	353 detached SFR homes	
Density (gross & net)	4.44 units/acre (gross); 7.36 units/acre (net)	

Description	Details	Page
Open Space (acres, total [%]/buffer/qualified)	14.54 acres (or 18.3%)	
Amenities	(2) dog parks; children’s play area with a play structure, climbing rocks, a shade structure and benches; and pathways	
Physical Features (waterways, hazards, flood plain, hillside)	The Farr Lateral crosses the southwest corner of this site; hillside/topography within southern rim area; Phase 8 is in an “A” flood zone.	
Neighborhood meeting date; # of attendees:	5/27/20; 14 attendees	
History (previous approvals)	Property boundary adjustment (Record of Survey #12358, Eisenman 2020)	

B. Community Metrics

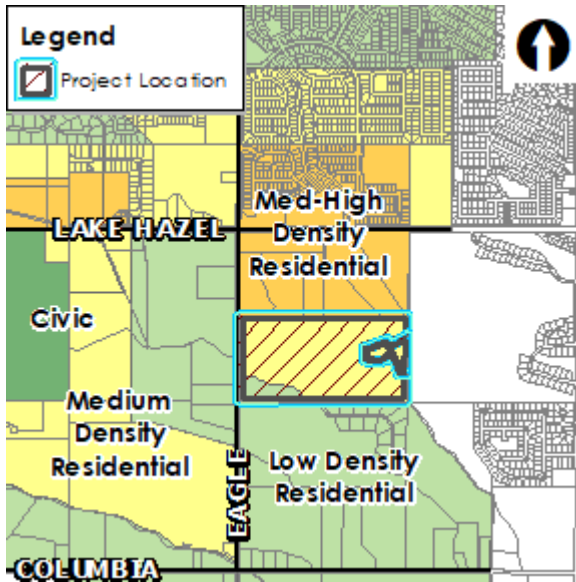
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) public street access (Street A) is proposed via S. Eagle Rd., an arterial street. <i>Eagle Rd. is currently improved with 2 travel lanes and no curb, gutter or sidewalk.</i>	
Traffic Level of Service	Eagle Rd. – Better than “E” (acceptable level of service)	
Stub Street/Interconnectivity/Cross Access	Stub streets are proposed to adjacent properties for future extension and interconnectivity as depicted on the plat.	
Existing Road Network	There is an existing private street (E. Adler Hof Ln.) that provides access from S. Eagle Rd. to the existing homes on this site.	
Existing Arterial Sidewalks / Buffers	None	
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Eagle Road to Cloverdale Road in 2024. • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road in 2023. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and reconstructed/signalized in 2023. • Lake Hazel Road is listed in the 2016 CIP to be widened to 5-lanes from Locust Grove Road to Eagle Road between 2026 and 2030. • The intersection of Lake Hazel Road and Locust Grove Road is listed in the 2016 CIP to be widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg, and signalized between 2026 and 2030. 	
Fire Service		
<ul style="list-style-type: none"> • Distance to Fire Station • Fire Response Time • Resource Reliability • Risk Identification 	<p>2.9 miles (Fire Station #4)</p> <p><i>Most (3/4+/-) of this development falls outside of the 5 minute response time goal from Fire Station #4.</i></p> <p>Current reliability is 77% from Station #4 – does <i>not</i> meet targeted goal of 80% or greater</p> <p>2 – current resources would <i>not</i> be adequate to supply service. A wildfire safety plan is required.</p>	

Description	Details	Page																
<ul style="list-style-type: none"> • Accessibility • Special/resource needs 	Project meets all required access, road widths and turnaround.																	
<ul style="list-style-type: none"> • Water Supply 	Project will not require an aerial device; can meet this need in the required timeframe if a truck company is required (fire station is 5.9 miles away).																	
<ul style="list-style-type: none"> • Other Resources 	Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.																	
Police Service																		
<ul style="list-style-type: none"> • Distance to Police Station 	5.5 miles																	
<ul style="list-style-type: none"> • Police Response Time 	There is no call data in this area because the proposed development is at the edge of City limits.																	
<ul style="list-style-type: none"> • Calls for Service 	7 (within a mile of site – between 2/1/19 and 1/31/20)																	
<ul style="list-style-type: none"> • % of calls for service split by priority 	See Section IX.D																	
<ul style="list-style-type: none"> • Accessibility 	No concerns																	
<ul style="list-style-type: none"> • Specialty/resource needs 	None at this time																	
<ul style="list-style-type: none"> • Crimes 	1 (within a mile of site – between 2/1/19 and 1/31/20)																	
<ul style="list-style-type: none"> • Crashes 	9 (within a mile of site – between 2/1/19 and 1/31/20)																	
<ul style="list-style-type: none"> • Other 	Although located near the edge of City limits, service can be provided if this development is approved.																	
West Ada School District																		
<ul style="list-style-type: none"> • Distance (elem, ms, hs) • Capacity of Schools • # of Students Enrolled 	<table border="1"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles Dev. to School</th> </tr> </thead> <tbody> <tr> <td>**Silver Sage Elementary**</td> <td>230</td> <td>425</td> <td>5.1 miles</td> </tr> <tr> <td>Lake Hazel Middle School</td> <td>928</td> <td>1000</td> <td>2.4 miles</td> </tr> <tr> <td>Mountain View High School</td> <td>2302</td> <td>2175</td> <td>4.8 miles</td> </tr> </tbody> </table> <p>**Enrollment at Hillsdale Elementary is currently capped. Students in this development will be attending Silver Sage Elementary until a new school is built to eliminate overcrowding at Hillsdale Elementary. **</p>		Enrollment	Capacity	Miles Dev. to School	**Silver Sage Elementary**	230	425	5.1 miles	Lake Hazel Middle School	928	1000	2.4 miles	Mountain View High School	2302	2175	4.8 miles	
	Enrollment	Capacity	Miles Dev. to School															
Silver Sage Elementary	230	425	5.1 miles															
Lake Hazel Middle School	928	1000	2.4 miles															
Mountain View High School	2302	2175	4.8 miles															
<ul style="list-style-type: none"> • Predicted # of students generated from proposed development 	247																	
Wastewater																		
<ul style="list-style-type: none"> • Distance to Sewer Services 	Sewer will be available with the development of Keep Subdivision on the West side of Eagle Road.																	
<ul style="list-style-type: none"> • Sewer Shed 	South Black Cat Trunk Shed																	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU's 	See Application																	
<ul style="list-style-type: none"> • WRRF Declining Balance 	13.97																	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	Yes																	
<ul style="list-style-type: none"> • Impacts/Concerns 	The City is applying the following requirements for Common Driveways. <ul style="list-style-type: none"> o Three or less lots – services from main in adjacent road o Four or more lots – Sewer in common drive. Sewer will be private and will be the responsibility of the HOA to maintain. Manhole needed in the common drive at the property boundary with “Private” on the lid. 																	

Water	
• Distance to Water Services	Directly adjacent
• Pressure Zone	5
• Estimated Project Water ERU's	See application
• Water Quality	None
• Project Consistent with Water Master Plan	Yes
• Impacts/Concerns	<ul style="list-style-type: none"> • Common drives that have both water and sewer mains will require a 30' easement • As currently designed, most phases do not meet minimum fire flow pressure. There are multiple options to meet fire flow including upsizing some water mains to 12" and a secondary connections. • Coordinate with PW Engineering on main sizes, connection at the SW corner and connection at the NE corner.

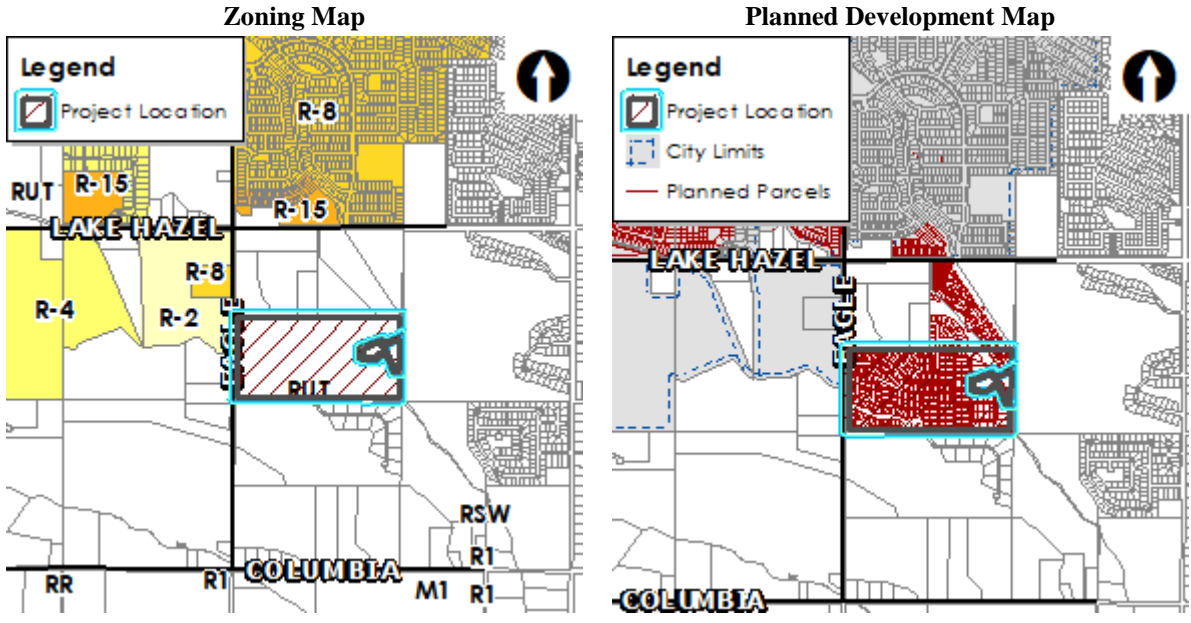
C. Project Area Maps

Future Land Use Map



Aerial Map





III. APPLICANT INFORMATION

A. Applicant:

Conger Group – 4824 W. Fairview Ave., Boise, ID 83706

B. Owner:

Peter and Dana Eisenman – 3487 E. Adler Hof Ln., Meridian, ID 83642

C. Representative:

Laren Bailey, Conger Group – 4824 W. Fairview Ave., Boise, ID 83706

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	9/25/2020	
Notification mailed to property owners within 300 feet	9/23/2020	
Applicant posted public hearing notice on site	10/1/2020	
Nextdoor posting	9/23/2020	

V. COMPREHENSIVE PLAN ANALYSIS (*Comprehensive Plan*)

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the 6.6+/- acres at the southwest corner of the site, south of the Farr Lateral, as Low Density Residential (LDR) and the remaining 73+/- acres as Medium Density Residential (MDR). A City Park is designated in the general area at the southwest corner of the site.

Per the Comprehensive Plan, the LDR designation allows for the development of single-family homes on large and estate lots at gross densities of 3 dwelling units or less per acre. These areas often transition between existing rural residential and urban properties. Developments need to respect agricultural heritage and resources, recognize view sheds and open spaces, and maintain or improve the overall atmosphere of the area. The use of open spaces, parks, trails and other appropriate means should enhance the character of the area. *Density bonuses may be considered with the provision of additional public amenities such as a park, school, or land dedicated for public services.*

The MDR designation allows for dwelling units at gross densities of 3 to 8 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 Applicant proposes to develop this site with 353 single-family residential detached homes at an overall gross density of 4.4 dwelling units per acre. A total of 24 units are proposed within the 6.6+/- acre LDR designated area for a gross density of 3.6 units per acre in that area, which *exceeds* the density desired of 3 or fewer units per acre; small lots, instead of large or estate lots as desired in LDR designated areas, are proposed along with open space areas along the southern boundary and along the northern boundary adjacent to the Farr Lateral. A total of 329 units are proposed in the MDR designated area for a gross density of 4.5 units per acre in that area, which is consistent with that desired in MDR designated areas of 3 to 8 units per acre. A City park is not proposed; however, the Park's Department has determined a City park is not needed in this area.

The following Comprehensive Plan Policies are applicable to this development:

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

Only one housing type, single-family detached homes, is proposed in this development, which although may contribute to the variety of housing types in the overall area, does not provide any variety for different needs, preferences and financial capabilities of present and future residents in this development as desired. Additionally, 310 out of the 353 lots are proposed to be restricted to a single-story with a bonus room (see exhibit in Section VIII.G). The lack of variety is not consistent with the purpose of the residential districts in the UDC, which is to provide a range of housing opportunities consistent with the Comprehensive Plan (UDC 11-2A-1).

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

City water and sewer services are available and can be extended by the developer with development in accord with UDC 11-3A-21. As currently designed, most phases do not meet minimum fire flow pressure; however, there are multiple options to meet fire flow including upsizing some water mains to 12" and secondary connections.

This development cannot be adequately served by the Fire Department as most of the development is outside of response time goals, does not meet resource reliability goals, and has risk factors including a steep hill with a potential for wildfire if the hillside isn't maintained (see Section IX.C for more information). Additionally, with the main access and secondary access both from Eagle Rd., if access is blocked from the north via Eagle Rd. it would create a significant delay for emergency services by having to travel 3.5+/- miles around the square mile to access the site, potentially creating a life safety issue.

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

The site design of the proposed development is not compatible with abutting 1-acre rural residential lots to the south as there is not an adequate transition in lot sizes and/or zoning. Although landscaped

common areas and a private street are proposed as a buffer, Staff and abutting neighbors that submitted written testimony, do not believe it's an adequate buffer between proposed 4,448-4,950 s.f. lots and 1-acre rural lots to the south. Larger lots are proposed on the east end of the development on and near the rim but not as a transition to abutting estate lots to the south.

- “Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City.” (2.01.01G)

Only one housing type is proposed in this development (i.e. single-family detached, mostly single-level). The minimum lot size proposed is 4,000 square feet (s.f.) with an average lot size of 6,280 s.f. Although a mix of lot sizes are proposed and larger lots are proposed on the east end of the development, the predominant size is in the 4,000-5,000+/- square foot range which Staff does not believe provides enough diversity for a development of this size. Larger lot sizes should be provided as a transition to 1-acre lots to the south and additional housing types (i.e. single-family attached, townhomes, etc.) should be provided to offer more diversity in the proposed subdivision. Further, one of the purpose statements of the subdivision regulations stipulates developments provide for desirable and appropriately located living areas and a variety of dwelling types and densities with adequate provision for sunlight, fresh air and usable open space.

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

The proposed single-family detached homes are generally compatible with existing rural residential homes to the north and south and future medium high-density residential uses to the north as they are all residential in nature. However, the proposed site design with smaller lots (i.e. 4,448-4,950 s.f.) adjacent to 1-acre rural residential lots in Vantage Pointe to the south separated only by a private street and common area, and (3) 21,000+/- s.f. lots (Lot 78-80, Block 5) proposed adjacent to one rural lot, does not provide an adequate transition to minimize conflicts.

Further, there is no transition in zoning to the rural residential lots to the south, which would result in larger lots and/or greater setbacks if an R-2 or an R-4 zone were provided. Several letters of testimony have been received from adjacent neighbors objecting to the lack of transition in lot sizes and zoning to their properties/subdivision.

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

The Pathways Plan depicts a segment of the City's multi-use pathway system along the eastern boundary of the site; a 10-foot wide multi-use pathway is proposed in accord with the Plan on the northern portion of the development but transitions to a 5-foot wide pathway to the south and does not stub to the south for future extension as shown on the Plan; however, the Park's Dept. has indicated they are supportive of the proposed design. This pathway will eventually provide a connection to Discovery Park to the west and Hillside Elementary and the YMCA to the north.

Open space and site amenities are proposed in accord with UDC standards; however, much of the open space area consists of unusable arterial/collector street buffers and end caps with parkways, the easement for the Farr Lateral, slope/hillside areas and areas that aren't centrally located for easy access – Staff calculates the actual usable area at approximately 4.6 acres (or 6% of the development area). Proposed site amenities consist of children's play equipment/structures, a picnic shelter, pathways, two dog parks and additional open space of at least 20,000 square feet above the minimum UDC requirements, which are located along the northern and southern boundaries of the site and are not centrally located. The UDC also requires common open space and site amenities to be located in

areas of high visibility to avoid hidden areas and corners, dark areas, unusable space and reduce the opportunity for crime.

- “Evaluate open space and amenity requirement and criteria for consistency with community needs and values.” (2.02.01B)

Because the average lot size proposed in the development is only 6,280 square feet, Staff is of the opinion more usable open space & site amenities than proposed are needed to serve this development.

- “Ensure development is connected to City of Meridian water and sanitary sewer systems and the extension to and through said developments are constructed in conformance with the City of Meridian Water and Sewer System Master Plans in effect at the time of development.” (3.03.03A)

The proposed development will connect to City water and sewer systems; services are required to be provided to and though this development.

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

The proposed project is located on the fringe of the City and will require extension of City services, which will not maximize existing public services as infill development would. Later phases may not develop until the properties to the north develop and extend utilities.

- “Encourage the incorporation of creek corridors as amenities in development design.” (4.05.02C)

The Ten Mile Creek crosses the northeast corner of the site; a common area is proposed for the creek area and a multi-use pathway is proposed along the creek in accord with the Pathways Master Plan.

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

City sewer and water infrastructure and curb, gutter and sidewalks are required to be provided with development.

- “Slow the outward progression of the City's limits by discouraging fringe area development; encourage development of vacant or underutilized parcels currently within City limits.” (4.05.03B)

The proposed project is in the City's “fringe” area; therefore, development in this area is not encouraged as are vacant/underutilized parcels currently within City limits.

- “Evaluate comprehensive impacts of growth and consider City Master Plans and Strategic Plans in all land use decisions (e.g., traffic impacts, school enrollment, and parks).” (3.01.01A)

Eagle Rd. is currently a 2-lane roadway with no curb, gutter or sidewalks; no improvements are planned in the CIP/IFYWP to the segment of Eagle Rd. abutting this site. The Lake Hazel/Eagle Road intersection north of the site is planned to be reconstructed and signalized in 2023. The ACHD report states that the TIS estimates this development to generate an additional 3,343 trips per day resulting in an acceptable level of service (i.e. better than “E”).

WASD estimates this development will house approximately 247 school aged children – enrollment at Hillsdale Elementary is currently capped so students in this development would attend Silver Sage, which is currently under capacity; enrollment at Lake Hazel Middle School and Mountain View High School would be over capacity at build-out of this development according to the Community Development's school impact review included in Section IX.K.

Discovery Park, a 77+/- acre City Park, is located approximately a mile away from this site to the west on Lake Hazel Rd., which should be adequate to serve this development.

- “Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to

the City's vision and the necessary extension of public services and infrastructure is provided.”
(3.03.03)

The density proposed in the LDR designated area at the southwest corner of the site is slightly above the 3 units or fewer per acre desired in that area; the density in the MDR designated area falls within the desired range. Only one housing type is proposed rather than a mix of housing types; an inadequate transition in lot sizes and zoning is proposed to 1-acre rural properties to the south; inadequate unusable open space and site amenities; public services are proposed to be extended to the fringe of the City rather than to vacant/underdeveloped infill parcels as desired; and enrollment at middle and high schools will be over capacity if approved. For these reasons, Staff is of the opinion the proposed annexation isn't consistent with the City's vision in the Comprehensive Plan and isn't in the best interest of the City.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Annexation & Zoning:

The proposed annexation area consists of two (2) tax parcels containing a total of 80.46 acres of land designated as LDR and MDR on the FLUM and contains land to the section line of S. Eagle Rd. The Applicant proposes to annex the two (2) parcels with an R-8 zoning district and develop a total of 353 single-family detached homes on the site.

The annexation area is contiguous to and on the fringe of the current City limits boundary and within the City's Area of City Impact at the east boundary. A legal description and exhibit map for the annexation area is included in Section VIII.A.

As discussed above in Section V, Staff is of the opinion the proposed development is *not* consistent with the vision of the Comprehensive Plan or the purpose statements of the residential districts in UDC 11-2A-1 and the subdivision regulations in UDC 11-6A-1, thus recommends denial of the annexation request.

B. Preliminary Plat:

The proposed preliminary plat consists of 353 building lots, 40 common lots and 14 other lots (i.e. 12 common driveway lots, 1 private street lot and 1 lot for the existing home) on 79.69 acres of land in the R-8 zoning district.

The minimum lot size proposed is 4,000 square feet (s.f.) with an average lot size of 6,280 s.f.; the gross density is 4.4 units/acre with a net density of 7.4 units/acre. The subdivision is proposed to develop in eight (8) phases as depicted on the plat (see Section VIII.B).

Existing Structures/Site Improvements:

There are two (2) existing homes and outbuildings on this site – the 5,892 square foot home constructed in 2002 at the east end of the site is planned to remain on a lot (Lot 64, Block 5) in the proposed subdivision; the home and accessory structures on the west end of the site are planned to be removed with development. These homes are accessed via a private lane (E. Adler Hof Ln.) from S. Eagle Rd. If annexed, the home proposed to remain is required to hook-up to City water and sewer service and change their address.

Proposed Use Analysis:

Single-family detached dwellings are listed in UDC Table 11-2A-2 as a principal permitted use in the R-8 zoning district. The proposed use, with only one housing type, is not consistent with the purpose statement of the residential districts and the subdivision regulations in that a range of housing opportunities and a variety of dwelling types are not provided consistent with the Comprehensive Plan and UDC 11-2A-1 and 11-6A-1.

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

Development is subject to the dimensional standards listed in 11-2A-6 for the R-8 zoning district. **Several of the lots don't meet the minimum street frontage requirement of 40 feet.**

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

Development of the subdivision is required to comply with the subdivision design and improvement standards listed in UDC 11-6C-3, including but not limited to streets, common driveways and block face.

Block length is required to comply with the standards listed in UDC 11-6C-3F. Block faces should not exceed 750' in length without an intersecting street or alley unless a pedestrian connection is provided, then the block face may be extended up to 1,000' in length. The City Council may approve a block face up to 1,200' in length where block design is constrained by certain site conditions as specified in UDC 11-6C-3F.3b. **The face of Block 9 on the north side of the Farr Lateral is 1,000'+/- and does not contain a pathway or intersecting street or alley – Council approval is needed due to the location of the Farr Lateral, a large waterway, along the south side of Block 9; alternatively, the plat would need to be revised to comply with this standard.**

At the northeast corner of the site, a street ending in a cul-de-sac is proposed which will likely exceed the maximum 500' length allowed in UDC 11-6C-3B.4 depending on how the property to the north develops. Staff had recommended an internal street access to this portion of the development rather than the sole access being provided via a stub street from the north. Due to the topography in this area, the Applicant has not provided the recommended internal access.

Twelve (12) common driveways are proposed; such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes. Where two (2) common driveways are proposed that adjoin, bollards (or other barrier approved by the Fire Dept.) should be placed at the common lot line to prevent a through connection between streets.**

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

One (1) public street, Street A, is proposed for access via S. Eagle Rd. as a collector street to the intersection of Street C; a secondary emergency access is proposed from the south via E. Vantage Pointe Ln. to be constructed with the first phase of development – an emergency only access easement was granted for this access (Inst. #2020-063349), public access is not allowed. Three (3) stub streets are proposed at the north and two (2) stub street are proposed at the south boundaries of the site for future extension in accord with UDC 11-3A-3. Each phase of development is proposed to have two (2) accesses for emergency services (see phasing exhibit in Fire comments in Section IX.C).

Although the proposed access meets the minimum access required by the Fire Dept., Staff is *highly* concerned with the feasibility of only one (1) public access to the site (until adjacent properties redevelop and provide stub streets to this property) with 353 units proposed. Additionally, if access from the north via Eagle Rd. is blocked, in the event of an emergency, emergency vehicles would have to travel an additional 3.5+/- miles around the square mile to access the site creating a potential life safety issue due to a delayed response time.

A combination of public and private streets are proposed for access within the development – public streets are proposed on the west and private streets are proposed on the east end of the subdivision. Three (3) common driveways are proposed for access off private streets (see analysis below).

Private Streets: Per UDC 11-3F-1, it is not the intent to approve private streets for single-family developments other than those that create a common mew through the site design or that propose a limited gated residential development – mews are not proposed; two (2) gates are proposed for access to 121 lots located on the east end of the site (see exhibit in Section VIII.H). (Note: A third gate is proposed but it's through two (2) common driveways, Lots 24 & 36, Block 5, and doesn't qualify as a gated entrance accessible to all residents, only an emergency access.) At 121 lots, Staff does not consider this to be a *limited* residential development. Additionally, gated developments are not allowed to have more than 50 dwelling units – in the past with Planned Unit Development applications, Staff has allowed this number to apply to *each* gate – even so, the maximum number of units allowed still exceed UDC standards.

Further, the provisions for private streets apply to any properties that do not have frontage on a public street or where frontage is not required per UDC 11-3F-2 – a minimum street frontage of 40 feet is required in the R-8 district per UDC Table 11-2A-6. Therefore, private streets cannot be approved for this development as the applicability for private streets cannot be met. Additionally, there is no reason the public street network can't be extended in the areas where private streets are proposed. Therefore, Staff is not in support of the proposed private streets.

Alternative Compliance is proposed to UDC 11-3F-4A.6, which prohibits common driveways off private streets, to allow such in three locations within the gated area of the subdivision. The Applicant's request for such explains the general reasons common driveways are utilized and states that through the use of common driveways they're able to allocate more land area to common landscaped open spaces instead of wasting it on unusable and unnecessary roadways. **Because private streets aren't a viable option in the R-8 district as noted above and public streets can be extended to serve the overall development area, Staff is consequently not in support of the request for Alternative Compliance. Further, Alternative Compliance is only allowed when one or more of the conditions noted in UDC [11-5B-5B.2](#) exists – Staff does not find any of the listed conditions apply in this case.**

Transportation: The existing roadways in this area are rural in nature. Eagle Rd. is currently improved with 2 travel lanes and no curb, gutter or sidewalk. Improvements and a signal are planned for the Lake Hazel/Eagle Rd. intersection in 2023. Lake Hazel is planned to be widened to 5-lanes between Eagle and Cloverdale Roads in 2024; and to 5-lanes from Locust Grove to Eagle Roads between 2026 and 2030; no improvements are planned to Eagle Rd. south of Lake Hazel abutting the site.

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. A parking plan is included in Section VIII.J that depicts a total of 334 on-street parking spaces along public and private streets; parking along private streets must be approved by the Fire Marshall.

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

The Pathways Master Plan (PMP) depicts a north/south segment of the City's multi-use pathway system along the east side of the subject property and along the south side of the Farr Lateral at the southwest corner of the site. The Applicant has worked with the Park's Dept. pathway coordinator on the design proposed along the east boundary; the pathway along the south side of the Farr Lateral is consistent with the PMP. **The pathways are required to be placed in a 14-foot wide public pedestrian easement.**

Ten-foot (10') wide segments of the City's multi-use pathway are proposed within the street buffer along Eagle Rd., along the south side of the Farr Lateral, along the Ten Mile Creek and the northern portion of the east boundary of the site and a golf cart path. Other pathway connections are also proposed for

pedestrian interconnectivity and access to common areas within the development. A pathway connection is proposed between the pathway on the eastern portion of the site to the sidewalks along internal public streets on the west end of the site. A total of 5,167 linear feet of pathways are proposed in this development (see exhibit in Section VIII.I). **All pathways are required to be constructed in accord with the standards listed in UDC 11-3A-8 and landscaped per the standards in UDC 11-3B-12C.**

Where pathways are proposed in common driveways (i.e. Lot 71, Block 9) they should be located in separate common lots with landscaping on either side in accord with UDC 11-3B-12C.

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

A detached sidewalk is proposed along S. Eagle Rd. and attached sidewalks are proposed along internal public streets (with the exception of detached sidewalks where landscaped endcaps are proposed) in accord with the standards listed in UDC 11-3A-17. No sidewalks are required or proposed along private streets except for along private Streets K & S where a detached sidewalk is proposed for a pedestrian connection between the pathway on the east end of the site to the sidewalk along public Street I on the west end of the site.

If private streets were approved for this development (although they can't be accommodated in the R-8 district), Staff would have concerns in regard to public safety with the lack of pedestrian walkways in front of homes, requiring pedestrians to walk in vehicular use areas in the street.

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

Eight-foot wide parkways with detached sidewalks are proposed along the entry street (Street A) and in a few other areas; sidewalks are mostly attached with no parkways in this development. All parkways are required to be constructed in accord with the standards listed in UDC 11-3A-17 and landscaped in accord with the standards listed in UDC 11-3B-7C.

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

A 25-foot wide street buffer is required adjacent to S. Eagle Rd., an arterial street; a 20-foot wide street buffer is required along Street A where it is designated as a collector street (i.e. from Eagle Rd. to the intersection of Street C), landscaped per the standards listed in [UDC 11-3B-7C](#). A 35-foot wide buffer is proposed along Eagle Rd. and a 30-foot wide buffer is proposed along the collector street (Street A) landscaped with grass and deciduous and evergreen trees and shrubs in excess of the minimum standards.

Parkways are required to be landscaped in accord with the standards listed in [UDC 11-3B-7C](#).

Landscaping is proposed within parkways; calculations should be included in the Landscape Calculations table that demonstrate compliance with UDC standards.

Landscaping is required along all pathways in accord with the standards listed in [UDC 11-3B-12C](#).

Landscaping is proposed along pathways; calculations should be included in the Landscape Calculations table that demonstrate compliance with UDC standards.

Common open space is required to be landscaped in accord with the standards listed in [UDC 11-3G-3E](#). Landscaping is depicted in common areas in excess of UDC standards.

There are existing trees on the site within proposed building lots that are proposed to be removed that may require mitigation. The Applicant should coordinate with Matt Perkins, the City Arborist, to determine mitigation requirements per the standards listed in UDC 11-3B-10C.5.

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

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required. Based on the area of the proposed plat (80+/- acres), a minimum of 8 acres of qualified open space should be provided.

The Applicant proposes 14.7 acres (or 18.4%) of qualified open space consisting of street buffers, linear open space, parkways and common areas greater than 50' x 100' in area, including the slope area on the

east end of the site (*see qualified open space exhibit in Section VIII.D*). **Although the open space proposed complies with the minimum UDC standards, much of the open space area consists of unusable arterial/collector street buffers and end caps with parkways, the easement for the Farr Lateral, slope/hillside areas and areas that aren't centrally located for easy access – Staff calculates the actual usable area at approximately 4.6 acres (or 6% of the development area) and much of that area is not centrally located for easy access. Staff is of the opinion the quality and usable amount of open space proposed is inadequate for a development of this size.**

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

Based on the area of the proposed plat (80+/- acres), a *minimum* of four (4) qualified site amenities are required to be provided per the standards listed in [UDC 11-3G-3C](#).

Proposed site amenities consist of children's play equipment/structures, a picnic shelter/shade structure, pathways, two dog parks and additional open space of at least 20,000 square feet above the minimum UDC requirements. Dog owner facilities are required to be improved with a dog washing station with a drain to sanitary sewer system and trash receptacles and bags for dog waste disposal; or fencing to enclose a minimum 0.75 acre of open space for an off leash dog park and trash receptacles and bags for dog waste disposal per UDC 11-3G-3C.h. **Although the proposed amenities meet the minimum standards, they are primarily located along the northern and southern boundaries of the site or in the gated portion of the development and are not centrally located (see details in Section VIII.D), which Staff is of the opinion is not ideal. Further, UDC 11-3G-3D.3 requires common open space and site amenities to be located in areas of high visibility to avoid hidden areas and corners, dark areas, unusable space and reduce the opportunity for crime.**

Storm Drainage:

An adequate storm drainage system is required in accord with the City's adopted standards, specifications and ordinances. Design and construction is required to follow Best Management Practice as adopted by the City.

Irrigation:

An underground pressurized irrigation system is required to be provided with development to each lot within the subdivision in accord with the standards listed in UDC 11-3A-15. Irrigation water is provided from the New York Irrigation District.

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

The Farr Lateral runs across the southwest corner of this site within a common lot (Lot 53, Block 9). The Applicant proposes to leave the waterway open and improve the area as a linear open space with a 10-foot wide multi-use pathway along the south side as allowed by UDC 11-3A-6B.2.

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

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

Six-foot tall open vision vinyl slat top fencing is proposed along connection pathways and the Farr Lateral, 4-foot tall open vision wrought iron fencing is proposed adjacent to the dog parks and 6-foot tall vinyl fencing is proposed along street buffers and the perimeter of the subdivision as shown on the landscape plan. UDC 11-3A-6C.3 requires open laterals to be fenced with an open vision fence at least 6-foot in height and having an 11-gauge, 2-inch mesh or other construction equivalent in ability to deter access to the lateral. **Staff recommends fencing is installed between the lateral and the pathway to preserve public safety.**

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

The Applicant submitted sample photo elevations of the types of homes planned to be constructed in this development which are included in Section VIII.F. Homes depicted are predominantly single-story, some with a bonus room, with a few that are 2-stories in height proposed on the east end of the development on or near the rim. All but 43 of the homes are proposed to be restricted to single-story with the option of a

bonus room; the larger lots on the east end of the development are not restricted to single-story homes (see exhibit in Section VIII.G). Building materials consist of a mix of finish materials (i.e. horizontal and vertical siding and stucco) with stone/brick veneer accents.

Staff is concerned about the feasibility of the homes in the proposed sample photos actually fitting on the proposed 40'-45'+/- wide lots, which are the predominate range of lot sizes in the development. Therefore, Staff requested the Applicant submit floor plans to demonstrate they can be accommodated and meet setback requirements. The Applicant was unable to do so. Therefore, Staff is not in support of the proposed sample elevation photos unless floor plans can be submitted that verify they fit on the proposed lots. If they don't, the Applicant should submit concept elevations that are feasible to fit on the lots.

VII. DECISION

A. Staff:

Staff recommends denial of the requested annexation and zoning of the property and consequently the preliminary plat, private street and alternative compliance requests because the proposed zoning and development is not consistent with the Comprehensive Plan for the following reasons: 1) the property is located on the fringe of the City and existing public services would not be maximized by providing services to this development; 2) most of the development is located outside of established response time goals of the Fire Dept., does not meet resource reliability goals, and has risk factors including a steep hill with a potential for wildfire if the hillside isn't maintained; 3) growth will negatively impact West Ada School District (the area high school is already over capacity and the middle school will be over capacity); 4) lack of significant variety in housing types and lot sizes; 5) lack of transition in lot sizes and zoning to the 1-acre estate lots and LDR designated property to the south; 6) much of qualified open space area is unusable and/or not centrally located; and, 7) the proposed private streets are not compatible with the R-8 district as street frontage is required (see Findings in Section X).

VIII. EXHIBITS

A. Annexation Legal Description & Exhibit Map



Sawtooth Land Surveying, LLC

P: (208) 398-8104 F: (208) 398-8105
2030 S. Washington Ave., Emmett, ID 83617

Skybreak Annexation Description

BASIS OF BEARINGS is S. 0°12'52" W. between a found aluminum cap marking the W1/4 corner and a found aluminum cap marking the NW corner of Section 4, T. 2 N., R. 1 E., B.M., Ada County, Idaho.

A parcel of land located in the S1/2 of the NW1/4 of Section 4 Township 2 North, Range 1 East, Boise Meridian, Ada County, Idaho, more particularly described as follows:

COMMENCING at an aluminum cap marking the NW corner of said Section 4;

Thence S. 0°12'52" W., coincident with the west line of said NW1/4, a distance of 1352.04 feet to an aluminum cap marking the N1/16 corner of said Section 4 and the **POINT OF BEGINNING**;

Thence S. 89°52'36" E., coincident with the north line of said S1/2 of the NW1/4, a distance of 1321.04 feet to the NW1/16 corner of said Section 4, marked by a 5/8" rebar with cap RLS 645;

Thence N. 89°56'26" E., coincident with said north line, 1321.10 feet to the CN1/16 corner of said Section 4, marked by a 5/8" rebar with cap RLS 645;

Thence S. 0°37'05" W., coincident with the east line of said NW1/4, a distance of 1333.72 feet to the C1/4 corner of said Section 4, marked by a 3/4" rebar;

Thence N. 89°48'26" W., coincident with the south line of said NW1/4, a distance of 2632.72 feet to the W1/4 corner of said Section 4, marked by an aluminum cap;

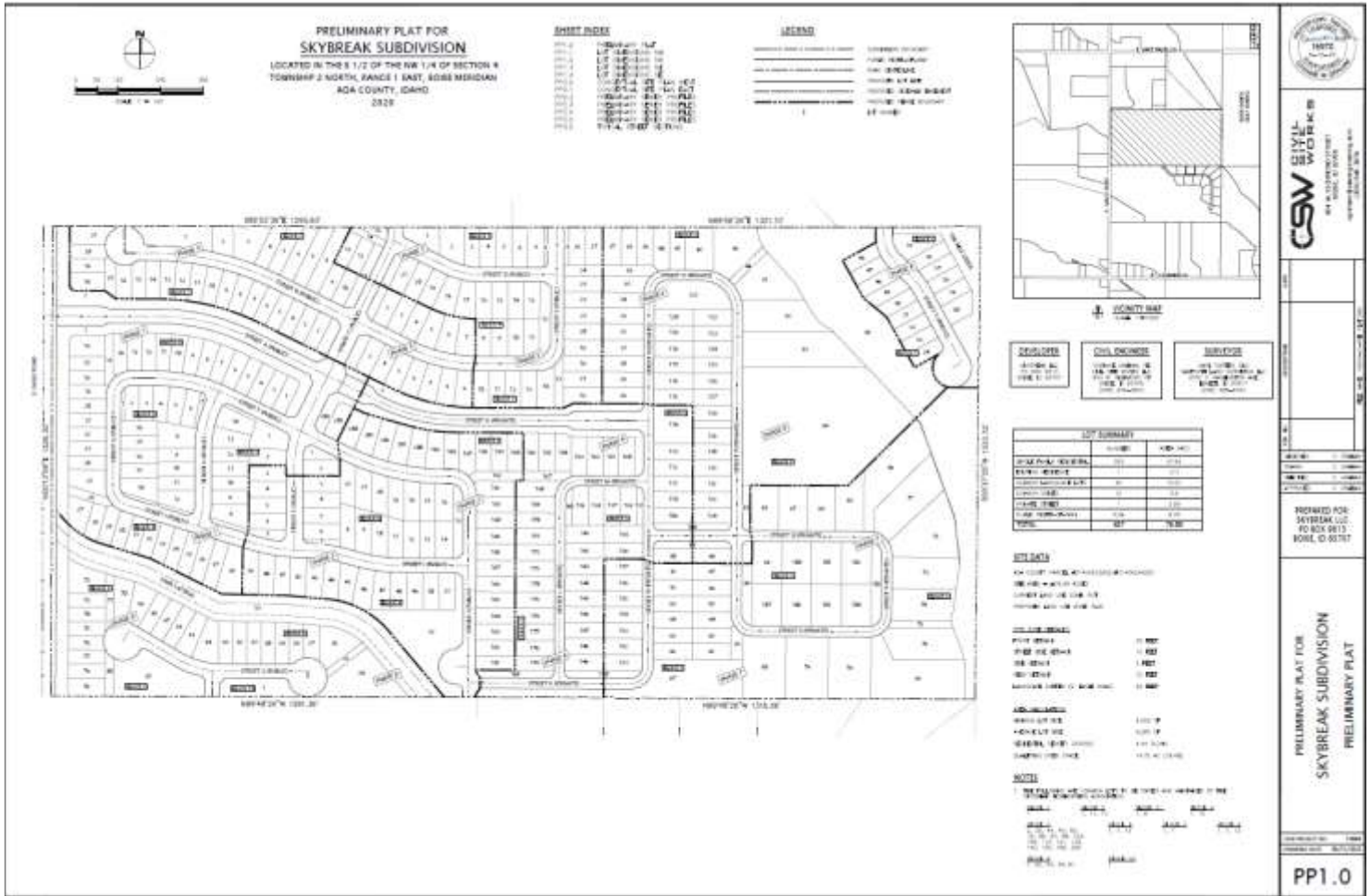
Thence N. 0°12'52" E., coincident with said west line of the NW1/4, a distance of 1326.27 feet to the **POINT OF BEGINNING**.

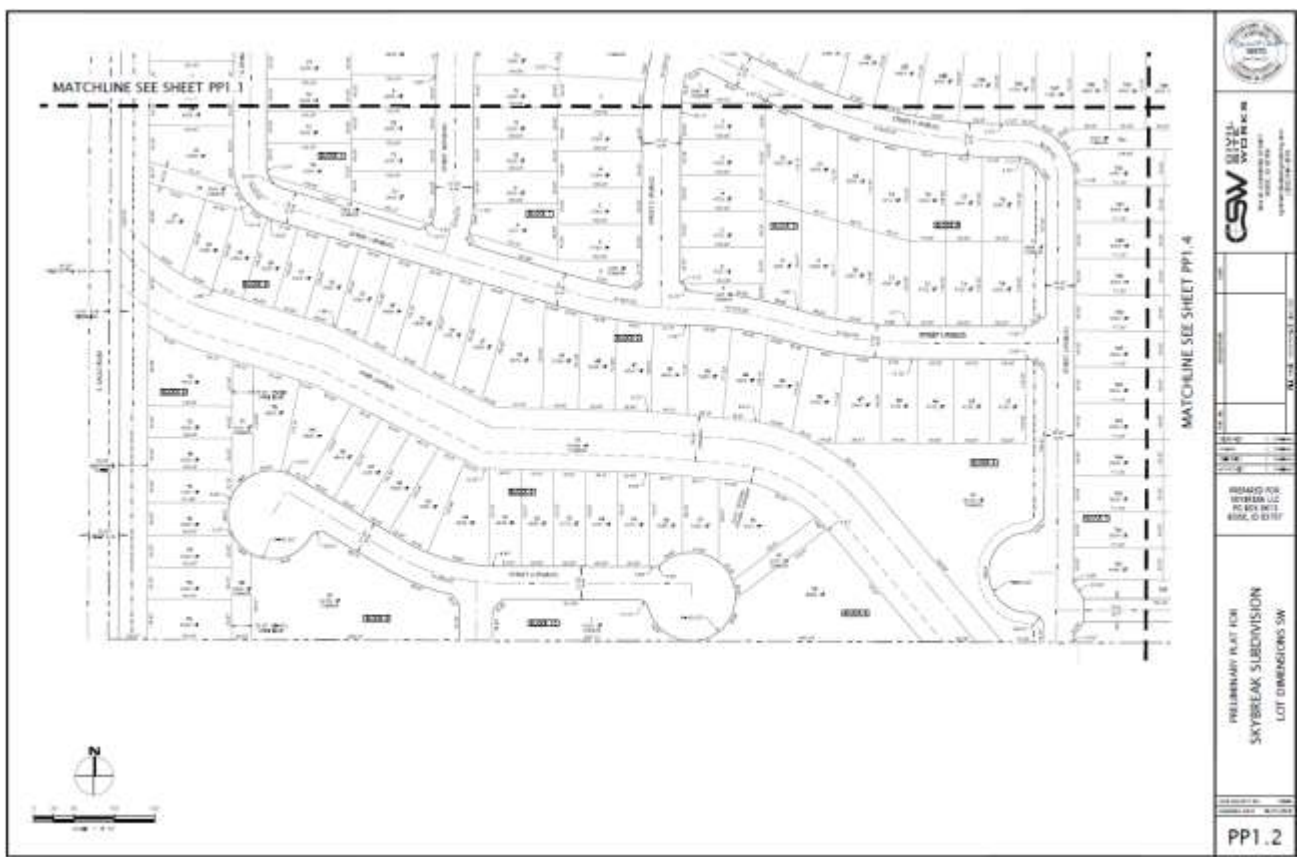
The above described parcel contains 80.46 acres more or less.

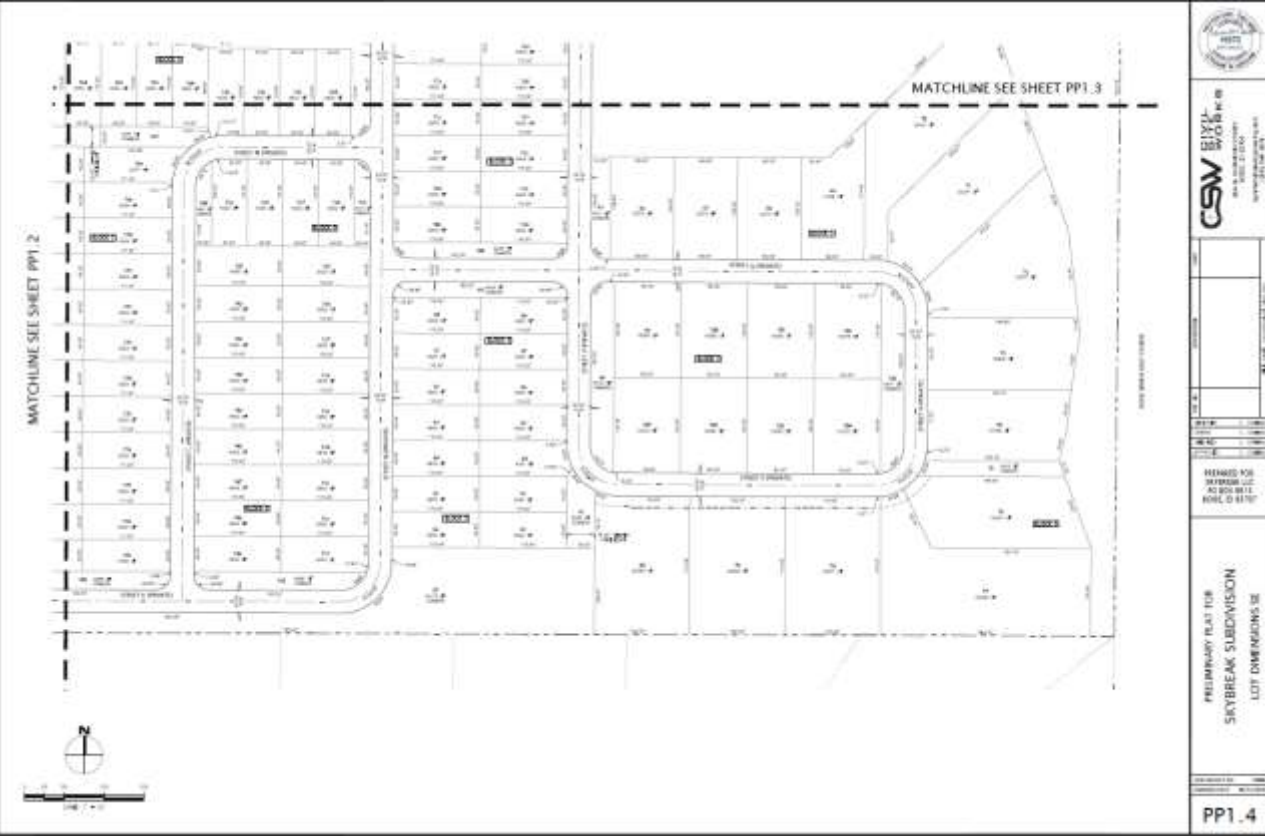
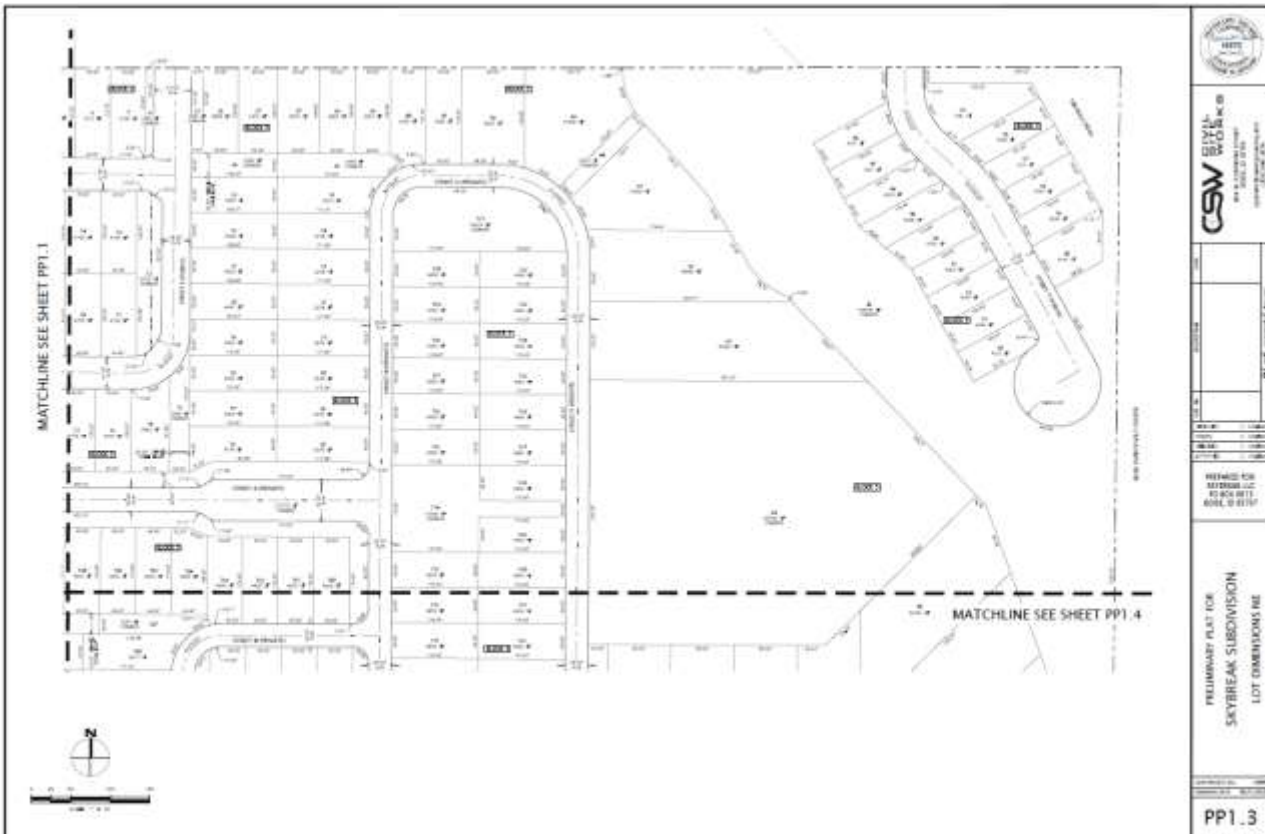
This description was prepared using record data from Record of Survey No. 12358, Ada County records, and not from an actual field survey.



B. Preliminary Plat (date: 6/15/2020) & Phasing Plan

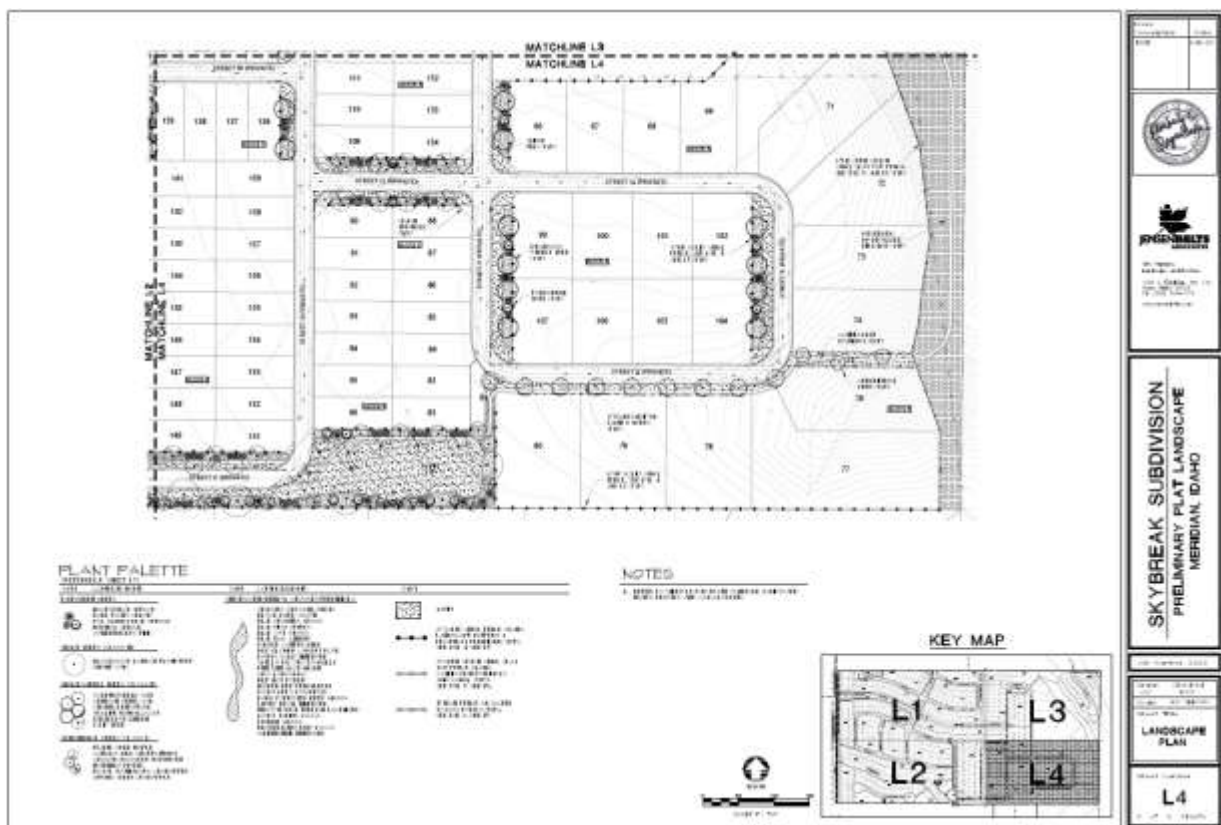
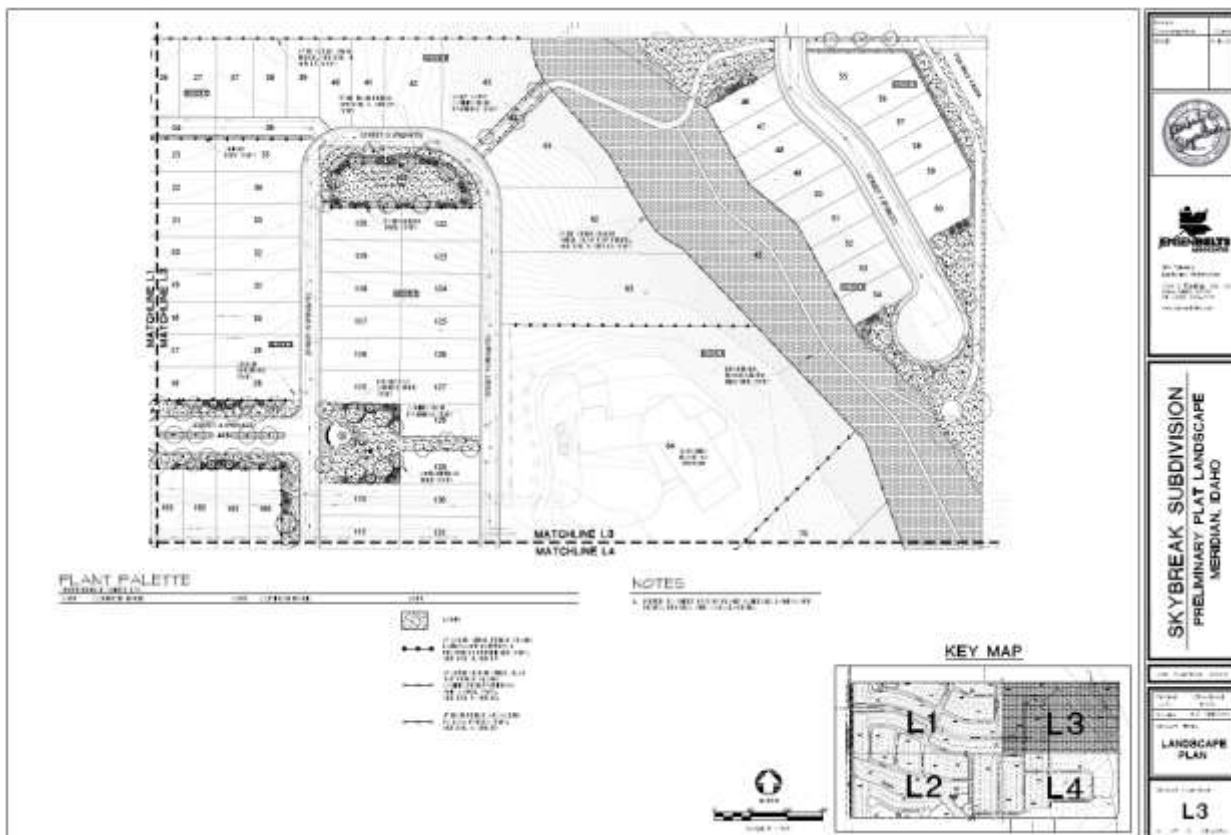


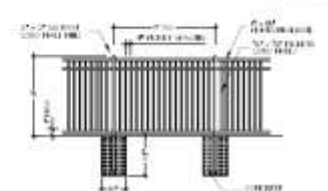
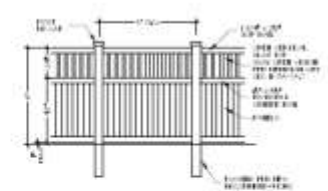
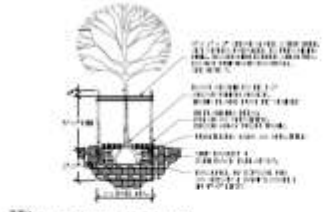




C. Landscape Plan (date: 6/16/2020)







LANDSCAPE CALCULATIONS

ITEM	QUANTITY	UNIT	REQUIRED	PROVIDED
GRASS	100	SQ. YD.	100	100
FLORAL MULCH	100	SQ. YD.	100	100
WOOD MULCH	100	SQ. YD.	100	100
SOIL	100	SQ. YD.	100	100

DEVELOPMENT DATA

TOTAL AREA	100
IMPERVIOUS AREA	50
PERMEABLE AREA	50
PERCENT PERMEABLE	50
PERCENT IMPERVIOUS	50
PERCENT PAVED	50
PERCENT GRAVEL	50
PERCENT ASPHALT	50
PERCENT CONCRETE	50
PERCENT OTHER	50

PLANT PALETTE

SYM	COMMON NAME	SCIENTIFIC NAME	SIZE
1	PLANT PALETTE	PLANT PALETTE	100
2	PLANT PALETTE	PLANT PALETTE	100
3	PLANT PALETTE	PLANT PALETTE	100
4	PLANT PALETTE	PLANT PALETTE	100
5	PLANT PALETTE	PLANT PALETTE	100
6	PLANT PALETTE	PLANT PALETTE	100
7	PLANT PALETTE	PLANT PALETTE	100
8	PLANT PALETTE	PLANT PALETTE	100
9	PLANT PALETTE	PLANT PALETTE	100
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NOTES

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SKYBREAK SUBDIVISION
 PRELIMINARY PLAT LANDSCAPE
 MERIDIAN, IDAHO



LANDSCAPE
 DETAILS

L5

D. Qualified Open Space Exhibit & Site Amenities



SKYBREAK SUBDIVISION
OPEN SPACE EXHIBIT
TOTAL AREA = ±79.69 AC
QUALIFYING OPEN SPACE = ±14.70 AC (18.4%)
NON-QUALIFYING OPEN SPACE = ±64.99 AC

 QUALIFYING OPEN SPACE
 NON-QUALIFYING OPEN SPACE

Qualified Open Space Calculations

Project: Skybreak Neighborhood

Date: 6.12.2020

Block	Lot	Sqft Open Space	Dimensions	Description	Code Section
1	1	29,415	-	Arterial/Collector Frontage	B,C,D
2	1	12,225	50' x 200'	Dog Park	A
2	11	5,467	28' x 200'	End Cap - Parkway	B,E
3	1	5,518	50' x 100'	Landscaped Open Space	A
4	1	5,010	24.97' x 200'	End Cap - Parkway	B,E
4	12	6,293	31.94 x 200'	End Cap - Parkway	B
5	2	23,755	20' min. width	Collector Frontage	C
5	44	2,670	20' x 120'	Pedestrian Pathway Connection	B
5	45	193,636	-	Open Space - Pathways	A
5	65	3,107	24' x 100'	End Cap	B
5	75	3,543	20' x 150'	Pedestrian Pathway Connection	B
5	89	4,245	20' x 200'	End Cap	B
5	97	42,306	-	Park, Sport Field	A
5	98	6,733	29.5' x 200'	End Cap	B
5	108	4,245	20' x 200'	End Cap	B
5	114	14,300	-	Park, Pathway, Seating Areas	A
5	121	16,074	-	Dog Park	A
5	135	2,123	20' x 100'	End Cap	B
5	140	1,948	20' x 100'	End Cap	B
5	150	4,696	22.88' x 200'	End Cap - Parkway	B,E
5	180	4,888	22.88' x 200'	End Cap - Parkway	B,E
5	193	6,541	29.5' x 200'	End Cap	B
5	206	24,545	-	Collector Buffer	C
6	15	5,666	29.00' x 200'	End Cap - Parkway	B,E
7	1	8,025	-	Park, Seating Area	A
9	1	35,815	-	Arterial/Collector Frontage	B,C,D
9	52	35,142	-	Tot Lot/Sport Court/Seating Area/Open Vision Safety Fencing	A
9	59	2,715	20' x 100'	Pedestrian Pathway Connection	B
9	85	24,762	-	Landscaped Open Space/Park	A
9	192	87,488	-	Open Space - Regional Pathway	A,B
10	1	10,350	-	Landscaped Open Space/Park	A

Total Sqft	633,246
Qualified Open Space Ac.	14.54
Total Project Acres	79.69
Percent of Qualified Open Space	18.30%

	Code Section	Description
A	11-3G-3B-1A	Open grassy area of at least fifty feet by one hundred feet (50' x 100') in area;
B	11-3G-3B-1E	Linear open space area that is at least twenty feet (20') and up to fifty feet (50'), has an access at each end, and is improved and landscaped as set forth in subsection E of this section.
C	11-3G-3B-3	Full Area of Buffer: The full area of the landscape buffer along collector streets may count toward the required common open space.
D	11-3G-3B-4	Percentage of Buffer: Fifty percent (50%) of the landscape buffer along arterial streets may count toward the required common open space.
E	11-3G-3B-5	Parkways Along Collector and Local Residential Streets: Parkways along local residential streets that meet all of the following standards may count toward the common open space requirement:



Proposed Amenities:

A. Large 3/4-Acre, Tot Park Block 9, Lot 52) - The Skybreak Neighborhood park will contain the following recreation facilities:

- **Play Structure**
- **Seating Benches**
- **Shade Structure**
- **Climbing Rocks**
- **Attractive Landscaping**



B. Pathways – The Skybreak Neighborhood will include the following pedestrian pathways:

- **10' Wide Regional Pathway Along Eagle Road – 1,326 LF**
- **10' Wide Regional Pathway Along the Farr Lateral – 1,120 LF**
- **10' Wide Regional Pathway Along Ten Mile Creek - 526 LF**
- **10' Wide Golf Cart Path - 760 LF**
- **Natural Path – 1,435 LF**

Pedestrian pathways within the Skybreak Neighborhood will total nearly one mile in length.



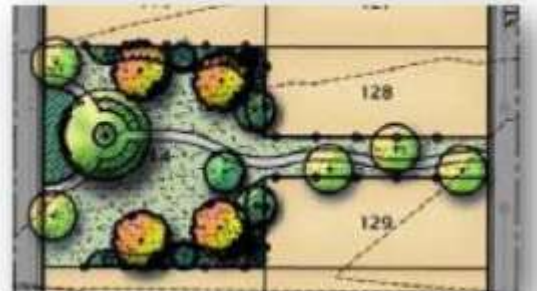
C. Dog Parks (Block 2, Lot 1 and Block 5, Lot 121) - The Skybreak Neighborhood park will contain two (2) small dog, dog parks that will include the following:

- **Open Vision Fencing**
- **Dual Gate System**
- **Seating Areas**
- **Attractive Landscaping**



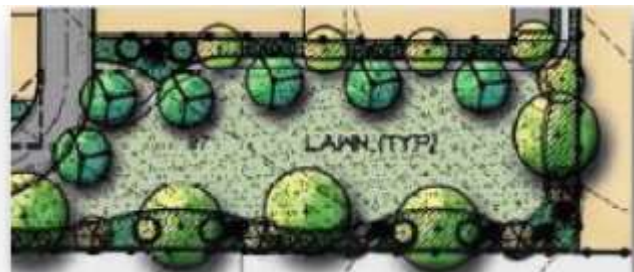
D. Entry Park (Block 5, Lot 114) – The main Collector Roadway will terminate in an attractively landscaped open space that will provide for an aesthetically appealing entry statement that will convey a sense of arrival.

- **Specimen Tree Plantings**
- **Seating Areas**
- **Attractive Landscaping**
- **Pathway**



E. Open Sports Park (Block 5, Lot 97) – This park will include:

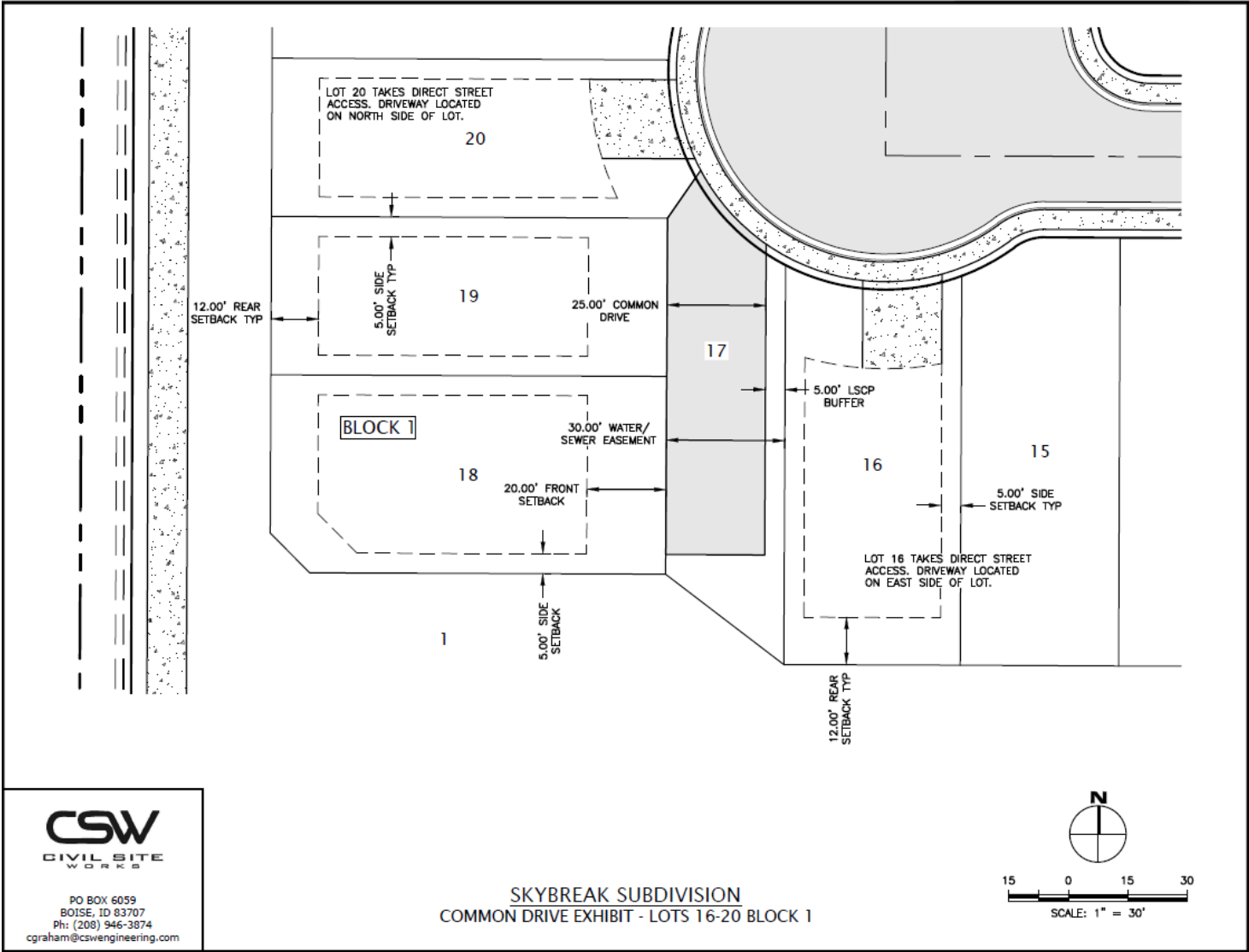
- **Large 1-acre open sports area**
- **Pathway Connection**
- **Seating Areas**
- **Attractive Landscaping**



F. Landscaped Passive Open Spaces – Located throughout the Neighborhood:

- **Attractive Landscaping**
- **Buffering of side yards**

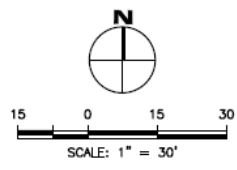
E. Common Driveway Exhibits

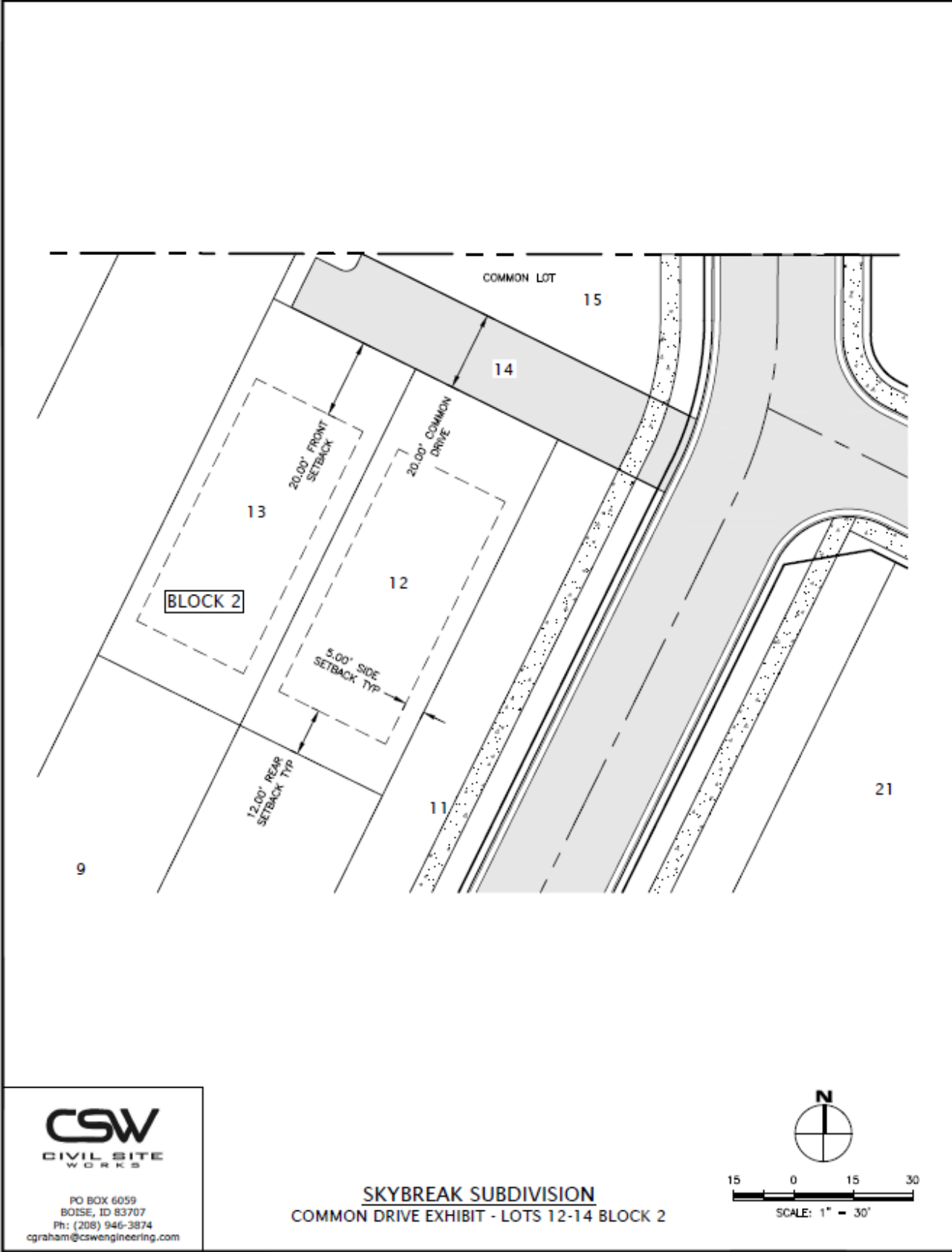


CSW
 CIVIL SITE
 WORKS

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 cgraham@cswengineering.com

SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 16-20 BLOCK 1

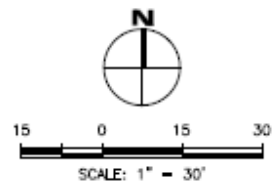


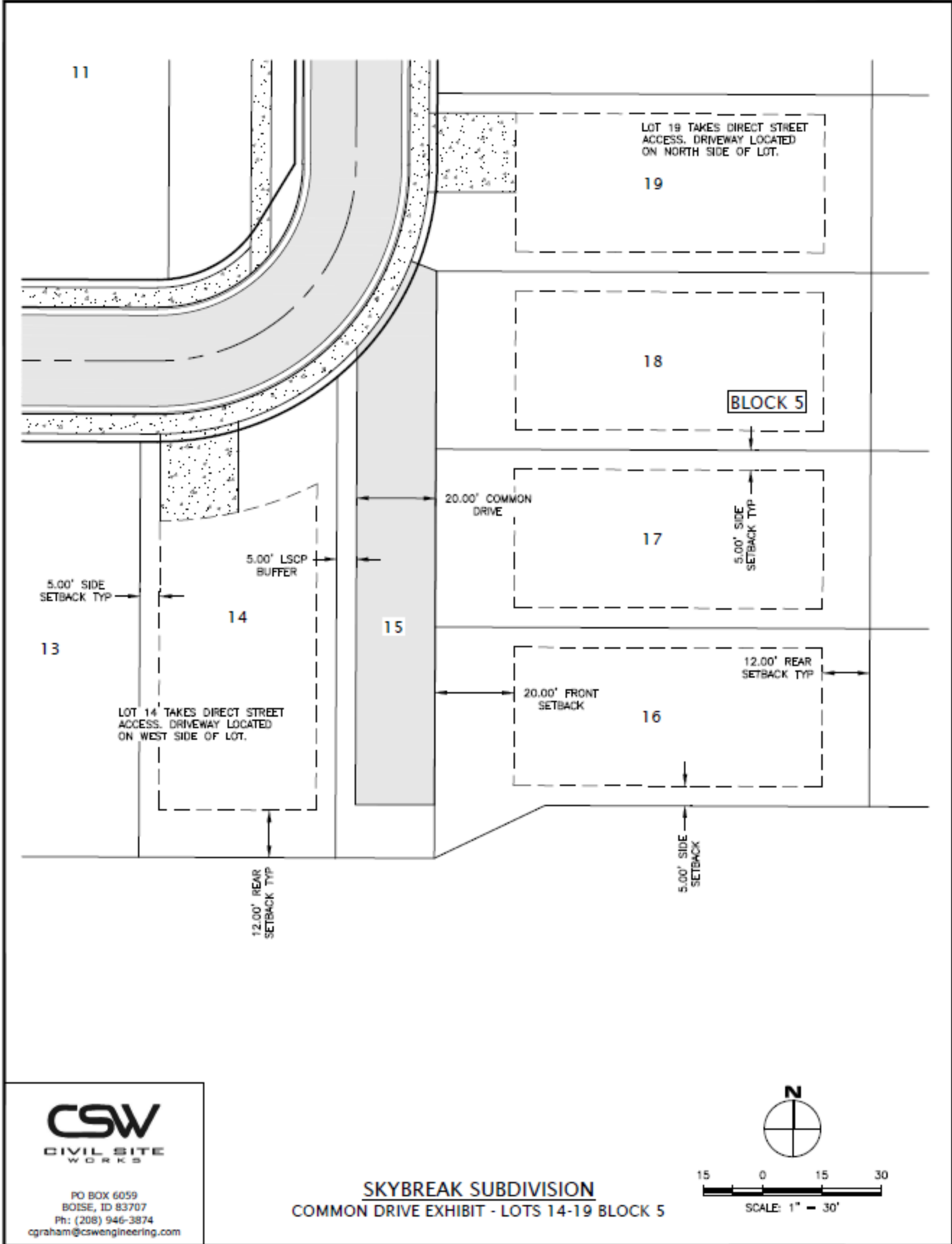


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SKYBREAK SUBDIVISION
COMMON DRIVE EXHIBIT - LOTS 12-14 BLOCK 2

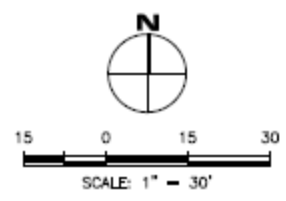


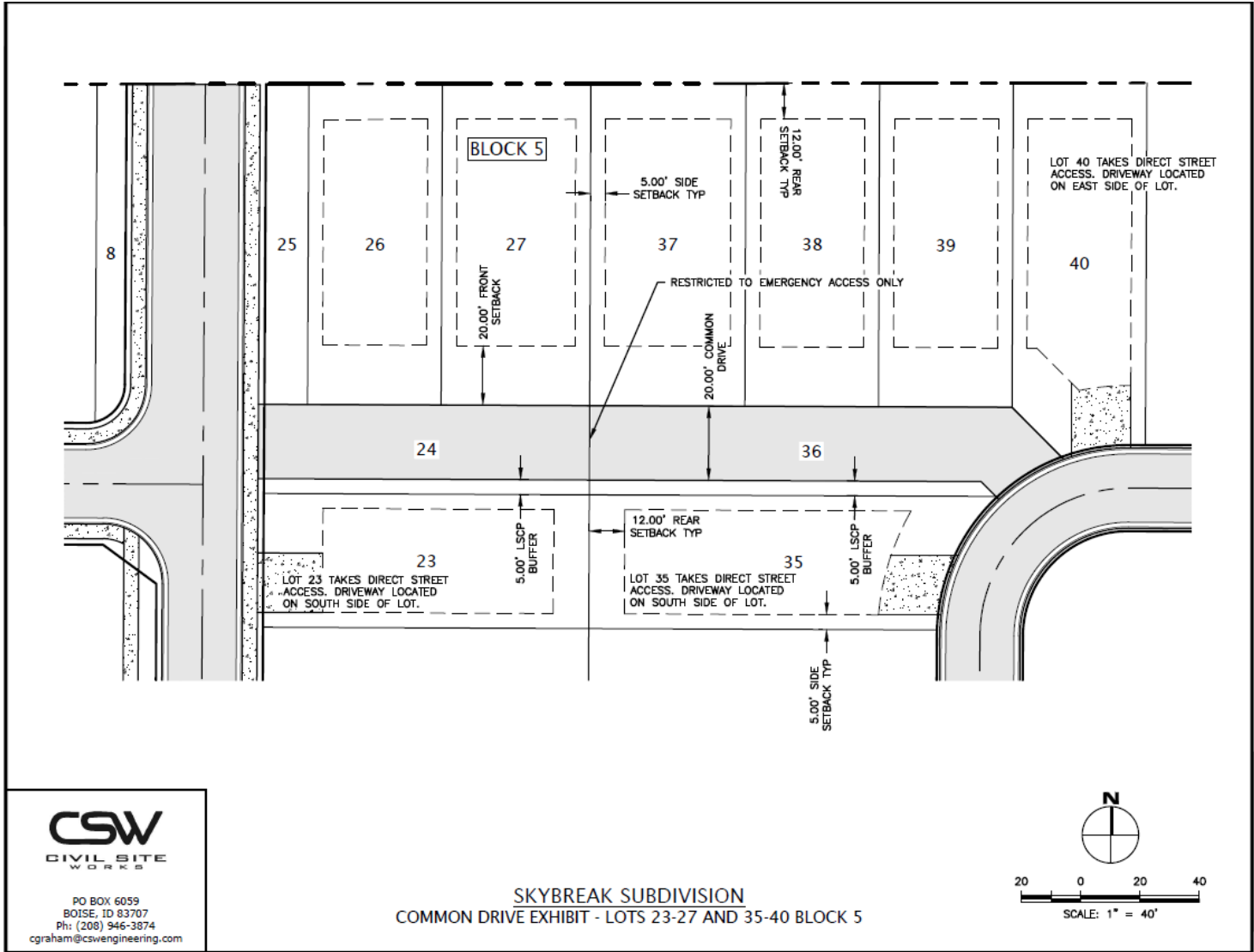


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SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 14-19 BLOCK 5

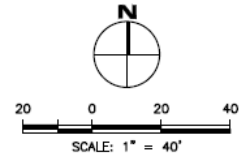


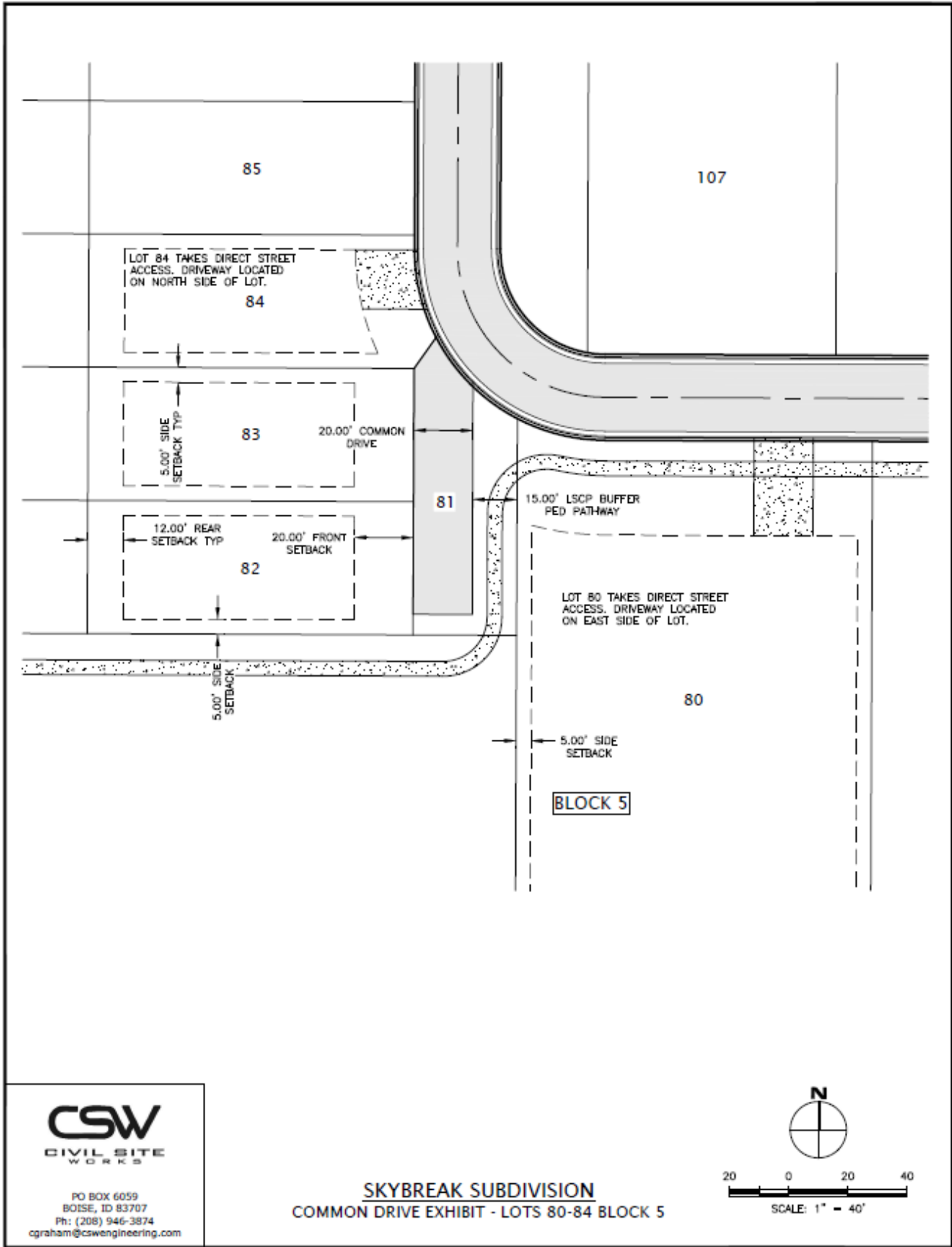


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SKYBREAK SUBDIVISION
COMMON DRIVE EXHIBIT - LOTS 23-27 AND 35-40 BLOCK 5

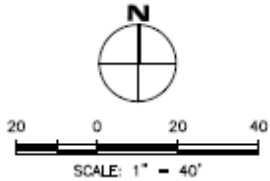


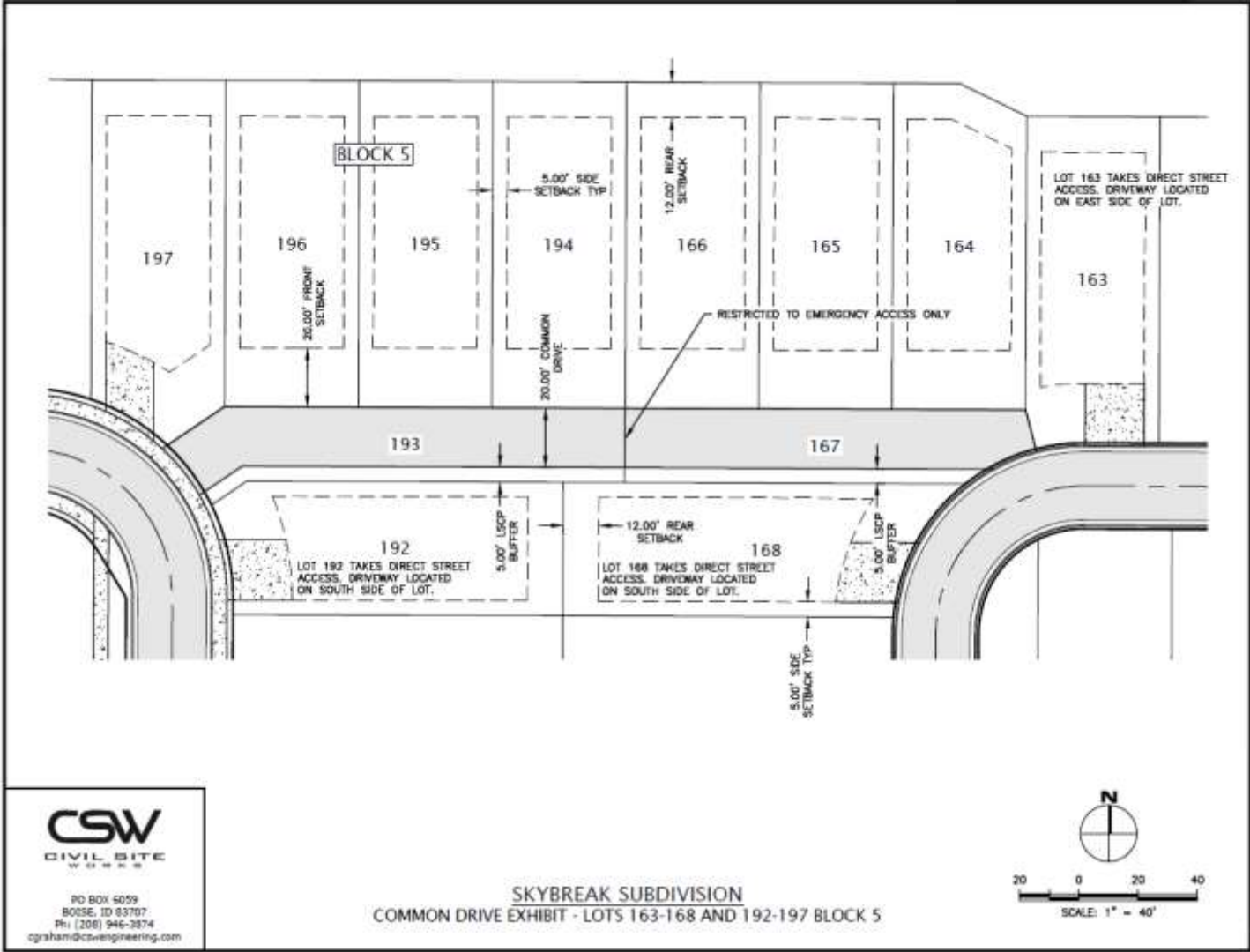


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SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 80-84 BLOCK 5

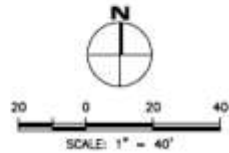


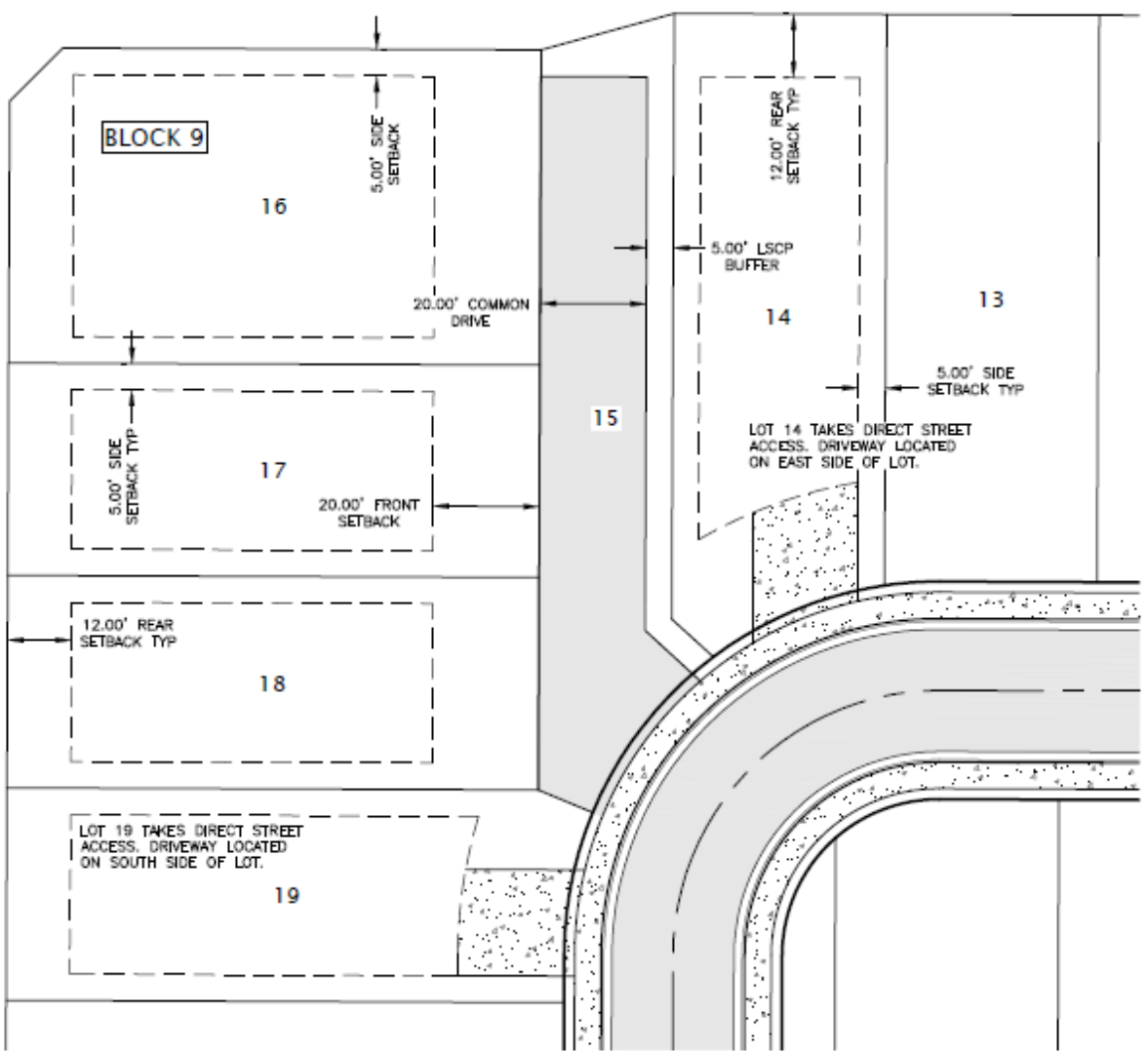


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SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 163-168 AND 192-197 BLOCK 5

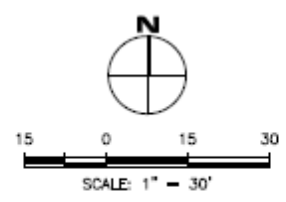


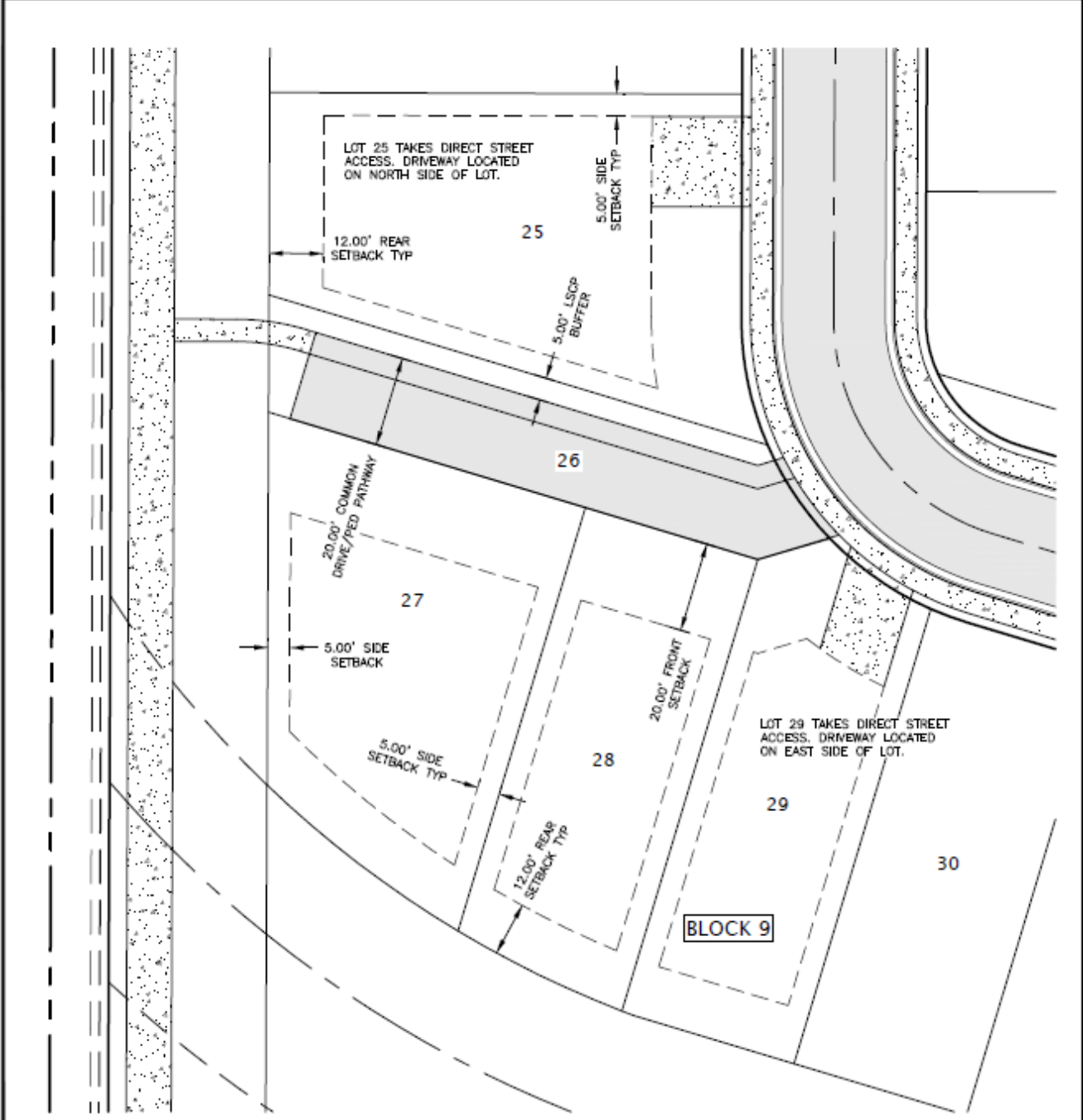


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SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 14-19 BLOCK 9

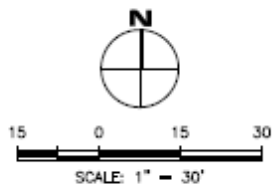


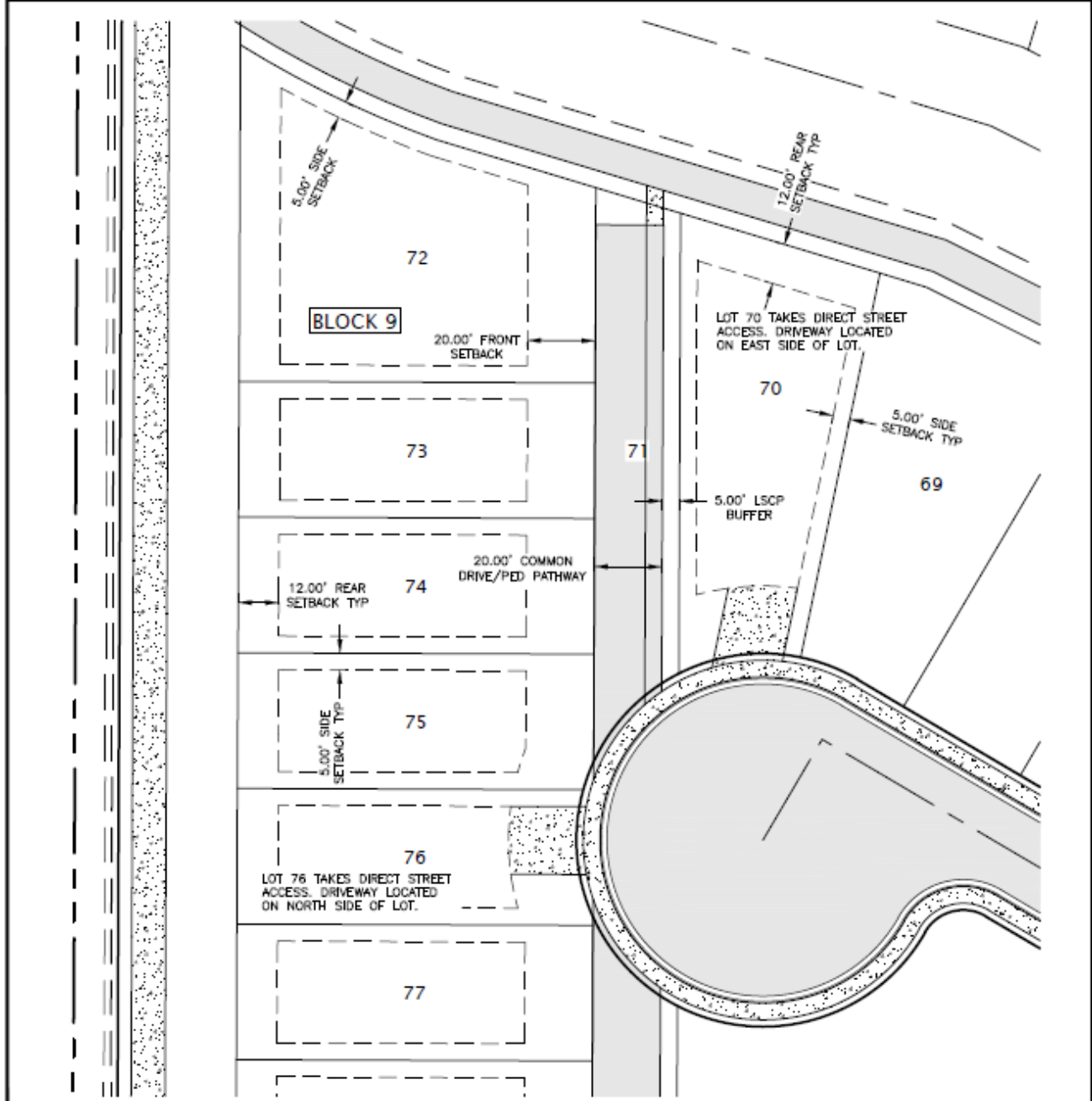


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SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 25-30 BLOCK 9

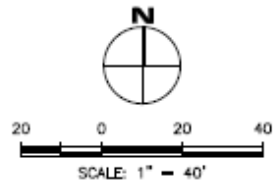


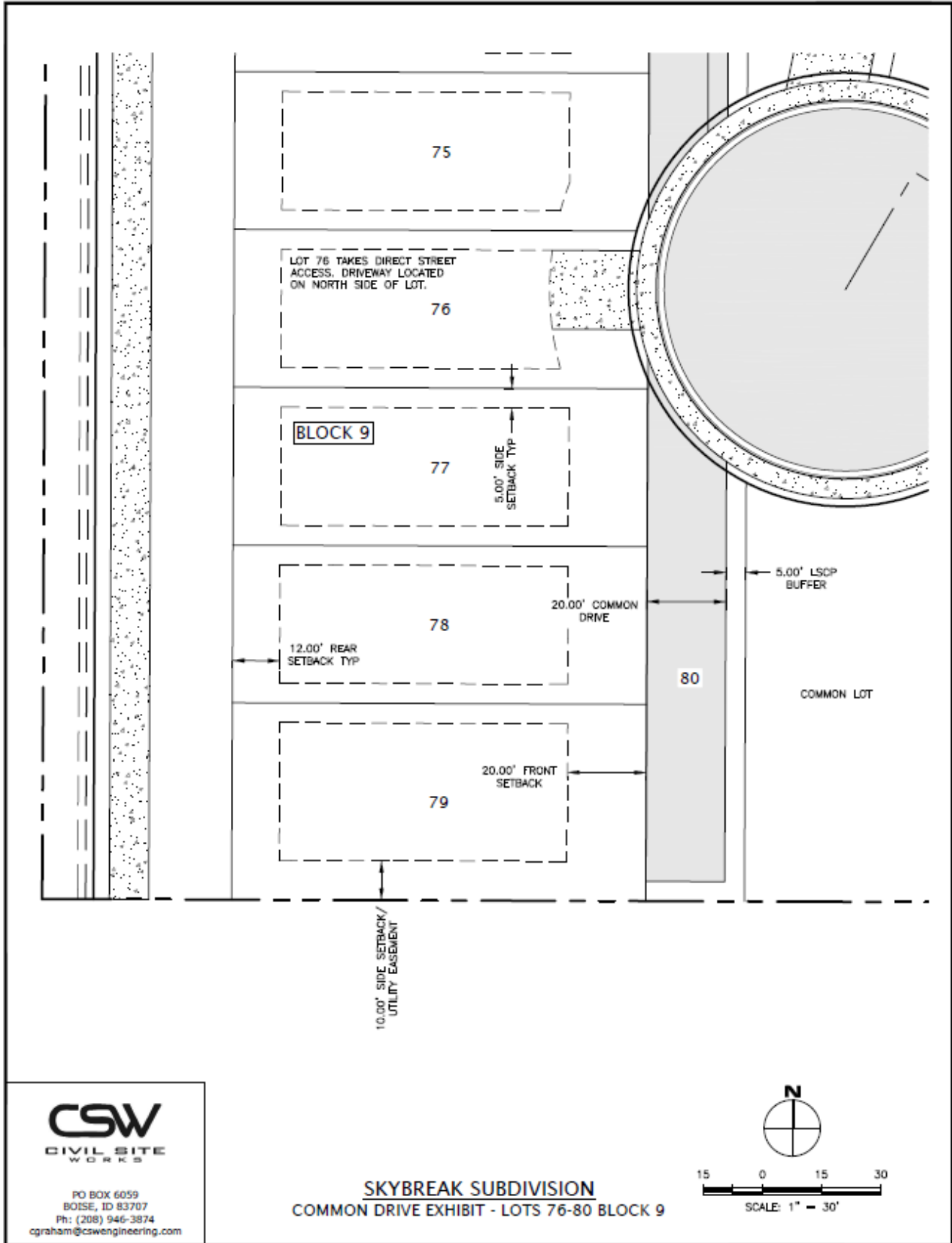


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SKYBREAK SUBDIVISION
 COMMON DRIVE EXHIBIT - LOTS 70-76 BLOCK 9





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 cgraham@cswengineering.com

SKYBREAK SUBDIVISION
COMMON DRIVE EXHIBIT - LOTS 76-80 BLOCK 9

F. Conceptual Building Elevations

NOT APPROVED



Existing Home to remain (above)

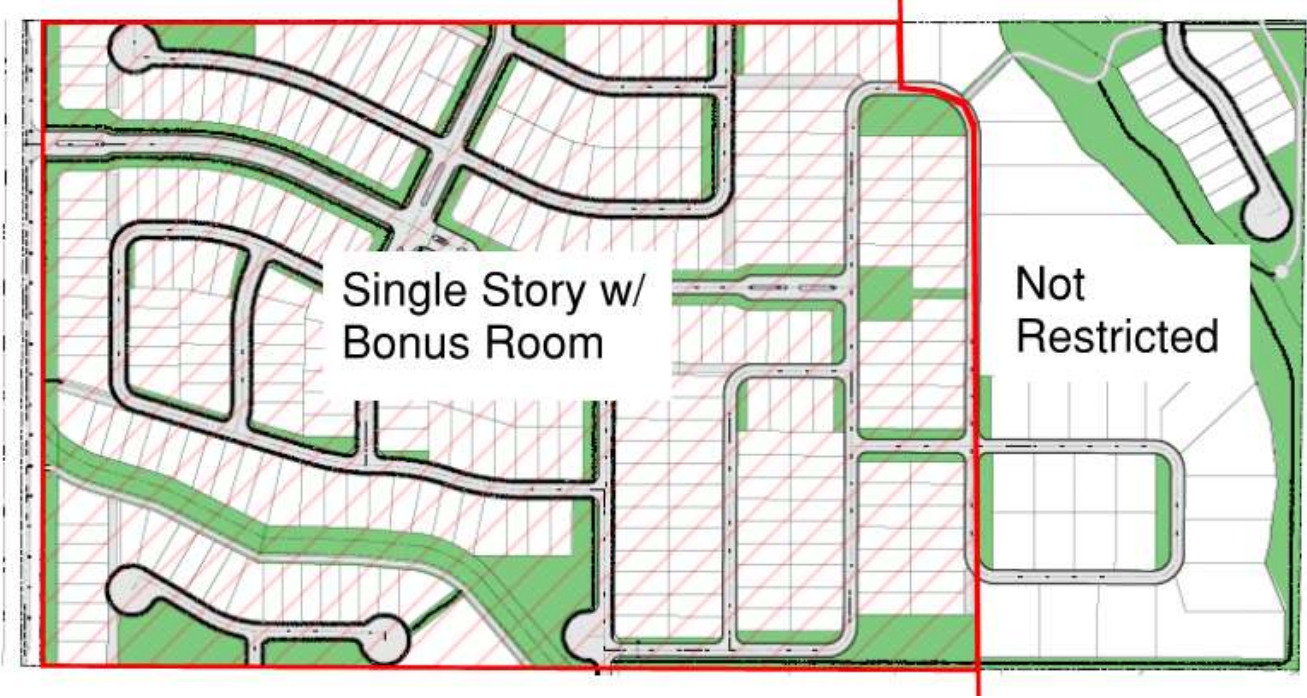


Existing Home to remain (above)





G. Single-Story Home Restriction Exhibit



H. Traditional Neighborhood vs. Gated Community



I. Pedestrian Plan



J. On-Street Parking Plan



IX. CITY/AGENCY COMMENTS

A. PLANNING DIVISION

No conditions of approval are included due to Staff's recommendation of denial.

B. PUBLIC WORKS

1. Site Specific Comments

- 1.1 Phase 8 of the proposed Skybreak subdivision is in an "A" Flood Zone. This area requires extending the existing hydraulic and hydrology study and establishing Base Flood Elevations. This area was not included in the recent flood study downstream.
- 1.2 The City is applying the following requirements for Common Driveways.
Three or less lots – services from main in adjacent road
Four or more lots – Sewer in common drive. Sewer will be private and will be the responsibility of the HOA to maintain. Manhole needed in the common drive at the property boundary with "Private" on the lid.
- 1.3 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards.
- 1.4 Common drives that have both water and sewer mains will require a 30' easement.
- 1.5 **As currently designed, most phases do not meet minimum fire flow pressure. There are however multiple options to meet fire flow including upsizing some water mains to 12" and a secondary loop connection. Coordinate with PW Engineering on main sizes, connection at the SW corner and connection at the NE corner.** Each phase must be modeled to ensure fire flow. Second water connection may be required at first phase.
- 1.6 Existing wells must be decommissioned according to IDWR rules which include employing methods to ensure grout fills the annular space outside of the well casing. Record of abandonment must be provided to the City prior to final plat signature.
- 1.7 The street addressing for any existing home(s) to remain on the site will change to an address based upon the internal roadways.
- 1.8 As noted in the Geotechnical Engineering Report prepared by Atlas Materials Testing & Inspection, there are shallow cemented soils across the site. Particular attention needs to be focused on ensuring that all residences constructed with crawl spaces should be designed in a manner that will inhibit water in crawl spaces. This may include the installation of foundation drains, and the installation of rain gutters and roof drains that will carry storm water at least 10-feet away from all residences. Foundation drains are not allowed to drain into the sanitary sewer system, nor the trench backfill for the sewer and/or water service lines.

2. General Comments

- 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 existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.

- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.22 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.23 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214215&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192985&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214368&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=193035&dbid=0&repo=MeridianCity>

G. ADA COUNTY DEVELOPMENT SERVICES

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192703&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=213934&dbid=0&repo=MeridianCity>

I. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=193631&dbid=0&repo=MeridianCity>

J. CENTRAL DISTRICT HEALTH DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192699&dbid=0&repo=MeridianCity>

K. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=203469&dbid=0&repo=MeridianCity>

Community Development School Impact Review:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=203755&dbid=0&repo=MeridianCity>

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192817&dbid=0&repo=MeridianCity>

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

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

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

Staff finds the proposed map amendment to R-8 and proposed development plan is not consistent with the Comprehensive Plan in regard to density proposed in the Low Density Residential designated area (over the maximum of 3 units/acre), lack of variety and concentration of one housing type (single-family detached and predominantly single-level homes), lack of significant diversity in lot sizes and lack of usable and quality open space (see Sections V and VI for more information).

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

Staff finds the lack of variety in housing types (i.e. all single-family detached homes) and lack of significant diversity in lot sizes is not compatible with the purpose statement of the residential districts, which states a range of housing opportunities should be provided consistent with the Comprehensive Plan.

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

Staff finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare although testimony has been submitted from adjacent neighbors to the south stating they are not in favor of the lack of transition in lot sizes and zoning proposed to their properties.

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

Staff finds the impact of the proposed development on area middle and high schools will create an adverse impact as these schools will be (the high school already is) over capacity.

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

Staff finds the proposed annexation is not in the best interest of the City at this time as it is located on the fringe of the City and will not maximize existing public services. Further, Staff finds the design of the proposed development plan is not consistent with the Comprehensive Plan as discussed above in Section V.

B. Preliminary Plat (UDC 11-6B-6):

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

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

Staff finds that the proposed plat is not in substantial conformance with the adopted Comprehensive Plan in regard to maximizing public services by prioritizing infill development over parcels on the fringe, provision of a variety of housing types, density in the LDR designated area, transitional densities, adequate provision of services (Fire Dept.), usable open space, etc. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

Staff finds that public services are available and can be extended to accommodate the proposed development although services would be maximized by development of infill or underdeveloped parcels already in the City instead of on the fringe as is the subject property (See Exhibit B of the Staff Report for more details from public service providers.)

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

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

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

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

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. Public testimony has been submitted from adjacent residents to the south on 1-acre lots stating there is not an adequate transition in lot sizes or zoning to their properties/subdivision. ACHD considers road safety issues in their analysis.

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

Staff finds the proposed development preserves the natural topography/hillside along the eastern boundary of the site. Staff is unaware of any other significant natural, scenic or historic features that exist on this site that require preserving.

C. Private Street (UDC 11-3F-5)

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

1. The design of the private street meets the requirements of this article;

The Director finds the design of the private streets doesn't comply with the maximum number of dwelling units allowed (i.e. 50) to be accessed by gated private streets – two (2) gates are proposed for access to 121 dwelling units. Additionally, common driveways aren't allowed off private streets; however, alternative compliance is requested to this standard.

Although not a design issue, the minimum street frontage required in the R-8 district is 40 feet per UDC Table 11-2A-6 – the provisions for private streets don't apply where frontage is required, per UDC 11-3F-1.

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

The Director finds granting approval of the proposed private streets should not cause damage, hazard or nuisance or other detriment to persons, property or uses in the vicinity.

3. The use and location of the private street shall not conflict with the comprehensive plan and/or the regional transportation plan. (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)

The Director finds the use and location of the private streets shouldn't conflict with the Comprehensive Plan as interconnectivity is proposed to adjacent developments via public streets and the Master Street Map doesn't depict any collector streets in this area.

4. The proposed residential development (if applicable) is a new or gated development. (Ord. 10-1463, 11-3-2010, eff. 11-8-2010)

T finds the portion of the residential development where private streets are proposed is gated; however, the number of units (i.e. 121) behind the two (2) gates exceed the maximum number allowed in UDC 11-3F-A.4b.

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

Required Findings: In order to grant approval for an alternative compliance application, the Director shall determine the following: (Ord. 10-1439, 1-12-2010, eff. 1-18-2010)

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

The Director finds strict adherence to the requirement in UDC 11-3F-4A.6 that prohibits common driveways off a private street is feasible.

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

The Director finds the request for Alternative Compliance does not meet any of the conditions listed in UDC 11-5B-5B.2 for which such requests are allowed. Further, if it did, the Director does not find the proposed alternative provides an equal or superior means for 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.

Although the proposed alternative may not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties, the Director finds none of the conditions listed in UDC 11-5B-5B.2 for which such requests are allowed exist. Therefore, per the Findings listed above, the Director denies the request for Alternative Compliance.



AGENDA ITEM

ITEM TOPIC: Public Hearing for 2810 E. Franklin Rd. (H-2020-0097) by KM Engineering,
Located at 2810 E. Franklin Rd.

A. Request: Annexation of 1.01 acres of land with a C-G zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: November 19, 2020

Topic: **Public Hearing** for 2810 E. Franklin Rd. (H-2020-0097) by KM Engineering, Located at 2810 E. Franklin Rd.
A. Request: Annexation of 1.01 acres of land with a C-G zoning district.

Information Resources:

[Click Here for Application Materials](#)

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

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



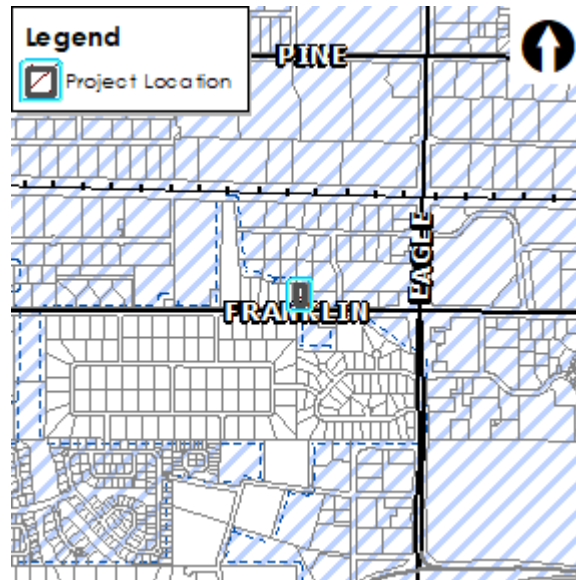
HEARING DATE: November 19, 2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0097
2810 E. Franklin Rd. – AZ

LOCATION: 2810 E. Franklin Rd., in the SE ¼ of Section 8, Township 3N., Range 1E. (Parcel #S1108449000)



I. PROJECT DESCRIPTION

The Applicant requests annexation of 1.01 acres of land with a C-G zoning district.

II. SUMMARY OF REPORT

A. Project Summary

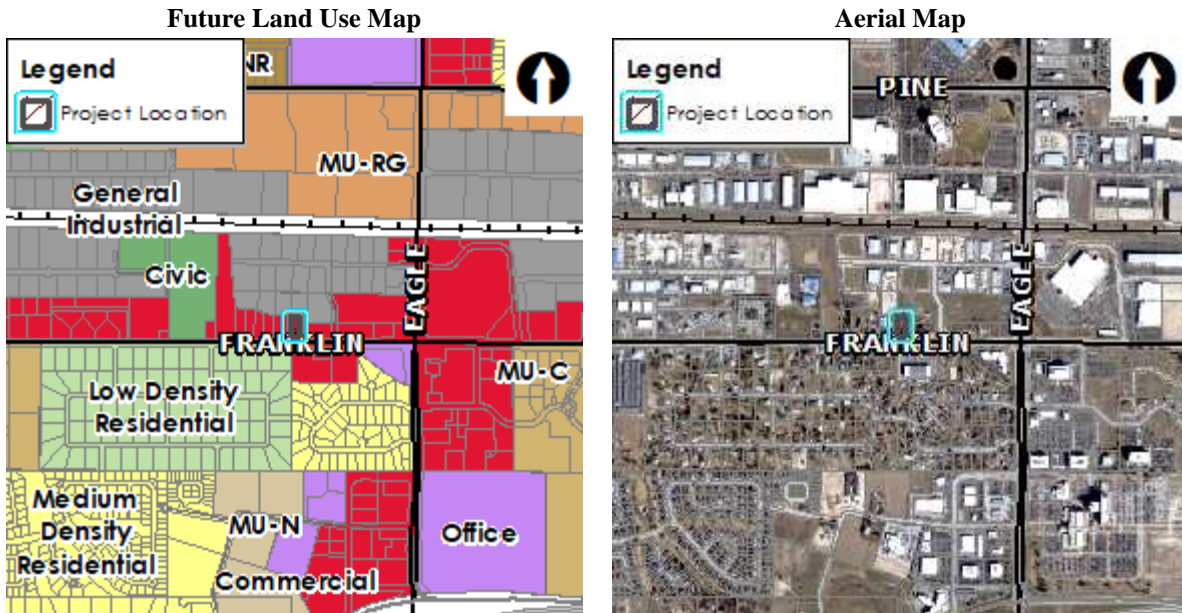
Description	Details	Page
Acreage	0.92 of an acre (1.01 including adjacent right-of-way to the centerline of E. Franklin Rd.)	
Future Land Use Designation	Commercial	
Existing Land Use	Single-family residential	
Proposed Land Use(s)	Flex space	
Current Zoning	RUT in Ada County	
Proposed Zoning	Commercial (General Retail and Service Commercial)	
Waterways	The Snider Lateral crosses the northern portion of this site.	

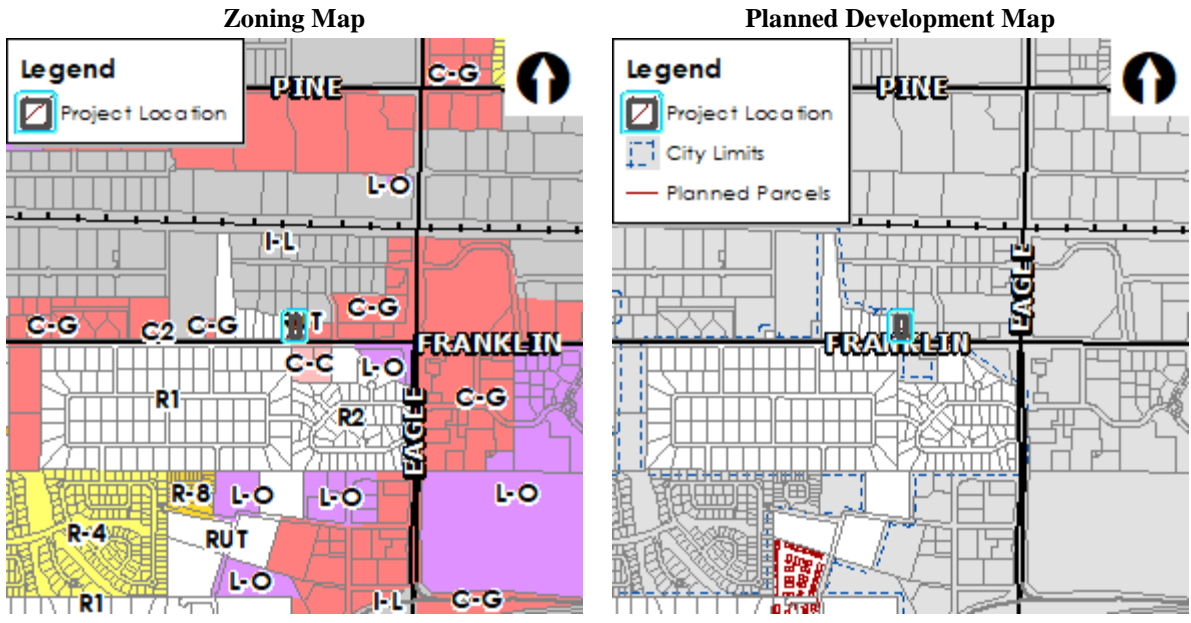
Neighborhood meeting date; # of attendees:	September 2, 2020; 3 attendees	
History (previous approvals)	None	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	One (1) existing access via E. Franklin Rd., an arterial street and entryway corridor, proposed to remain	
Fire Service	<i>No comments were submitted.</i>	
Police Service	<i>No comments were submitted.</i>	
Wastewater		
Distance to Sewer Services	Directly adjacent in Franklin Rd.	
Sewer Shed	Five Mile Trunk	
Estimated Project Sewer ERU's	See application	
WRRF Declining Balance	13.98	
Project Consistent with WW Master Plan/Facility Plan	Yes	
Impacts/Concerns	No comment	
Water		
Distance to Water Services	Directly adjacent in Franklin Rd.	
Pressure Zone	3	
Estimated Project Water ERU's	See application	
Water Quality	None	
Project Consistent with Water Master Plan	Yes	
Impacts/Concerns	No comment	

C. Project Maps





III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Daniel Eisenring – 194 W. Broderick Dr., Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	10/30/2020	
Radius notification mailed to property owners within 300 feet	10/30/2020	
Public hearing notice sign posted on site	11/5/2020	
Nextdoor posting	10/30/2020	

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Commercial on the Future Land Use Map (FLUM) in the [Comprehensive Plan](#). The Commercial designation provides for a full range of commercial uses to serve area residents and visitors. Desired uses may include retail, restaurants, personal and professional services, and office uses, as well as appropriate public and quasi-public uses. Multi-family residential may be allowed in

some cases but should be careful to promote a high quality of life through thoughtful site design, connectivity and amenities.

The Applicant proposes to redevelop this site for a flex space use that will consist of office and warehouse space for an automotive tool and equipment supplier.

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

- “Encourage infill development.” (3.03.01E)

The Comprehensive Plan defines infill as “development on vacant parcels, or redevelopment of existing parcels to a higher and better use that is surrounded by developed property within the City of Meridian.” The subject property abuts City annexed land to the north, east and south and is proposed to redevelop with a commercial use.

- “Focus development and redevelopment intensity on key transportation corridors.” (3.07.02C)

The subject property and proposed flex space use is located adjacent to E. Franklin Rd., a key transportation corridor and entryway corridor into the City. Redevelopment of this property to a commercial use is an appropriate intensity in this location along a major transportation corridor.

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

The property to the north is zoned industrial (I-L); the property to the northwest is developed with a landscape supply business and the property directly to the north is undeveloped. The property to the east is vacant/undeveloped land zoned C-G. The office proposed in the existing building adjacent to Franklin Rd. and the warehouse proposed in the rear building facing industrial zoned land should be compatible with existing and future abutting industrial and commercial uses.

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

A 35-foot wide landscaped street buffer will be required with development along E. Franklin Rd., an arterial street and entryway corridor, landscaped per the standards listed in UDC 11-3B-7C.

- “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 in E. Franklin Rd. and can be extended by the developer with development in accord with UDC 11-3A-21.

- “Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D)

Street buffer and parking lot landscaping will be required with development in accord with the standards listed in UDC 11-3B-7C and 11-3B-8C, respectively. The design of the new structure is required to be consistent with the standards listed in the Architectural Standards Manual.

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

The Applicant will be required to grant cross-access easements to adjacent properties to the east and west with development in accord with UDC 11-3A-3A.2, unless otherwise waived by Council. The Applicant is requesting a waiver from City Council to not provide cross-access easements to

adjacent properties due to the topography of the site combined with the space available for development with retention of the existing structure.

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

The proposed annexation and flex space use of the property conforms to the City’s vision and City water and sewer services are available to be extended to the property. Fire and police service are already provided in this area.

VI. STAFF ANALYSIS

A. ANNEXATION & ZONING

The area proposed to be annexed consists of 1.01 acres of land and includes land to the section line of E. Franklin Rd. The property is currently zoned RUT and located in Ada County. The Applicant proposes to annex the property into the City with a C-G zoning district consistent with the associated FLUM designation of Commercial. A conceptual development plan is proposed as shown in Section VIII.B.

The proposed annexation area is contiguous to City annexed property and is within the Area of City Impact Boundary. A legal description and exhibit map for the annexation area is included in Section VIII.A.

The topography of this site slopes down significantly from Franklin Rd. to the north property boundary and has approximately a 20 foot grade difference as shown on the grading plan in Section VIII.B. A retaining wall is depicted on the concept plan at the north and west boundaries of the area proposed to be improved with this project.

There is an existing residential home on the property that the Applicant proposes to remodel and expand for a flex space use. The concept plan depicts 2,239 square feet (s.f.) of office on the first floor and 1,550 s.f. of office and support uses in the basement of the existing structure, and a new 2,600 s.f. structure for a warehouse. The new structure is proposed to the north behind the existing structure and will include a daylight basement. The user will be an automotive tool and equipment supplier, classified as a flex space use. The business proposes to sell products online to automotive businesses and at-home mechanics and will not conduct any retail sales on the site.

Flex space is listed in UDC Table 11-2B-2 as a principal permitted use in the C-G zoning district subject to the specific use standards listed in UDC 11-4-3-18: Flex Space, as follows:

- A. Office and/or retail showroom areas shall comprise a minimum of thirty percent (30%) of the structure and/or tenant space. *The proposed office/support use comprises approximately 60% of the structure in accord with this standard; retail sale of products to the public is not proposed.*
- B. Light industry and warehousing shall not comprise more than seventy percent (70%) of the tenant space. *At approximately 40%, the proposed warehouse area complies with this standard.*
- C. In the C-C, C-G and M-E Districts, roll-up doors shall not be visible from a public street. *One roll-up door is proposed at the rear of the structure, which isn’t visible from E. Franklin Rd.*
- D. Except in the I-L and I-H Districts, loading docks are prohibited. *No loading docks are proposed; because this property is proposed to be zoned C-G, loading docks are prohibited.*
- E. Retail use shall not exceed twenty five percent (25%) of leasable area in any tenant space. *No retail sales are proposed.*

The proposed use and site design complies with the above listed standards. Compliance with the dimensional standards for the C-G zoning district listed in UDC Table 11-2B-3 is also required. The existing and proposed structures comply with the minimum setback requirements of the district. A 35’

wide street buffer is required with development along Franklin Rd., an entryway corridor, landscaped per the standards listed in UDC 11-3B-7C.

The existing driveway access via Franklin Rd. is proposed to remain for access to the site and has been approved by ACHD. Because it closely aligns with a driveway on the south side of Franklin Rd., relocation of the driveway is not recommended. The UDC (11-3A-3A.2) requires cross-access/ingress-egress easements to be granted to adjoining properties where access to a local street is not available, unless otherwise waived by City Council. In accord with this standard, because access isn't available via a local street, Staff recommends cross-access easements are provided and driveways constructed to the properties to the east and west. **A 20-foot wide cross-access easement is depicted on the concept plan to the east and west but the Applicant requests Council approval of a waiver to this requirement to not provide cross-access easements due to the topography of the site and site constraints related to the space available for development. At a minimum, Staff recommends Council require cross-access to the west.** *Note: Staff contacted Ada County to see if a cross-access easement was provided to the subject property with re-development of the adjacent property to the west but has yet to receive an answer.*

A minimum of one (1) off-street vehicle parking space is required to be provided for every 500 square feet of gross floor area; and one (1) bicycle parking space is required for every 25 proposed vehicle spaces or portion thereof. Based on 6,389 square feet, a minimum of 12 vehicle spaces and one (1) bicycle space is required. A total of 13 spaces are depicted on the conceptual site plan, including an ADA space, which is one more than required. However, if cross-access driveways are provided to adjacent properties as required by the UDC, it will reduce the parking by up to (3) spaces, which will result in parking below the required minimum standard. If a waiver is not approved by Council to the requirement for cross-access to be provided to adjacent properties to the east and west, the Applicant may apply for alternative compliance to UDC 11-3C-6B.1; or, construct a smaller addition to reduce the parking requirement.

Parking lot landscaping is required to be provided in accord with the standards listed in UDC 11-3B-8C, which requires a minimum 5-foot wide perimeter landscape buffer adjacent to parking, loading or other paved vehicular use areas, landscaped per the standards listed in UDC 11-3B-8C.1b. A retaining wall and fence is proposed along the west boundary adjacent to the parallel parking spaces where the buffer is required, which doesn't leave adequate area for landscaping. If the site cannot be reconfigured to comply with this standard, alternative compliance may be requested with the Certificate of Zoning Compliance application.

The Snyder Lateral exists in a 40-foot wide easement on the northern portion of the property that is not proposed to be improved. All irrigation laterals are required to be piped unless improved as a water amenity or linear open space as defined in UDC 11-1A-1 as set forth in UDC 11-3A-6B. The City Council may waive this requirement if it finds the public purpose requiring such will not be served and public safety can be preserved per UDC 11-3A-6B.3a. **The Applicant proposes to fence off the area where the lateral is located to preserve public safety and requests a Council waiver to this requirement.**

Because a large portion of this site on the north end is not proposed to be improved, Staff recommends weeds are regularly maintained in this area so as not to create a nuisance and in a manner that prevents wildfire in accord with MCC 4-2.

Conceptual building elevations with materials were submitted as shown in Section VIII.C of the remodel of the existing structure and proposed addition. The materials for the front façade and sides of the existing building consist of stucco with pre-finished metal siding and stone veneer accents; the materials for the proposed warehouse addition consist of a mix of horizontal and vertical metal siding. **All improvements to the existing structure and new construction are required to comply with the design standards listed in the Architectural Standards Manual. A Certificate of Zoning**

Compliance and Design Review application is required to be submitted to the Planning Division and approved prior to submittal of a building permit application.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure the site develops as proposed with this application and as recommended by Staff in accord with UDC standards, Staff recommends a DA is required as a provision of annexation (see provision in Section IX.A).**

VII. DECISION

A. Staff:

Staff recommends approval of the proposed Annexation & Zoning with the requirement of a Development Agreement per the provisions in Section IX in accord with the Findings in Section X.

VIII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map



9233 WEST STATE STREET | BOISE, ID 83714 | 208.639.6939 | FAX 208.639.6930

September 22, 2020
Project No. 20-113

**Exhibit A
Legal Description for
Annexation and Rezone to C-G**

A parcel of land situated in a portion of the Southeast 1/4 of Section 8, Township 3 North, Range 1 East, B.M., Ada County, Idaho and being more particularly described as follows:

Commencing at a found brass cap marking the Southeast corner of said Section 8, which bears N89°54'35"W a distance of 2,571.03 feet from a found brass cap marking the South 1/4 corner of said Section 8;

Thence following the southerly line of said Southeast 1/4, N89°54'35"W a distance of 1,171.19 feet to the **POINT OF BEGINNING**.

Thence following said southerly line, N89°54'35"W a distance of 152.04 feet;

Thence leaving said southerly line, N00°12'38"E a distance of 290.38 feet to a found 1/2-inch rebar on the boundary line of Olson and Bush Subdivision No. 3 (Book 107, Pages 14,905 – 14,907 of Plats);

Thence following said subdivision boundary line the following two (2) courses:

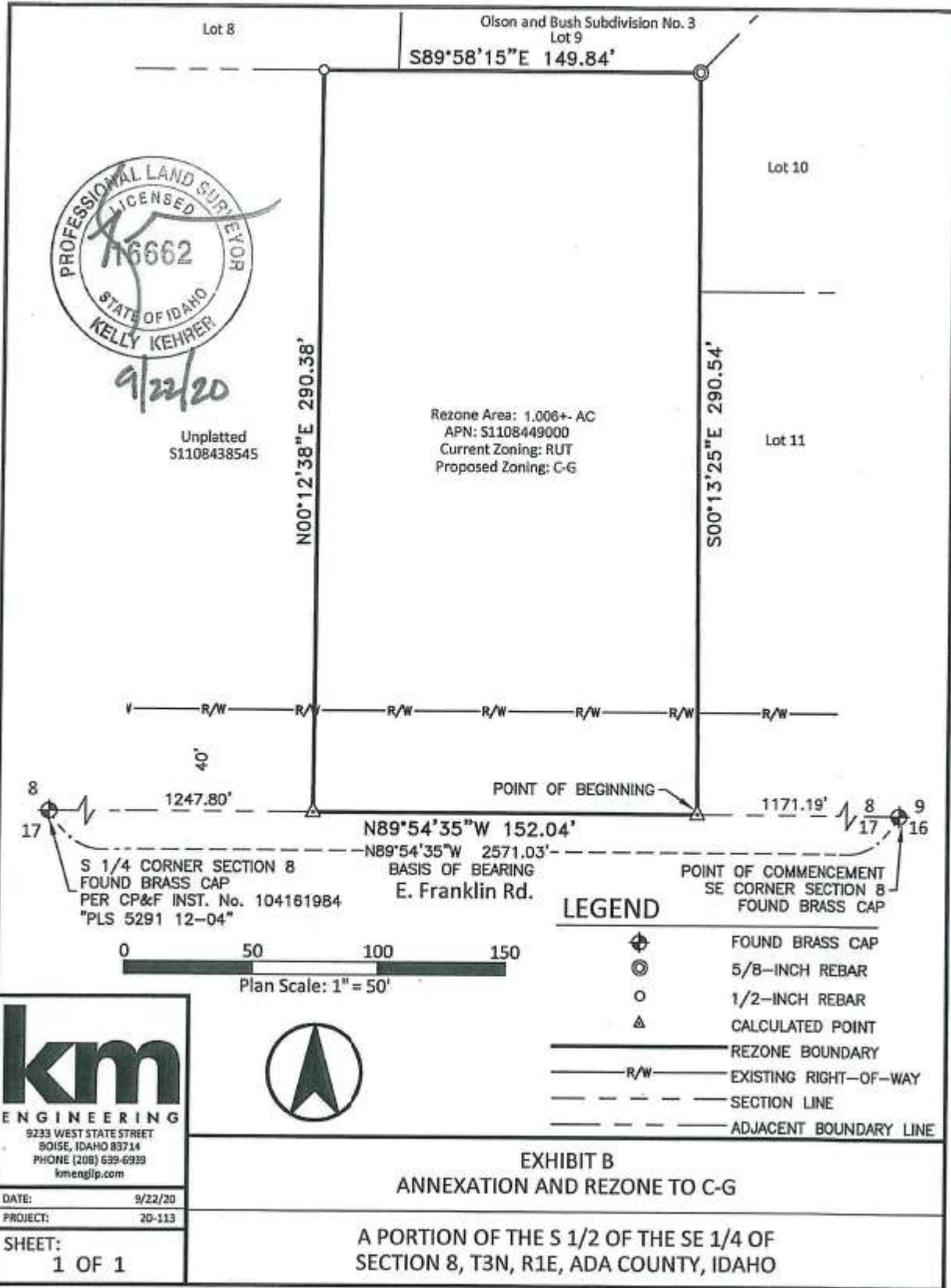
- 1. S89°58'15"E a distance of 149.84 feet to a found 5/8-inch rebar;
- 2. S00°13'25"E a distance of 290.54 feet to the **POINT OF BEGINNING**.

Said parcel contains 1.006 acres, more or less, and is subject to all existing easements and/or rights-of-way of record or implied.

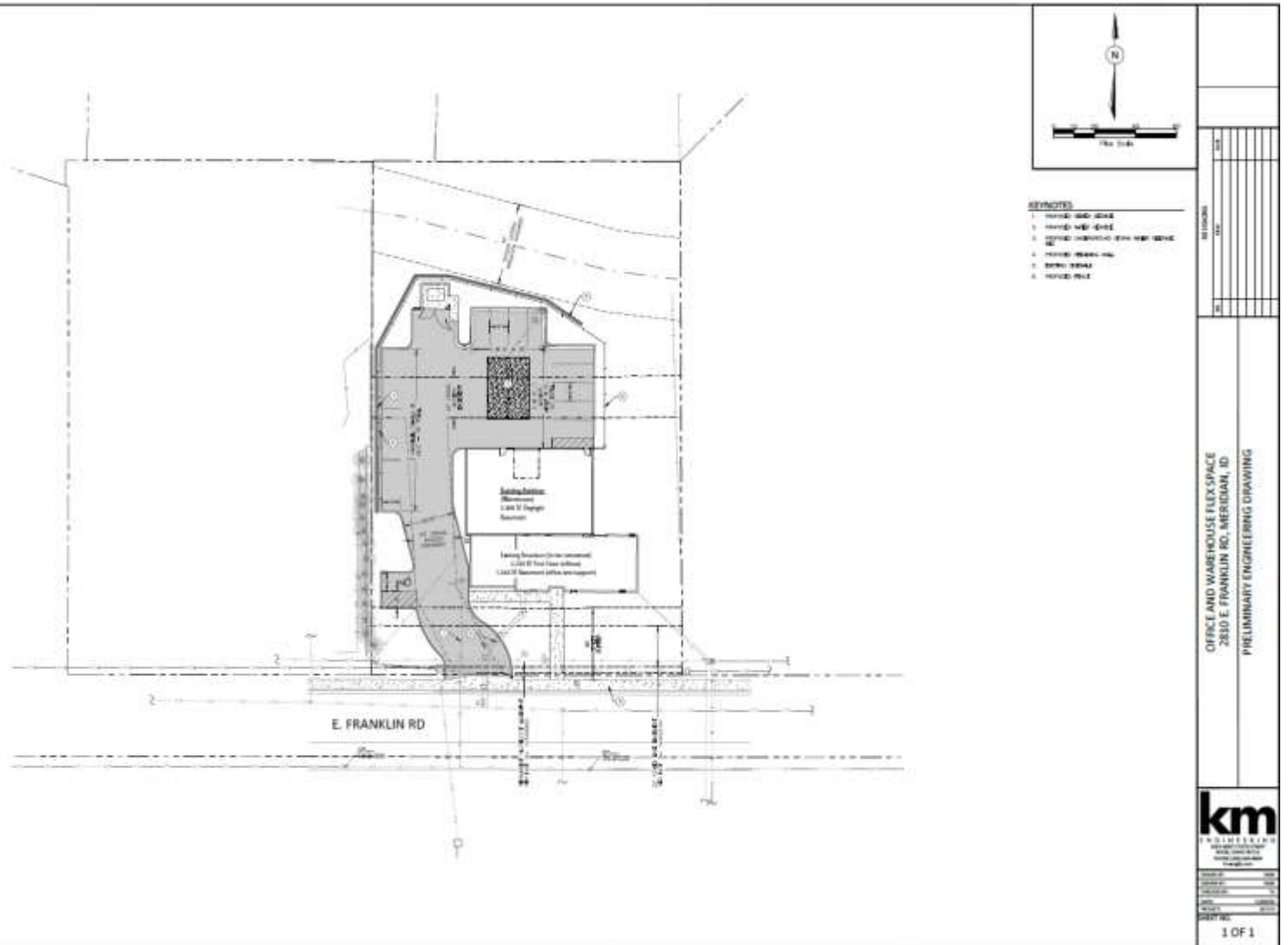
All subdivisions, deeds, records of surveys, and other instruments of record referenced herein are recorded documents of the county in which these described lands are situated in.

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





B. Conceptual Development Plan & Grading Exhibit (dated: November 5, 2020)



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the conceptual development plan included in Section VIII.B, applicable standards in the Unified Development Code, and the provisions contained herein.
- b. Cross-access/ingress-egress easements shall be granted to adjoining properties to the east and west with development as set forth in UDC 11-3A-3A.2, unless otherwise waived by City Council. Driveways shall be constructed within the easements to the property boundary to facilitate future cross-access between properties. Recorded copies of the easements shall be submitted to the Planning Division with the Certificate of Zoning Compliance application.
- c. The Snyder Lateral, lying on the northern portion of the subject property, shall be piped or otherwise covered with development as set forth in UDC 11-3A-6B, unless otherwise waived by City Council.
- d. The unimproved portion of the site shall be regularly maintained in a manner that prevents weeds from being a nuisance and prevents wildfire in accord with MCC 4-2.
- e. All development shall comply with the structure and site design standards listed in UDC 11-3A-19 and the design standards listed in the Architectural Standards Manual.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Sanitary sewer and water service lines currently exist to this address.

C. FIRE DEPARTMENT

No comments were received.

D. POLICE DEPARTMENT

No comments were received.

E. PARK'S DEPARTMENT

No comments were received.

F. ADA COUNTY DEVELOPMENT

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=214628&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=216415&dbid=0&repo=MeridianCity>

X. FINDINGS

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

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

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

Staff finds the Applicant's proposal to annex the subject 1.01 acre property with a C-G zoning district for the development of a flex space use is consistent with the associated Commercial FLUM designation for this property. (See Section V above for more information.)

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

Staff finds the proposed map amendment and subsequent development will comply with the regulations of the C-G zoning district and will provide for the service needs of the community in accord with the purpose statement of the Commercial districts.

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

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

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

Staff finds the proposed map amendment will not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the City, including the school district.

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

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



AGENDA ITEM

ITEM TOPIC: Public Hearing for Poiema Calvary Chapel (H-2020-0095) by The Land Group, Inc., Located at 3727 E. Lake Hazel Rd.

A. Request: A Conditional Use Permit to construct a new church facility built in two phases to total 52,000 square feet and 320 parking spaces at total build-out on approximately 7 acres of land on Lot 1, Block 2 of Poiema Subdivision in the R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: November 19, 2020

Topic: **Public Hearing** for Poiema Calvary Chapel (H-2020-0095) by The Land Group, Inc.,
Located at 3727 E. Lake Hazel Rd.

- A. Request: A Conditional Use Permit to construct a new church facility built in two phases to total 52,000 square feet and 320 parking spaces at total build-out on approximately 7 acres of land on Lot 1, Block 2 of Poiema Subdivision in the R-15 zoning district.
-

Information Resources:

[Click Here for Application Materials](#)

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

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



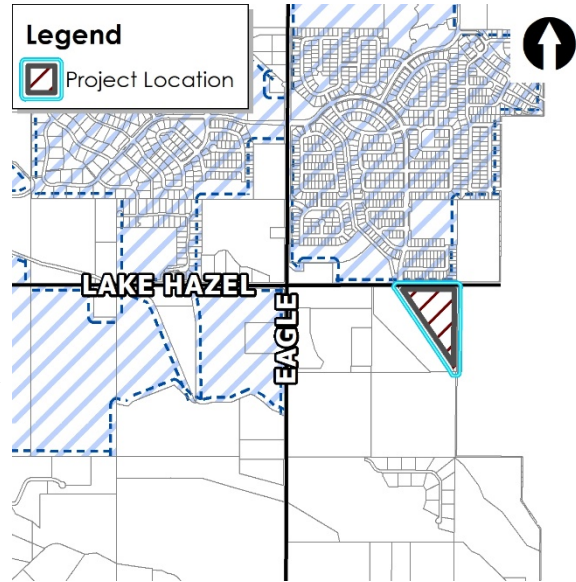
HEARING DATE: 11/19/2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0095
Poiema Calvary Chapel

LOCATION: The site is located at 3727 E. Lake Hazel Road, in the NE ¼ of the NW ¼ of Section 4, Township 2N., Range 1E.



I. PROJECT DESCRIPTION

Conditional Use Permit request to construct a new church facility built in two phases to total 52,000 square feet and 320 parking spaces at total build-out on approximately 7 acres of land on Lot 1, Block 2 of Poiema Subdivision in the R-15 zoning district, by The Land Group, Inc.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	14.87 acres	
Future Land Use Designation	Medium-High Density Residential	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Religious Institution (Church)	
Lots (# and type; bldg./common)	1 total lot – lot previously reserved for Church building site in Poiema Subdivision (H-2020-0035)	
Phasing Plan (# of phases)	Proposed to be constructed in two (2) phases.	
Open Space (acres, total [%]/buffer/qualified)	Open space is not required with this use and the open space shown on the site plan was approved with the Poiema Subdivision in August 2020.	
Physical Features (waterways, hazards, flood plain, hillside)	Ten Mile Creek runs along the western boundary but is not on the subject site. Part of the site resides within the 100-year floodplain zone.	
Neighborhood meeting date; # of attendees:	August 4, 2020 – no attendees	

Description	Details	Page
History (previous approvals)	Subject site is located on one of the lots of the Annexation and Preliminary Plat approval for Poiema Subdivision (H-2020-0035; DA Inst. #2020-138120). This approval preliminarily granted the Church use but required that a conditional use permit was approved as is required within the R-15 zoning district.	

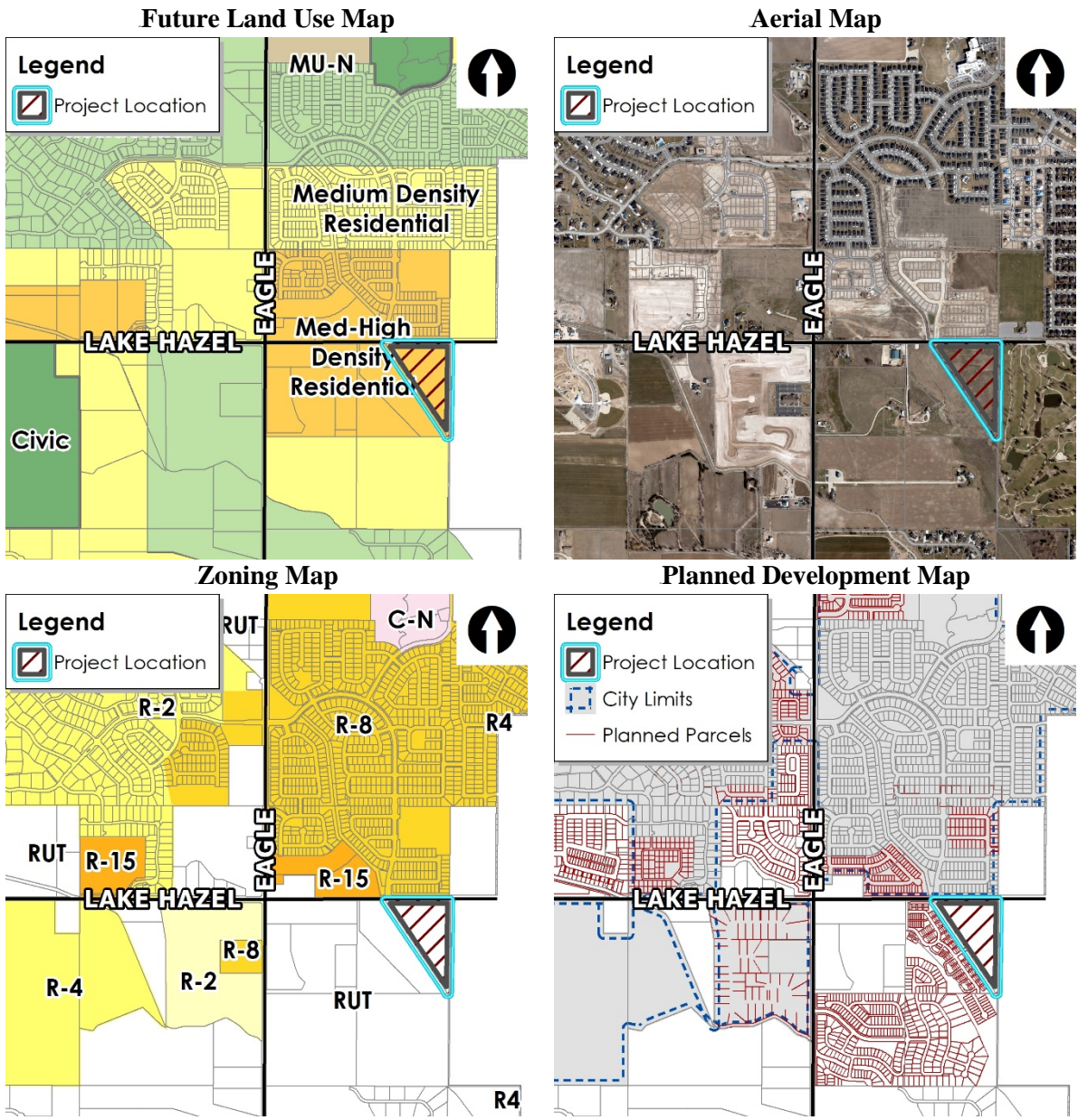
B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>No; Staff level comply with letter.</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Proposed access is from E. Lake Hazel Road, an arterial. The proposed access is via a new public local street. ACHD is allowing a modification to their district policies to allow this access as there is no other lesser classified street available.	
Stub Street/Interconnectivity/Cross Access	A new stub street is proposed with the preliminary plat to the adjacent property to the west from the proposed local street noted above. This access is approved by ACHD as noted in their staff report. The church site will have over 300 parking spaces within the building lot but there is no need for any cross-access as the adjacent roadways to the site are all public roadways.	
Existing Road Network	E. Lake Hazel, an arterial, is existing with 2 travel lanes.	
Existing Arterial Sidewalks / Buffers	No; Applicant is required to improve frontage with landscaping and detached sidewalk with the preliminary plat.	
Proposed Road Improvements	Applicant is not proposing to improve E. Lake Hazel as it is scheduled to be widened to 5 travel lanes by ACHD in 2024.	
Fire Service		
<ul style="list-style-type: none"> Distance to Fire Station 	3 miles from Fire Station #4	
<ul style="list-style-type: none"> Fire Response Time 	Part of the proposed development falls within the 5 minute response time goal.	
<ul style="list-style-type: none"> Resource Reliability 	78% (below the target rating of 80%)	
<ul style="list-style-type: none"> Risk Identification 	Risk Factor 2 – Residential with hazards; current resources would not be adequate to supply service to this project due to nearby waterway if an emergency were to occur.	
<ul style="list-style-type: none"> Accessibility 	Proposed project meets all required access, road widths, and turnarounds.	

Description	Details	Page
Police Service (comments for the overall subdivision; no specific comments for the Church site).		
• Distance to Police Station	5.5 miles	
• Response Time	Goal of 3-5 minutes	
• Accessibility	MPD has no concerns with access into this development; the MPD can service this development if approved.	
• Additional Comments	There is no call data in this area because the proposed development is at the edge of City Limits. Between March 2019 and March 2020, MPD responded to 7 calls for service within one mile of this proposed development. The crime count on those calls was one (1). Between March 2019 and March 2020, MPD responded to 9 crashes within 1 mile of this proposed development.	
West Ada School District		
• Distance (elem, ms, hs)	No comments submitted for this project.	
• Capacity of Schools		
• # of Students Enrolled		
Wastewater		
• Distance to Sewer Services	N/A	
• Sewer Shed	South Black Cat Trunk Shed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.92	
• Project Consistent with WW Master Plan/Facility Plan	YES	
• Additional Comments	<ul style="list-style-type: none"> • Flows have been committed • Existing sewer in Lake Hazel; proposed sewer as part of Poima Subdivision. 	
Water		
• Distance to Water Services	0 feet	
• Pressure Zone	5	
• Estimated Project Water ERU's	See application	
• Water Quality Concerns	None	
• Project Consistent with Water Master Plan	YES	
• Impacts/Concerns	No utilities were shown for the Church portion of this property. All proposed infrastructure serving the	

Description	Details	Page
	church must be submitted, reviewed, and approved by Public Works.	

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Same as Representative.

B. Owner:

Calvary Chapel Treasure Valley, Inc. – 9226 W. Barnes Drive, Boise, ID 83705

C. Representative:

The Land Group – 462 E. Shore Drive, #100, Eagle, ID 83616

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	10/30/2020	
Radius notification mailed to properties within 500 feet	10/30/2020	
Site Posting	11/5/2020	
Nextdoor posting	10/30/2020	

V. STAFF ANALYSIS

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

Medium-High Density Residential – 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.

The Applicant reserved this building lot for this church during the annexation and platting process that was approved in August, 2020. Because a church is a conditional use within the proposed R-15 zoning district, Staff did not analyze its use in that application other than to state that it requires a conditional use permit.

The reserved lot is approximately 7 acres in size and the proposed project is proposed to be built in two phases. The second phase will include a larger sanctuary, an outdoor amphitheater, and additional parking. The subject site lies at the edge of the City’s area of impact on the south side of E. Lake Hazel road, approximately ½ mile east of Eagle Road. There is existing City of Meridian zoning directly across Lake Hazel to the north (Bicentennial Farm Subdivision) but no other existing Meridian zoning is adjacent to the subject site. There is a golf course directly to the east of this property, within the City of Boise. Despite minimal existing zoning directly to the west and southwest of this site, the City is currently processing multiple projects in this area, as seen in the Planned Development Map above.

The comprehensive plan discusses creating an identity and approving projects that integrate gathering places between uses, especially between those that encourage social activity and engagement. Churches tend to do this inherently through civic engagement and with the incorporation of the shared open space area and other site designs like integrated open space, the outdoor amphitheater, and adequate buffers between uses, Staff finds that the proposed use meets this comprehensive plan goal. This project, if approved, should add an additional service and use for adjacent developments that is compatible with the future single-family residential both directly adjacent and those in close proximity.

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

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

“Reduce the number of existing access points onto arterial streets by using methods such as cross-access agreements, access management, and frontage/backage roads, and promoting local and collector street connectivity” (6.01.02B). All accesses for this development are to remain the

same for the proposed Church site that were approved with the Poiema Subdivision. This includes the main access points for the parking lot being to the proposed public roads and the emergency access to Lake Hazel along the western property boundary. The Applicant has proposed the main access into this development as far east on their parcel as possible which ACHD has agreed to modify their policy to allow for this additional access onto E. Lake Hazel.

Once the land to the west redevelops, additional public roads will be available for church traffic to get back to the arterial road network. In the near-term, all traffic will filter onto Lake Hazel at the main entrance to the subdivision and ACHD has reviewed and approved the traffic generations for this use through the TIS review.

“Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.” (5.01.01F). There can always be concerns that arise from the proposition of a large parking lot or outdoor amphitheater when near a residential development. City code will be enforced by confirming the project’s conformance with code for both parking lot lighting and any noise. The Applicant has stated that no permanent sound equipment will be used in the amphitheater and any outdoor speakers that would be used intermittently will be required to meet UDC 11-3A-13.

“Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00). The proposed Church development should be compatible with nearby uses as it is a community serving use and will be required to conform to city code requirements regarding lighting and noise as noted above. In addition, the church and single-family residential homes all within Poiema will share the large open space lot in the center of the development. The Church will be subject to the same CC&R’s of the residential which should further integrate the two uses and minimize any conflicts that may arise.

Staff finds this development to be generally consistent with Comprehensive Plan policies and objectives.

C. Existing Structures/Site Improvements:

There are no existing structures on the subject site and no site improvements are known at this time. The Applicant will be constructing the public roads and a majority of the overall site improvements with the single-family portion of the Poiema Subdivision. The Applicant will be required to obtain Certificate of Zoning Compliance for this building and at that time all required site improvements will be conformed with by all City Departments. ACHD is not requiring any additional road improvements because Lake Hazel is scheduled to be widened in 2023/2024 to five (5) lanes within their CIP.

D. Proposed Use Analysis:

The proposed use is a church which is listed as a conditionally permitted use in the R-15 zoning district per UDC Table 11-2A-2.

Part of the property (along the western boundary and Tenmile Creek) lies within the 100-year floodplain boundary. The Applicant is currently awaiting the results of a floodplain study to determine the types of constraints and/or possibilities of reducing this boundary area. See Public Works comments for further requirements of the site.

The Applicant is proposing the project in two (2) phases. The first phase is proposed with a sanctuary and associated offices and rooms, an outdoor amphitheater, and an outdoor patio area that is shared with a pond-less water feature. The second phase is shown to include a larger sanctuary with an enlarged entry area, additional rooms at the eastern end of the building, and additional parking. Staff supports the phased development plan to allow the Church to develop at their pace over time.

In addition, Churches have one specific use standard (UDC 11-4-3-6) noting that all accessory uses to the church shall be permitted to the extent of the underlying zoning district. The Applicant shall comply with this standard.

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

The R-15 zoning district requires a minimum lot size of 2,000 square feet and allows a maximum building height of 40 feet. The church is proposed on approximately 7 acres of land is shown with a maximum height of 30 feet for those areas meant for occupation and other architectural features measure approximately 35 feet in height; these dimensions meet all UDC dimensional standards per the submitted site plan and elevations.

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

Access is proposed via two (2) driveway connections to the new local street into this development from E. Lake Hazel Road. The Applicant is also proposing one (1) more driveway connection to the east-west stub street that connects to the western property line south of the church lot. These connections appear to meet UDC requirements. As noted above, the Applicant is also proposing an emergency only access out to Lake Hazel that runs along the western boundary. This access is intended to have multiple parking spaces along it upon construction of the second phase of development—Fire has noted their approval with this design. This emergency access is already conditioned to be built prior to any certificates of occupancy being obtained by the Applicant with the Annexation approvals.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC 11-3C-6B](#) for nonresidential uses at the ratio of one (1) space per 500 square feet of gross floor area. Bicycle racks are also required to be provided at the ratio of one (1) per every 25 parking spaces. All phases of development will be required to comply with these standards throughout the project. No specific parking plan was submitted with the application.

In the first phase of development, the gross floor area is approximately 25,000 square feet requiring a minimum of 50 parking spaces be provided; the site plan shows 155 spaces will be provided with phase 1. The second phase of development adds approximately 27,00 more square feet making a total gross floor area of 52,000 square feet requiring a minimum of 104 parking spaces; the site plans shows 320 parking spaces being provided with phase 2. All parking spaces are noted as being 9' x 20' which exceeds UDC requirements.

All drive aisles are shown as 25 feet wide and the Applicant is showing 12 bicycle racks; the drive aisles meet UDC requirements and each bicycle rack should lock at two (2) bicycles therefore providing 24 bicycle spaces and exceeding the UDC requirement of 13 total bicycle spaces for 320 parking spaces.

Parking for a busy weekend church service is always of concern to neighbors and Staff. The Applicant is aware of this and has proposed parking that exceeds the code requirements by 300%. In addition, the local streets abutting the church lot have street sections that are 33 feet wide which accommodate parking on both sides of the street where no driveways exist. Specifically, almost all the frontage on the west and north side of the local streets will be available for on-street parking. This frontage can allow approximately 31 additional on-street parking spaces during both phases of development as the local roads will be constructed prior to any other development on the subject property. Therefore, Staff finds that the proposed parking is adequate for the proposed use.

H. Pathways (UDC 11-3A-8):

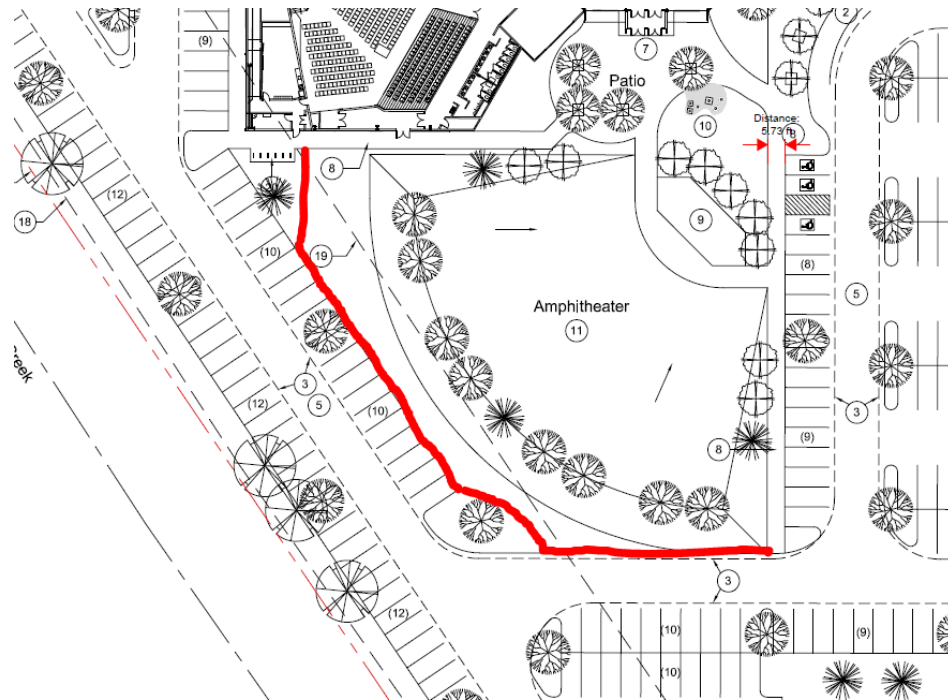
No multi-use pathways are proposed or required with this development because the Master Pathways Plan (MPP) shows a multi-use pathway along the opposite side of the Ten Mile Creek on an adjacent parcel. There are no pathways shown on the MPP along this side of Lake Hazel and the required detached sidewalk will be constructed with the residential portion of the Poiema Subdivision as was required in its approval.

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

The required detached sidewalk along E. Lake Hazel will be constructed with the residential portion of the subdivision as noted above. Five-foot sidewalks are required adjacent to the building and the Applicant is showing sidewalks that appear to be at least 6 feet wide adjacent to the building and connect to the attached sidewalk along the abutting local street. The proposed sidewalks meet UDC requirements.

Although the Applicant is meeting UDC requirements, staff finds that some additional pedestrian connections should occur to help churchgoers get to and from the parking areas more efficiently and safely. Specifically, the area that surrounds the amphitheater on its west and south edge should incorporate a 5-foot sidewalk where only grass is shown in a similar path as depicted in red below. This additional sidewalk would offer an additional path for those who are parking in this area and would help minimize foot traffic within the drive aisles.

J. Landscaping (UDC 11-3B):



All parking areas are required to provide at least 5-feet of perimeter landscaping and meet the landscape requirements of UDC 11-3B-8. The Applicant’s submitted landscape plans show two different proposals. The landscape plan showing the full-build out does not show the correct number of trees, the detailing of the other required vegetative ground cover, nor compliance with the required number of trees within parking islands. The other submitted landscape plan that shows only phase 1, shows more compliance with these requirements; **the Applicant should submit revised landscape plans showing compliance at full-build out prior to CZC submittal.**

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

There is no open space requirement for the proposed use of a Church. However, the Applicant has expressed a desire to share the large, 15,000 square foot open space lot (Lot 2, Block 2) with the residential portion of the Poiema Subdivision. This request was discussed and preliminarily approved with the annexation and platting of Poiema Subdivision. In addition, as seen on the submitted landscape plans, the Applicant is proposing outdoor areas for use by churchgoers including a patio area, a pond-less water feature, and an outdoor amphitheater. Staff is not aware if these additional areas are intended to be shared with the residents. The shared open space at the south end of the development is consistent with the requirements of the recorded development agreement.

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

No fencing is shown on the submitted landscape plans. If any fencing is to occur, it would be only for the subdivision boundary and installed with the Poiema Subdivision. All fencing is required to comply with the standards listed in UDC 11-3A-7.

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

The Applicant has submitted sample elevations of the proposed church and concept renderings for the phase 1 development (see Section VII.D). All nonresidential structures require administrative design review approval prior to obtaining building permits and the Applicant has *not* applied for this concurrently with the conditional use permit.

The submitted elevations show a single-story structure with a maximum height of 30 feet for any area that will be occupied. The elevations show architectural features extending to approximately 35 feet in height and overall design that appear to include stucco, high-end siding, and stone. In addition, the elevations show both shed roof and more traditional flat roof designs adding to the architectural elements of the building. There appears to be adequate modulation in wall plans, especially on the North elevation that faces Lake Hazel. As discussed, the Applicant is required to obtain administrative design review approval of these elevations and at this point Staff will make any required recommendations to the design of the building facades.

VI. DECISION

A. Staff:

Staff recommends approval of the requested conditional use permit with the conditions noted in Section VIII.A per the findings in Section IX of this staff report.

B. Commission:

Enter Summary of Commission Decision.

Item 4.

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B. Site-Plan – Phase One (1) Build-out

Phase 1 Site Plan Data

SITE AREA:	30,877 SQ. FT.
BUILDING AREA:	24,594 SQ. FT.
PARKING REQUIRED:	43
PARKING PROVIDED:	119
CAPACITY (SEATING CAPACITY):	438
UNPAVED LOTION:	25,424 SQ. FT.

KEY: FUTURE PARKING SPACE, LAND, AND/OR FUTURE DEVELOPMENT. SEE OTHER PLANS FOR FUTURE DEVELOPMENT AND/OR FUTURE SPACE.

Reference Notes

1. 20' ENTRANCE DRIVEWAY PAVED.
2. 10' SIDEWALK (MINIMUM) PICK-UP/DROP-OFF AREA.
3. 20' PERPENDICULAR DRIVEWAY TO SIDEWALK.
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Phase 1 Site Plan
Scale: 1" = 40'

Calvary Chapel Treasure Valley

Proposed Church Facility for Calvary Chapel Treasure Valley
Lake Hazel Road, Ada County, Idaho

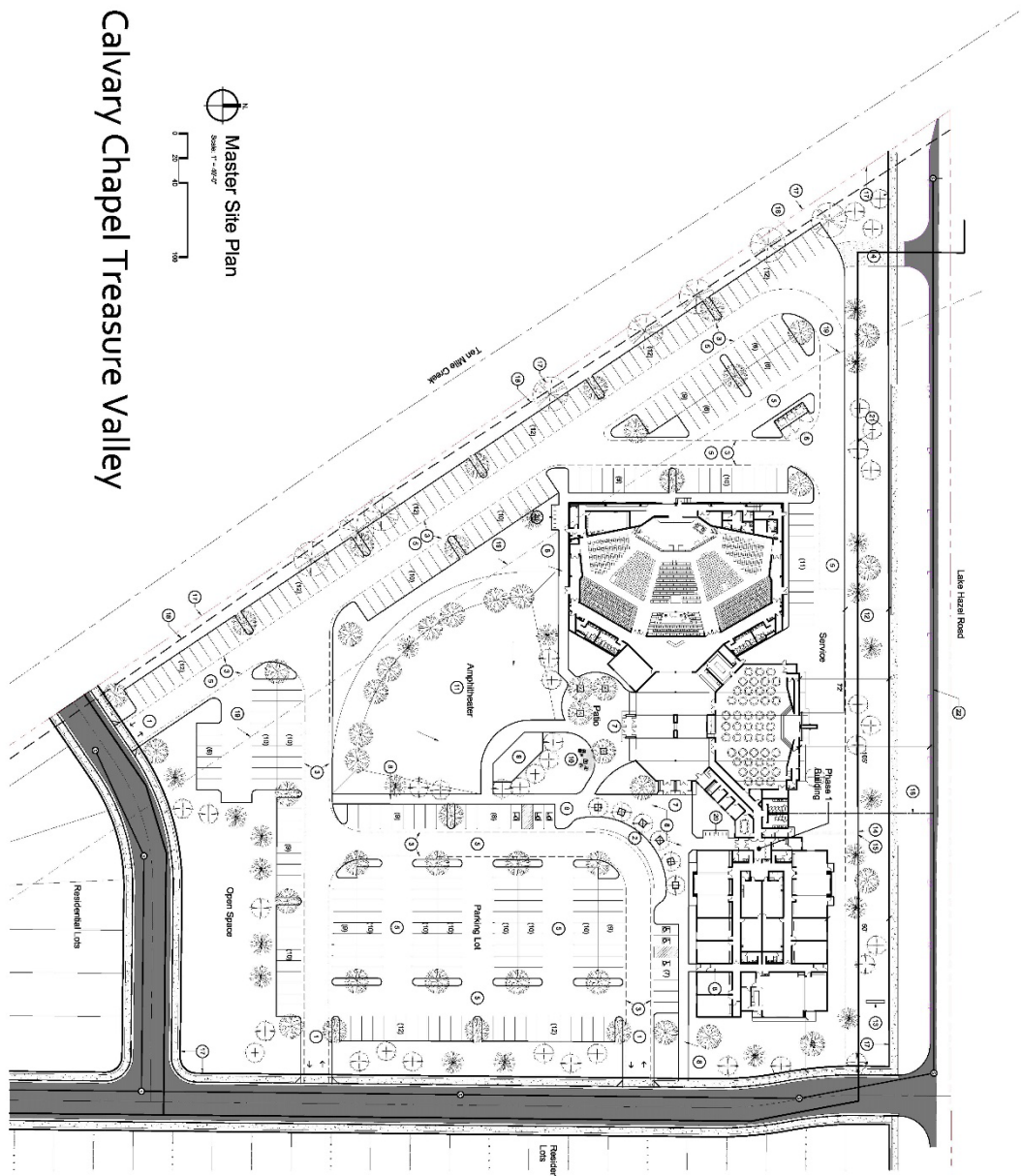
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Page 12

C. Landscape Plans (dated: 06/15/2020)



Calvary Chapel Treasure Valley



Master Site Plan Data

SITE AREA:	24,861 SQ. FT.
BUILDING AREA:	51,000 SQ. FT.
PARKING PROVIDED:	105
STREET LIGHTS PROVIDED:	200
SHOW LAMP (INDICATIVE):	1,000

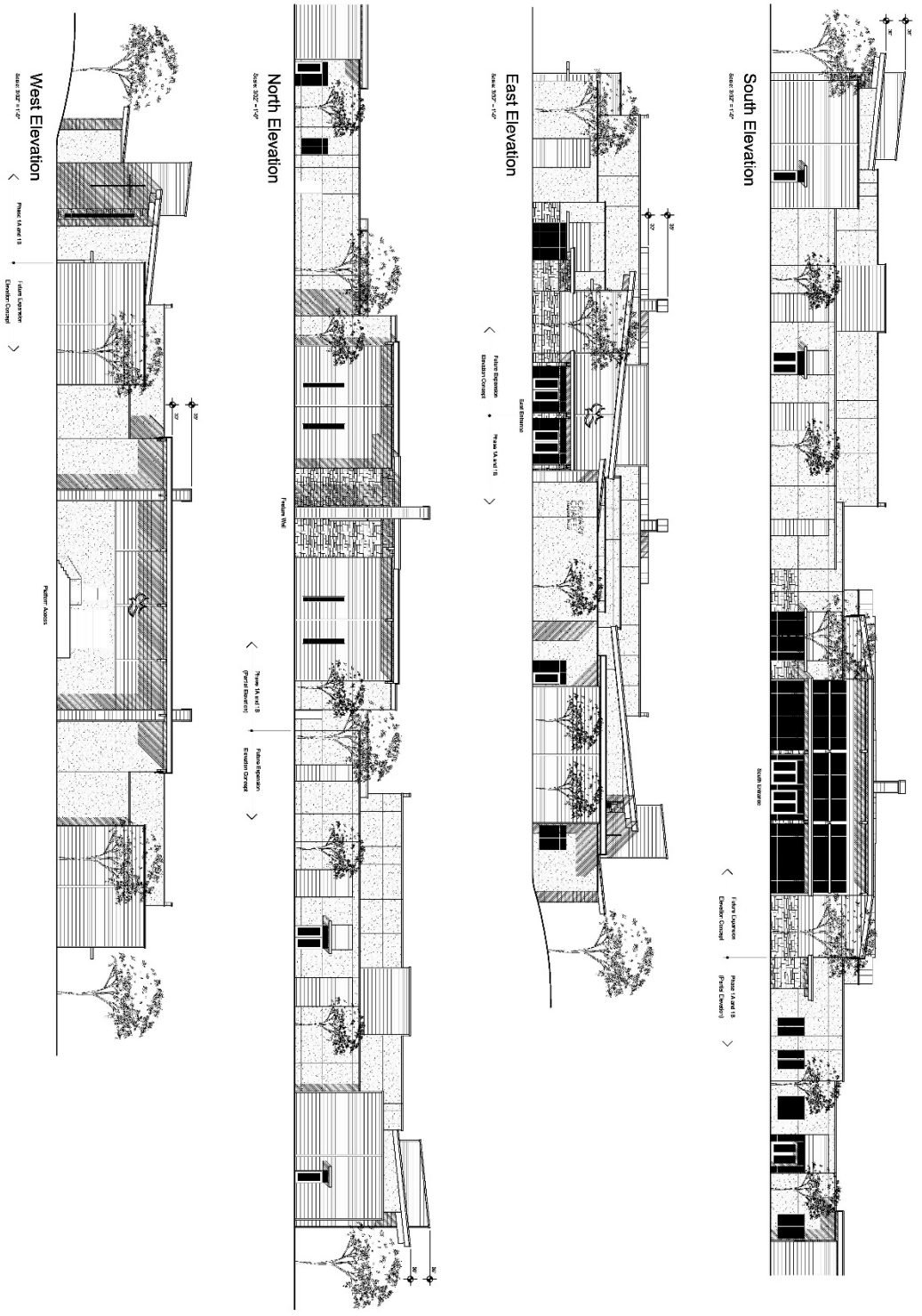
3/24/21 STATIONED PARKING SPACES: 105 (10)

4/21/21 STATIONED PARKING SPACES: 105 (10)

- References Notes**
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 - 99) 2" BATTING/2" SHEATH/1" FIBER/2" LAME SHEATH
 - 100) 2" BATTING/2" SHEATH/1" FIBER/2" LAME SHEATH

	Proposed Church Facility for Calvary Chapel Treasure Valley
	Lake Hazel Road, Ada County, Idaho
DATE: 03/24/21 DRAWN BY: [Name] CHECKED BY: [Name] SCALE: AS SHOWN	SHEET NO. 120 PROJECT NO. SD-1.2

D. Conceptual Building Elevations



 L. K. VENTURA ARCHITECTS 200 N. 10TH ST. SUITE 200 BOISE, IDAHO 83702 TEL: 208.333.3333 WWW.LKVARCHITECTS.COM	Proposed Church Facility for Calvary Chapel Treasure Valley Lake Hazel Road, Ada County, Idaho
	DATE: 10/13/2020 DRAWN BY: J. L. VENTURA CHECKED BY: J. L. VENTURA
	PROJECT: CALVARY CHAPEL TREASURE VALLEY SHEET: A-5.3
	SCALE: 3/32" = 1'-0"







VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The Applicant shall comply with all applicable Development Agreement provisions (DA Inst. #2020-138120) and conditions of approval associated with the Poiema Subdivision (H-2020-0035).
2. The applicant shall comply with the Specific Use Standards listed in UDC 11-4-3-6, Church or Place of Religious Worship.
3. Prior to Certificate of Zoning Compliance submittal, the site plan included in Section VII.A & B, dated 01/30/2020, shall be revised as follows:
 - a. Construct a 5-foot wide sidewalk adjacent to the parking spaces and drive aisle to the south and west of the amphitheater as shown in the rendering within the staff report in Section V.I.
 - b. With the phase 2 site plan, provide traffic calming wherever feasible, especially along the long drive aisle in the west of the site that also serves as the emergency access. Verify with Meridian Fire on any proposals.
4. Prior to Certificate of Zoning Compliance submittal, the landscape plans included in Section VII.C, dated 01/30/2020 and 02/18/2020 shall be revised as follows:
 - a. Revise all landscape plans to show the a 5-foot wide sidewalk adjacent to the parking spaces to the west of the proposed amphitheater, commensurate with condition 3.a above.
 - b. Revise the landscape plans with each phase to show compliance with the parking lot landscape standards in UDC 11-3B-8.
 - c. Correct all landscape plans to show the required 70% vegetative ground cover in all landscaped areas as required in UDC 11-3B-5N.
5. The Applicant shall construct the landscape buffer and additional dedicated right-of-way to E. Lake Hazel to include no more than 10 feet of gravel and the rest vegetated in accord with UDC 11-3B-7C.
6. Future development shall be consistent with the R-15 dimensional standards listed in UDC Table 11-2A-7.
7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6B for nonresidential uses and **the Applicant shall provide no less off-street parking than is proposed on the master site plan at the time of full-build out.**
8. Administrative Design Review and Certificate of Zoning Compliance applications are required to be submitted and approved *prior* to submittal of any building permit applications for any construction phases.
9. Future design of the proposed church building shall be substantially consistent with the submitted elevations in Exhibit VII.D and shall adhere to the standards in the Architectural Standards Manual for nonresidential structures.
10. The Ten Mile Creek that abuts the subject site along its western boundary shall be protected during construction.

11. The Applicant shall construct a temporary turnaround with a minimum turning radius of 45 feet at the end of the proposed western stub street in alignment with ACHD policies. The turnaround is required until such time that the stub street connects to future streets in the development to the west.
12. The Applicant shall have a maximum of two (2) years to commence the church use as permitted in accord with the conditions of approval listed above. If the use has not begun within two (2) years of approval, a new conditional use permit must be obtained prior to operation or a time extension must be requested in accord with UDC 11-5B-6F.
13. The Applicant shall complete all required improvements prior to issuance of a Certificate of Occupancy. It is unlawful to use or occupy any building or structure until the Building Official has issued a Certificate of Occupancy.
14. The Applicant shall comply with the Outdoor Lighting standards outlined in UDC 11-3A-11.
15. The Applicant shall comply with the Outdoor Speaker System standards outlined in UDC 11-3A-13 when using any amplified speakers outdoors in the amphitheater or other outdoor area.
16. Staff's failure to cite specific ordinance provisions or terms of the approved conditional use does not relieve the applicant of responsibility for compliance.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards.
- 1.2 An FLDP (Flood Plain Development Permit) is required. Currently the property is within an "A Zone". Study submitted requires culvert on Lake Hazel to be replaced and LOMR completed to change maps.
- 1.3 Sanitary sewer mains are not allowed in common driveways.
- 1.4 Applicant to provide "to and through" sanitary sewer mainline connection to the property to the west.
- 1.5 The water main extension in E. Lake Hazel Road is shown in the wrong utility corridor, as depicted on the conceptual engineering submitted with the application. The water main should remain north of center-line instead of being moved south of center-line. In addition, the water main in E. Lake Hazel Road needs to be a 12-inch diameter, not an 8-inch diameter as shown. We prefer to have a mainline stub or service line (whichever is needed) to the future church lot to eliminate cutting the new road in the future.
- 1.6 The geotechnical investigative report prepared by MTI (Materials Testing & Inspection) dated March 7, 2003, and updated July 24, 2020, indicates some significant groundwater and soils concerns, and specific construction considerations and recommendations. The applicant shall be responsible for the **strict adherence of these considerations and recommendations** to help ensure that homes are constructed upon suitable bearing soils, and that shallow groundwater does not become a problem with home construction.
- 1.7 Due to the significant groundwater and soils concerns on site, structures are to be founded on conventional **reinforced** spread footings and walls, and slab-on-grade foundations.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.

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

irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=215805&dbid=0&repo=MeridianCity>

D. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188199&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=214579&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=215819&dbid=0&repo=MeridianCity&cr=1>

IX. FINDINGS

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

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

- 1. That the site is large enough to accommodate the proposed use and meet all the dimensional and development regulations in the district in which the use is located;** *Staff finds that the site is large enough to accommodate the proposed because the proposed building, excess parking, and some additional green space is proposed on the subject site meeting all dimensional and development regulations in the R-15 zoning district.*
- 2. That the proposed use will be harmonious with the Meridian comprehensive plan and in accord with the requirements of this title;** *As discussed in Section V.A, Staff finds that the proposed use is in compliance with the comprehensive plan.*
- 3. That the design, construction, operation and maintenance will be compatible with other uses in the general neighborhood and with the existing or intended character of the general vicinity and that such use will not adversely change the essential character of the same area.;** *Staff finds the design, construction, operation, and maintenance of the Church will be compatible with adjacent uses as analyzed and discussed throughout Section V of the staff report; the proposed use should add to the character of the immediate area.*
- 4. That the proposed use, if it complies with all conditions of the approval imposed, will not adversely affect other property in the vicinity;** *If it complies with all conditions of approval, Staff finds the proposed use 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;** *Staff finds the required and essential public facilities nearby can adequately serve the proposed use; Police, Fire, and the highway district have also offered their support of the proposed use.*

- 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;** *Because the Applicant is responsible for connecting and extending any public services to serve their site, Staff finds the proposed use will not create excessive additional costs nor be detrimental to the economic welfare of the community.*
- 7. That the proposed use will not involve activities or processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors;** *If all conditions of approval and city codes are complied with, Staff finds the proposed use will not be detrimental to any persons, property, or the general welfare; traffic is analyzed by ACHD and they have not raised concerns regarding the proposed use due to the adjacent section of Lake Hazel being widened in the next five (5) years.*
- 8. That the proposed use will not result in the destruction, loss or damage of a natural, scenic or historic feature considered to be of major importance; (Ord. 05-1170, 8-30-2005, eff. 9-15-2005)** *Staff is not aware of any historic features on the subject site and the adjacent Ten Mile Creek is not on the subject site but will be protected during construction as is required by city code.*



AGENDA ITEM

ITEM TOPIC: Public Hearing for Wadsworth Meridian Subdivision (H-2020-0104) by Wadsworth Development, Located at 3085 E. Ustick Rd.
A. Request: Preliminary Plat consisting of five (5) commercial building lots in the C-G zoning district for ownership purposes.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: November 19, 2020

Topic: **Public Hearing** for Wadsworth Meridian Subdivision (H-2020-0104) by Wadsworth Development, Located at 3085 E. Ustick Rd.
A. Request: Preliminary Plat consisting of five (5) commercial building lots in the C-G zoning district for ownership purposes.

Information Resources:

[Click Here for Application Materials](#)

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

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



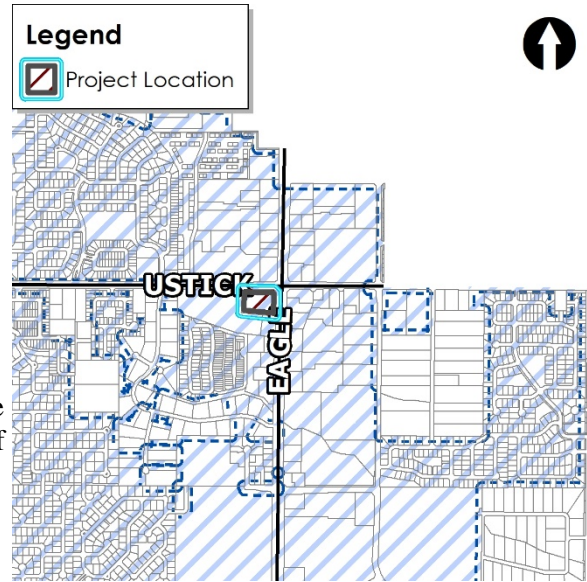
HEARING DATE: 11/19/2020

TO: Planning & Zoning Commission

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

SUBJECT: H-2020-0104
Wadsworth Meridian Subdivision

LOCATION: The site is located at 3085 E. Ustick Road, at the southwest corner of S. Eagle Road and E. Ustick Road, in the NE ¼ of the NE ¼ of Section 5, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Request for Preliminary Plat approval consisting of five (5) commercial building lots on 3.29 acres in the C-G zoning district for ownership purposes, by Wadsworth Development.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	3.29 (C-G zoning district)	
Future Land Use Designation	Mixed Use Regional	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Commercial	
Lots (# and type; bldg./common)	5 building lots	
Physical Features (waterways, hazards, flood plain, hillside)	Milk Lateral runs along southern boundary of property; portion of irrigation easement that is on the subject site is being respected and was verified during CZC approval.	
Neighborhood meeting date; # of attendees:	July 27, 2020 – One (1) attendee (representative of Kohls)	
History (previous approvals)	H-2019-0082 (DA Modification to remove the subject site from an existing DA and enter into a new one specific to this site; DA Inst. #2019-121599); A-2019-0376 (CZC for parking lot, landscaping, and other relevant site improvements); A-2020-0163 (CZC and Design Review approval of an urgent care facility on the SEC pad site).	

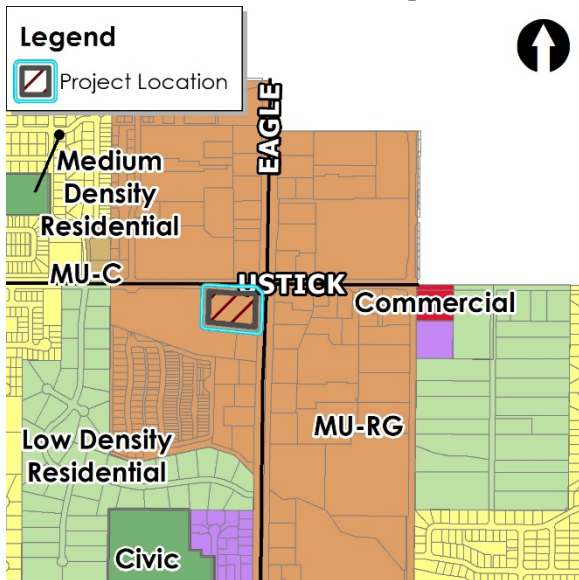
B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes; Comply with letter noting review that occurred with urgent care CZC (A-2020-0163).	
• Requires ACHD Commission Action (yes/no)	No	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Access is proposed via a proposed shared driveway into the development from E. Ustick Rd. No direct access is proposed or allowed to E. Ustick Rd. or N. Eagle Rd.	
Stub Street/Interconnectivity/Cross Access	Subject site has existing cross-access agreements in place for adjacent properties to the west and south. All of these properties will be accessed via drive aisles.	
Existing Road Network	No	
Existing Arterial Sidewalks / Buffers	The required sidewalks and landscaping is currently under construction commensurate with the approved CZC plans (A-2019-0376).	
Proposed Road Improvements	Applicant is not required to perform any road improvements because Ustick and Eagle are at their full-build out at this time.	
Fire Service		
• Distance to Fire Station	1.2 miles from Fire Station #3	
• Fire Response Time	This project lies within the Meridian Fire response time goal of 5 minutes.	
• Resource Reliability	Fire Station #3 reliability currently 80%	
• Risk Identification	Risk Factor 3 – commercial	
• Accessibility	Proposed project meets all Fire required access, road widths, and turnarounds.	
Police Service		
• Distance to Station	3.5 miles from Meridian Police Department	
• Response Time	Approximately 2.5 minute response time to an emergency.	
• Call Data	Between 10/1/2019- 9/30/2020, the Meridian Police Department responded to 1,379 calls for service within a mile of the proposed development. The crime count on the calls for service was 98. See attached documents for details. Between 10/1/2019- 9/30/2020, the Meridian Police Department responded to 92 crashes within a mile of the proposed development. See attached documents for details.	
• Additional Concerns	None	
Wastewater		
• Distance to Sewer Services	0	
• Sewer Shed	Five Mile Trunkshed	
• Estimated Project Sewer ERU's	See application	
• WRRF Declining Balance	13.98	
• Project Consistent with WW Master Plan/Facility Plan	YES	
• Impacts/Concerns	Flow is committed	
Water		
• Distance to Water Services	0'	
• Pressure Zone	3	

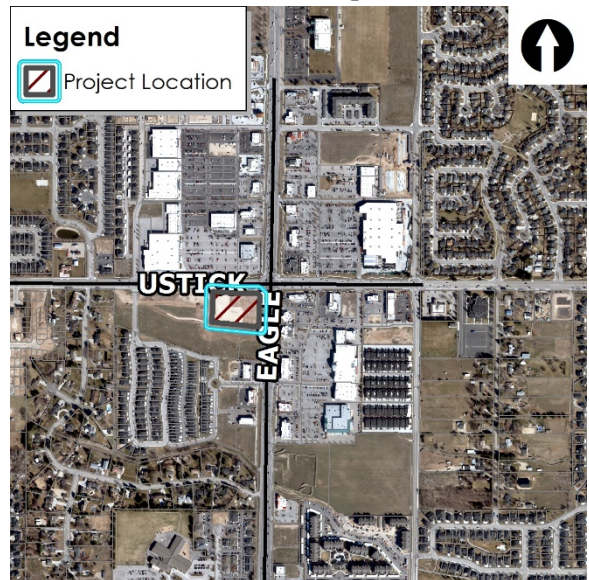
Description	Details	Page
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application	
<ul style="list-style-type: none"> Water Quality Concerns 	None	
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	YES	
<ul style="list-style-type: none"> Impacts/Concerns 	No comments	

C. Project Area Maps

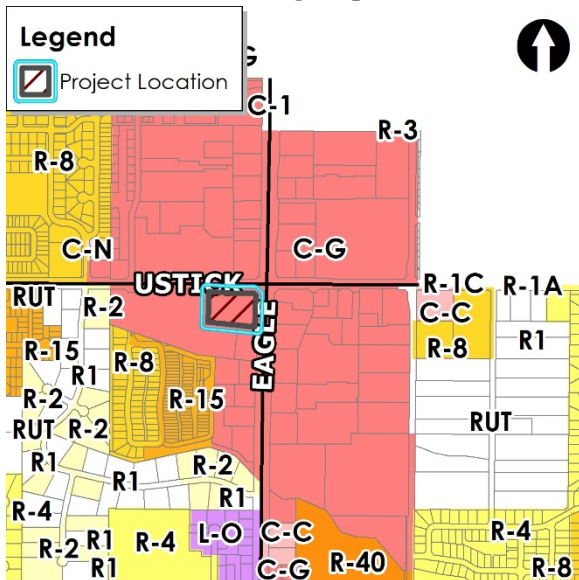
Future Land Use Map



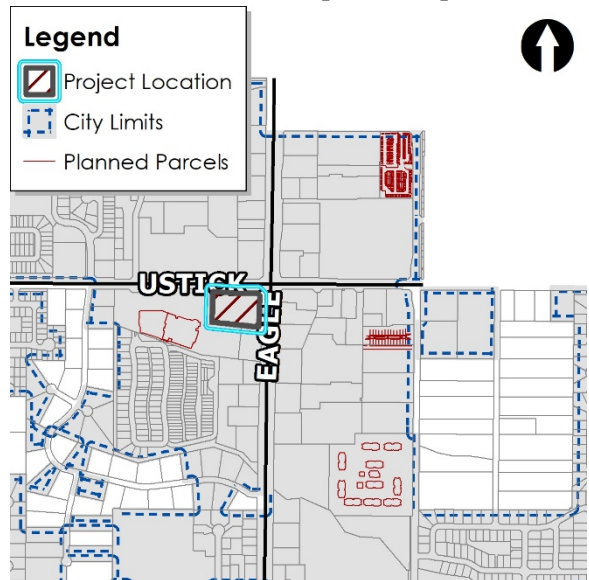
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Brad Watson, Wadworth Development – 166 E. 14000 South, Ste. 210, Draper, UT 84020

B. Owner:

Nate Ballard, Wadworth Development – 166 E. 14000 South, Ste. 210, Draper, UT 84020

C. Representative:

Kristen McNeill, The Land Group, Inc. – 462 E. Shore Drive, Suite 100, Eagle, ID 83616

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	10/30/2020	
Radius notification mailed to properties within 300 feet	10/30/2020	
Site Posting	11/5/2020	
Nextdoor posting	10/30/2020	

V. STAFF ANALYSIS

The subject property was annexed in 2003 as part of a larger annexation area (AZ-03-018). There was a Development Agreement (DA) associated with this annexation which was modified in 2019 to remove this property from that DA (H-2019-0082) and enter into a new one serving just this site (DA Inst. #2019-121599). The Applicant does not have to subdivide the property in order to develop it but is choosing to for future ownership purposes. The Applicant is required to comply with all existing DA provisions. Each building site will be evaluated for compliance with all applicable previous approvals at the time of Certificate of Zoning Compliance (CZC) application submittal on each building lot.

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

Mixed Use regional – In general, the purpose of mixed-use designations is to provide for a combination of compatible land uses within a close geographic area that allows for easily accessible and convenient services for residents and workers. The intent is to promote developments that offer functional and physical integration of land uses, to create and enhance neighborhood sense of place, and to allow developers a greater degree of design and use flexibility.

Specifically, the purpose of the regional designation is to provide a mix of employment, retail, and residential dwellings and public uses near major arterial intersections. The intent is to integrate a variety of uses together, including residential, and to avoid predominantly single use developments such as a regional retail center with only restaurants and other commercial uses. Developments should be anchored by uses that have a regional draw with the appropriate supporting uses.

The subject site is located at the southwest corner of the intersection of E. Ustick Road (an arterial street) and N. Eagle Road/SH 55. Staff and the Applicant understand the importance of providing more commercial uses in this area, especially on an undeveloped corner. To the east and across Eagle Road are two large commercial centers; to the north is an additional

commercial center. These surrounding areas provide a plethora of commercial uses that are used at a regional level. Directly to the west of the subject site is intended to be a high-end indoor gym (Villasport) and further to the south of the site is existing residential and some community serving commercial. As these lots get developed over time, Staff believes that they will continue to add to the City's commercial base and will likely be a higher benefit to users of the future Villasport and residents to the southwest of this site. Staff is of the opinion that there is less need for these five relatively small commercial lots to serve a regional base than those sites to the north and east. In addition, this project, in conjunction with the approved uses to the west, should satisfy the comprehensive plan and mixed-use policies.

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

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

“Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). This subdivision has received previous approvals that have analyzed the required landscape buffers and site design. All perimeter landscaping will be constructed outside of each individual lot and outside of the platting process. The approved landscaping meets all code requirements and helps to beautify the property while keeping the building lots visible. The landscaping also creates the required buffer to the two adjacent busy streets. In addition, each future building site will add to the perimeter landscaping to enhance each of their sites. There are no directly adjacent residences and likely, the subject site will not be directly viewable from the nearest residential neighborhood once other properties redevelop in the near future. The Applicant chose to construct the parking on the interior of all the proposed building lots which helps screen the parking lot from public view.

“Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices” (3.07.01A). As noted above, the site design hides the parking lot from adjacent uses to the extent possible and allows each building to be integrated into the surrounding properties. Commercial zoning exists in all directions around the subject site which lends itself to not requiring any major buffer to a residential development. Staff finds the approved site design meets the best design practices outlined in plan.

“Encourage the development of supportive commercial near employment areas.” (3.06.02C). No end users are not known at this time for the proposed lots along the north of the subject site. However, the most recent approval on site was for an urgent care facility in the southeast corner and the expected building to the west of the urgent care facility is planned to be a multi-tenant building. The urgent care facility will be its own small employment center and very likely, other buildings within this commercial subdivision will spring up to be a supportive use to it. In addition, a large gym is approved (but not yet constructed) on the adjacent property to the west—it is very likely businesses will open up in this subdivision in response to that larger employer as well.

“Require pedestrian circulation plans to ensure safety and convenient access across large commercial and mixed-use developments.” (3.07.02A). Where feasible, each building site will have pedestrian connections to one another and will have connections to the sidewalks along the adjacent major roadways on the north and east sides of the overall site. So long as these connections are required with each CZC review, Staff believes the subject site will have adequate pedestrian circulation especially due to the relatively small size of this commercial development.

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

C. Existing Structures/Site Improvements:

The subject site is vacant at this time with basic site improvements completed (grading). All improvements along Ustick and Eagle Roads are existing. With the approved CZC, utilities and drainage will be completed. In addition, when each building lot develops, each development will be analyzed for compliance with city code.

D. Proposed Use Analysis:

The uses allowed on the subject site are those listed in UDC Table 11-2B-2 for the C-G zoning district. There has been an approved CZC on the property located on the building lot in the southeast corner of the site for an urgent care facility; this is a principally permitted use in the C-G district. Each future use will be analyzed for compliance when they are proposed over time.

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

The submitted Preliminary Plat proposes five (5) commercial building lots that vary in size from 0.39 acres to 1.02 acres. The C-G zoning district does not have a minimum lot size requirement but does have required landscape buffers and land use buffers. Because there are no adjacent residential districts, there are no required land use buffers. In addition, all landscape buffers are previously approved with the CZC for the overall site improvements (A-2019-0376). When future buildings are proposed on each building lot, Staff will analyze each building for compliance with other dimensional standards of the C-G zoning district.

The proposed preliminary plat appears to meet the UDC requirements for the C-G zoning district outlined in UDC Table 11-2B-3.

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

Access to and for this development will be via a shared driveway constructed with the Villasport improvements limited to a right-in/right-out access—this Applicant will be required to construct this shared driveway access for their development if it this site develops before the Villasport project. There are no public streets as part of this commercial development and therefore no stub streets are proposed. Instead, there are private drive-aisles as are standard for commercial developments. The Applicant has an existing cross-access agreement with the adjacent commercial properties (Inst. #106169335).

The Applicant's plat and subsequent plans show the shared driveway access with the Villasport project as a named private lane, N. Cajun Lane. Further to the south of the subject site, there is a private street with this name and the commercial drive aisle will be a continuation of this driving surface but in fact will not be a named street. Therefore, the Applicant needs to revise the plat to show this lane as a drive aisle and not a named private street. In addition, because the Applicant is proposing to subdivide this property, cross-access between the five proposed lots is also required. In the recorded Covenant, Conditions, and Restrictions (Inst. #2020-075457) this cross-access is discussed and dictated for each lot and future user. The Applicant should note this and the instrument number on the plat for transparency.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC 11-3C-6B](#) for nonresidential uses at the ratio of one (1) space per 500 square feet of gross floor area. In addition, if any restaurants are proposed, the parking ratio is one (1) space per 250 square feet of gross floor area. With the approved CZC, 109 parking spaces were approved but did not show any parking directly adjacent to the future commercial buildings on the north end of the site.

The revised site plan provided by the Applicant shows some changes to the parking lot that differ from the currently approved site plan. One of these changes include three additional trash enclosures for a total of four but none are proposed within the center parking area which is appreciated. The new locations of the trash enclosures should help minimize any blind corners when traversing the site. In addition, the Applicant is now showing reconfiguration of some of the parking spaces and additional parking adjacent to the northern building lots. These changes show a net positive gain of 16 additional parking spaces. Again, as each pad site is developed, the required number of spaces will be checked and the Applicant will be required to comply with code requirements. As noted above, parking for the whole site will be available for each building site per the recorded CC&Rs.

Because the overall parking plan has changed since the original approval of the CZC, the Applicant will need to obtain approval of a new CZC outlining the changes made to the site improvements prior to obtaining any more building permits.

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

The required multi-use pathway along Eagle Road will be constructed under the approved CZC from 2019 unless that expires and a new CZC will be required to be approved. No other pathways are proposed or required. Through the approved CZC, the Applicant is also required to construct the multi-use pathway with decorative street lamps as outlined in UDC 11-3H-4C.

A portion of the multi-use pathway will be widened to 14 feet in width to accommodate a wide enough surface for city vehicles to access the city sewer main that the Applicant must pull from the corner of Ustick and Eagle. Public Works has reviewed approved this change from the approved CZC utility plans.

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

Minimum 5-foot wide sidewalks are required adjacent to all commercial buildings as outlined in UDC 11-3A-17. The one building site with an approval (American Family Urgent Care) showed compliance with this requirement. In addition, each building site will be analyzed for compliance with this requirement. The Applicant is required to construct 5-foot wide detached sidewalk within the landscape buffer to Ustick Road per the conditions of approval in the existing CZC. This sidewalk will connect to the multi-use pathway at the intersection of Ustick and Eagle Roads.

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

A 25-foot wide street buffer is required adjacent to E. Ustick Road, an arterial street, landscaped per the standards listed in UDC 11-3B-7C. A 35-foot wide street buffer is required adjacent to N. Eagle Road/SH 55, landscaped per the standards listed in 11-3B-7C.

All landscape buffers have been reviewed and approved with the existing CZC.

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

The Applicant has not submitted conceptual elevations for the future commercial pad sites because end users are not yet known. Future commercial buildings are required to obtain certificate of zoning compliance and administrative design review approval and each building will be analyzed against the UDC and Architectural Standards Manual at that time.

VI. DECISION

A. Staff:

Staff recommends approval of the requested preliminary plat application per the Findings in Section IX of this staff report.

B. Commission:

Enter Summary of Commission Decision.

C. City Council:

To be heard at future date.

Item 5.

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VII. EXHIBITS

A. Preliminary Plat (dated: 09/28/2020)

Preliminary Plat
for
Wadsworth Meridian Subdivision
Located in Government Lot 1 in the Northeast 1/4 of Section 5
Township 3 North, Range 1 East, Boise Meridian
City of Meridian, Ada County, Idaho
2020
Vicinity Map:

THE LAND GROUP

Wadsworth Development Group, LLC.

Legend:

Notes:

Benchmark:

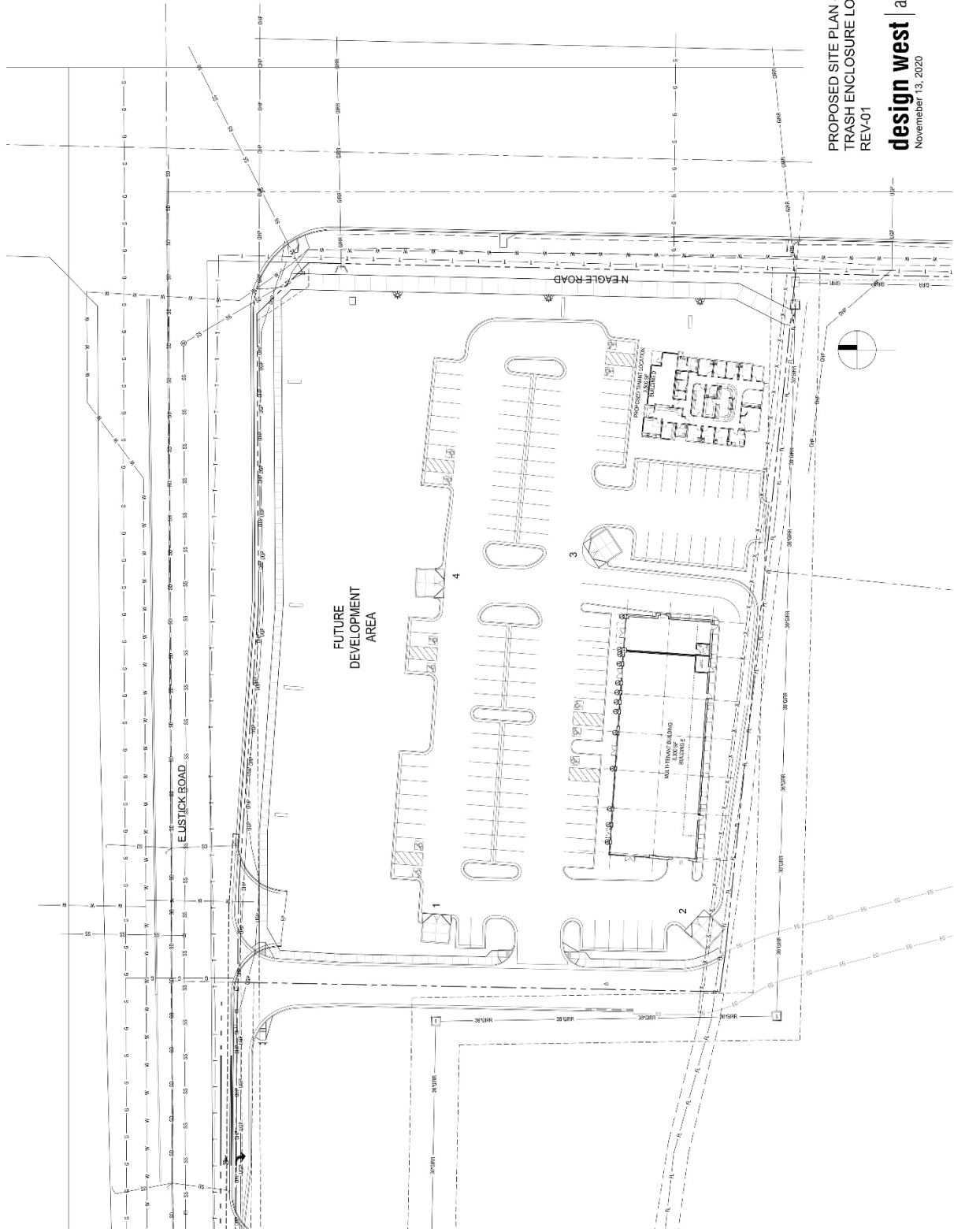
Project Information:

Reference Survey Table:

Preliminary Plat
1 of 1

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B. Updated Site Plan (date: 11/13/2020)



PROPOSED SITE PLAN -
TRASH ENCLOSURE LOCATIONS
REV-01

design west architects
November 13, 2020

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. With the final plat submittal, the preliminary plat included in Section VII.A, dated September 28, 2020, shall be revised as follows:
 - a. Add a plat note prohibiting direct lot access to E. Ustick Road and N. Eagle Road.
 - b. Add a plat note noting the existing cross-access agreement with the adjacent commercial properties (Parcel numbers S1105110110 & S1105110120) to include the recorded instrument number (Inst. #106169335).
 - c. Revise plat note #11 to include the record instrument number for the Covenants, Conditions, and Restrictions (Inst. #2020-075457).
 - d. Remove the name of the shared driveway shown on the plat as N. Cajun Lane—this is not a named street in this location.
 - e. Graphically depict the required landscape buffers along E. Ustick Road and N. Eagle Road on the plat per UDC 11-3B-7C.2.
2. The landscape plan included in Section VII.C, dated October 9, 2020, is approved as submitted.
3. The Applicant and/or assigns has the ongoing obligation to comply with all current City of Meridian ordinances and previous conditions of approval associated with this site: H-2019-0082; DA Inst. #2019-121599; A-2019-0376; and A-2020-0163.
4. The Applicant shall construct the multi-use pathway along N. Eagle Road with decorative street lamps in accord with UDC 11-3H-4C.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-G zoning district.
6. Off-street parking is required to be provided in accord with the standards listed in UDC 11-3C-6C for nonresidential uses.
7. The Applicant shall comply with all ACHD conditions of approval.
8. Provide a pressurized irrigation system consistent with the standards as set forth in UDC 11-3A-15, UDC 11-3B-6 and MCC 9-1-28.
9. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
10. The Applicant is required to obtain Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approval for each new commercial building site.
11. The preliminary plat approval shall become null and void if the applicant fails to either 1) obtain the City Engineer signature on a final plat within two years of preliminary plat approval by City Council (date unknown at this time); or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
12. Prior to submittal of a final plat for City Engineer signature, the applicant shall submit public access easements for the multi-use pathway along N. Eagle Road. Submit easements to the Planning Division for Council approval and subsequent recordation. The easements shall be a minimum of 14' wide (10' pathway + 2' shoulder each side). Use standard City template for

public access easement. Easement checklist must accompany all easement submittals. Coordinate with Kim Warren from the City of Meridian Parks Department.

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B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards.
- 1.2 The geotechnical investigative report prepared by Material Testing & Inspection dated July 25, 2019 indicates some very specific construction considerations. The applicant shall be responsible for the adherence of these recommendations to help ensure structural integrity.

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide for a single utility, or 30-foot wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.

- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.18 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.19 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.20 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
- 2.21 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.

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

C. FIRE DEPARTMENT (MFD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=215566&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=216305&dbid=0&repo=MeridianCity>

E. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=215841&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=216454&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;

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

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

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

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

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

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

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

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

Staff is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis but has not provided comments at this time.

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

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