



CITY COUNCIL WORK SESSION

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, August 25, 2020 at 4:30 PM

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Agenda

VIRTUAL MEETING INSTRUCTIONS

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<https://us02web.zoom.us/j/84770330500>

To call in: 1-669-900-6833

Webinar ID: 847 7033 0500

ROLL CALL ATTENDANCE

Jessica Perreault

Joe Borton

Brad Hoaglun

Treg Bernt

Liz Strader

Luke Cavener

Mayor Robert E. Simison

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of the August 11, 2020 City Council Work Session](#)
2. [Approve Minutes of the August 11, 2020 City Council Regular Meeting](#)
3. [Final Plat for Aegean Estates No. 2 \(H-2020-0084\) by Becky McKay, Engineering Solutions, LLP, Generally Located South of the Five Mile Creek, East of N. McDermott Rd.](#)
4. [Findings of Fact, Conclusions of Law for Apex \(H-2020-0066\) by Brighton, Murgoitio, et al., Generally Located East of S. Meridian Rd. and North of E. Columbia Rd.](#)
5. [Findings of Fact, Conclusions of Law for Apex Northwest \(H-2020-0056\) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.](#)

6. [Findings of Fact, Conclusions of Law for Apex Southeast \(H-2020-0057\) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.](#)
7. [Findings of Fact, Conclusions of Law for Epic Storage Facility \(H-2020-0058\) by Jarron Langston, Located at 1345 W. Overland Rd.](#)
8. [Findings of Fact, Conclusions of Law for Poiema Subdivision \(H-2020-0035\) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.](#)
9. [Development Agreement Between the City of Meridian and T&M Holdings, LLC \(Owner/Developer\) for Ascent Townhomes](#)
10. [Development Agreement Between the City of Meridian and Justin Fishburn \(Owner/Developer\) for Lupine Cove](#)
11. [Parks and Recreation Department: Pedestrian Bridge Construction Agreement Between Open Door Rentals and the City of Meridian to Connect Pathway Segments and Traverse Ten Mile Creek](#)
12. [Finance Department: Annual Citywide Fee Updates](#)
13. [City of Meridian Financial Report - July 2020](#)
14. [AP Invoices for Payment - 08-26-20 - \\$1,403,173.98](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

DEPARTMENT / COMMISSION REPORTS [Action Item]

15. [Mayor's Office: CARES Act Municipal Small Business Grant Program](#)
16. [Community Development: Update on Ada County Highway District's North Meridian Bicycle and Pedestrian Plan](#)
17. [Community Development: Eagle Road, Amity to Victory Design Update](#)
18. [Community Development: Discussion Regarding School District Data for Staff Reports](#)

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the August 11, 2020 City Council Work Session

Meridian City Council Work Session

August 11, 2020.

A Meeting of the Meridian City Council was called to order at 4:33 p.m., Tuesday, August 11, 2020, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, Brad Hoaglun and Liz Strader.

Also present: Chris Johnson, Adrienne Weatherly, Bill Nary, Mark Niemeyer, Scott Colaiani, Joe Bongiorno and Dean Willis.

Roll-call Attendance:

| | |
|---|--|
| <input checked="" type="checkbox"/> Liz Strader | <input checked="" type="checkbox"/> Joe Borton |
| <input checked="" type="checkbox"/> Brad Hoaglun | <input checked="" type="checkbox"/> Treg Bernt |
| <input checked="" type="checkbox"/> Jessica Perreault | <input checked="" type="checkbox"/> Luke Cavener |
| <input checked="" type="checkbox"/> Mayor Robert E. Simison | |

Simison: Council, I will call this meeting to order. For the record it is Tuesday, August 11th, 2020, at 4:33 p.m. We will begin tonight's meeting with roll call attendance.

ADOPTION OF AGENDA

Simison: And just for those who are following along at home, Council Woman Perreault is in the room and we are working to get her computer updated so she can log into Zoom. So, she will be physically or -- or pictorially join us in Zoom. Item -- the next item on the agenda is the adoption of the agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, I move that we adopt the agenda as presented.

Bernt: Second.

Simison: I have a motion and a second to adopt the agenda as published. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Those opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

CONSENT AGENDA [Action Item]

- 1. Approve Minutes of July 28, 2020 Work Session**

2. **Approve Minutes of July 28, 2020 City Council Regular Meeting**
3. **Final Order for Allmon Subdivision (H-2020-0071) by Dean Waite, Todd Campbell Construction, Inc., Located at 5875 and 5885 N. Locust Grove Rd.**
4. **Final Order for Hill's Century Farm North (H-2020-0077) by Kody Daffer, Brighton Development, Inc., Generally Located on the East Side of S. Eagle Rd. and South of E. Amity Rd.**
5. **Findings of Fact, Conclusions of Law for Gyro Subdivision (H-2020-0061) by Tealey's Land Surveying, Located at 3030 E. Magic View Dr.**
6. **Findings of Fact, Conclusions of Law for Hill's Century Farm North (H-2020-0080) by Kody Daffer, Brighton Development, Inc., Generally Located South of E. Amity Rd. and East of S. Eagle Rd.**
7. **Findings of Fact, Conclusions of Law for Quartet Northeast (H-2020-0017) by Brighton Development, Inc., Located at 4020 & 4340 N. Black Cat Rd.**
8. **Findings of Fact, Conclusions of Law for Quartet Southeast (H-2020-0018) by Brighton Development, Inc., Located at 4020 and 4340 N. Black Cat Rd.**
9. **Agreement Between City of Meridian and Envision 360 Inc. to Accept Payment in Lieu of Installing Streetlights at 1351 E. Fairview Ave. in the Estimated Amount of \$8465.00**
10. **Agreement Between the City of Meridian and Nampa Meridian Irrigation District to Authorize the City to Discharge Water from Well 32 in to the Ridenbaugh Canal for a Designated Period**
11. **Resolution No. 20-2221: A Resolution Authorizing the Donation of Surplus Computers and Equipment to the West Ada School District.**
12. **Resolution No. 20-2222: A Resolution Authorizing the Fifth Continuance of a Local Disaster Emergency Declaration And Its Terms for an Additional Thirty (30) Days; Authorizing the Continued Immediate Expenditure of Public Money to Safeguard Life, Health and Property; and Providing an Effective Date.**
13. **AP Invoices for Payment - 07-30-20 - \$6,225.85**
14. **AP Invoices for Payment - 07-31-20 - \$138,886.09**

15. AP Invoices for Payment - 08-12-20 - \$546,760.96

Simison: Next item on the agenda is the Consent Agenda.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: On the Consent Agenda we have Item 5, we have a letter representing a neighborhood -- some neighbors who would like that -- to have us take another look at the language that we put into the Conclusion -- Findings of Facts and Conclusions of Law, so we would like to pull Item 5 for Delano Subdivision, H-2019-0027, and take that up as a separate item and by doing so, Mr. Mayor, I would move that we approve the Consent Agenda and the Mayor to sign and Clerk to attest.

Bernt: Second.

Simison: I have a motion and a second to remove Item 5 and to approve the remainder of the Consent Agenda. Is there any discussion on this item? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]**16. Findings of Fact, Conclusions of Law for Delano Subdivision (H-2019-0027) by Boll Cook Investments, LLC, Located at 14120 W. Jasmine Ln. and 2800 E. Jasmine Ln.**

Simison: As was mentioned, Item 5 was moved off of the Consent Agenda, so we will now consider that an action item.

Hoaglund: Mr. Mayor?

Simison: Mr. Hoaglund.

Hoaglund: We -- we had received a letter from an attorney representing some neighbors from an action we took -- I believe it was last week and wanting to ensure that the language that -- was accurately recorded. In reading through that it was my understanding that that was what we had taken action on in that way -- may not have been the exact words, but I don't know, Mr. Nary, legal counsel, did you see anything that would give us an issue where it was not what -- that we are not on the same page somehow regarding that?

Nary: Mr. Mayor, Members of the Council, in looking at it, again, I think what they are requesting is slightly more specific. I don't really see a substantive difference between

what they are asking for and what's already listed in the findings. Again, the Council's direction was to direct that that become an emergency -- emergency access only. It be constructed that way as part of phase one. That it will remain as an emergency access only and, basically, the Council's desire is it remain that way. So, I don't really see a substantive difference, but it's certainly the Council's call. If you would like amended findings we would, essentially, ask -- get that direction. We, then, remove them, amend the findings again, bring them back next week.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess maybe a point of clarification for Mr. Nary. What is the purpose of amending the language to the 20 foot specification? I -- am I missing something? I just wasn't tracking why that change was needed.

Nary: I'm having -- Mr. Mayor, Members of the Council, Council Member Strader, I'm having a little computer problem pulling up that specific language. My assumption is is that the narrower the width the least likely to convert that in the future. But the reality is it's unlikely to be converted in the future, unless for some specific reason a future neighbor, a future adjoining property owner, were to petition ACHD to change the roadway configuration. That's really something that is impossible to anticipate at this point that that could occur. Ultimately, as was previously discussed -- I mean ACHD has the ultimate authority on the road. I think the assumption is is the more constrictive the property is from a construction standpoint, the less likely that will change and it will become clearer to people or less obvious to people that this is a roadway. But other than that I don't know, really, other purpose. I think the intent of the Council is clear in what -- in your findings, but certainly there is no objection if you want it to be more specific.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Mr. Nary, what do you recommend? It's a matter of a week -- what -- we are not changing terms. We are clarifying the decision to make sure it's accurate. Is your recommendation that it's good to go as is or an additional week would help you be sure that it's exactly what the motion was.

Nary: Well, Mr. Mayor, Members of the Council, Council Member Borton, I -- I think the -- I think the document is what your motion was. I -- I actually wrote those based on your motion. So, I think they are accurate the way they are now. But, again, I have no objection if you want more specificity that they are asking for, that's certainly your prerogative, but I think it's clear enough in my opinion. But, again, I -- I have no objection if you think an additional enhancement to that is better. That's perfectly fine. I still think it's consistent with your motion. So, I don't have any objection either way.

Borton: Okay. Thanks.

Simison: Council, do I have a motion based upon that -- those comments from our Legal Department?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: If there is no additional discussion, I move we approve the Findings of Fact, Conclusions of Law, for Delano Subdivision, H-2018-0027.

Hoaglund: Second.

Bernt: Second.

Simison: I have a motion and a second to approve Item 5. Is there any discussion on the motion? If not, all in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

ACTION ITEMS

17. License and Management Agreement Between Western Ada Recreation District and the City of Meridian for Maintenance and Operation of Lakeview Golf Course

Simison: And with that we will move on to Item No. 17 under Action Items. So, license agreement between Western Ada Recreation District and the City of Meridian for maintenance and operations of Lakeview Golf Course and I will -- we do have Mr. Wardle on for any comments from the Council, if there is any further information. I know there was a request last week by Councilman Cavener to take public testimony at this point in time. I was not going to entertain public testimony. I think there will be plenty of steps in the process for the future for engaging the public in other elements as we move forward working cooperatively with the Board in elements and I think that that would be more appropriate than on this specific agreement at this time. But I will open this up for any comments from Council at this point in time and we have staff and Shaun to provide feedback if necessary. Or, if not, I would be happy to entertain a motion.

Borton: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, I would move that we approve the license and management agreement between Western Ada Recreation District and the City of Meridian for maintenance and operation of Lakeview Golf Course.

Perreault: Second.

Cavener: Second.

Simison: Okay. I have a motion and a couple seconds to approve the license management agreement. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: Okay. All ayes. Motion passes.

MOTION CARRIED: ALL AYES.

18. Assignment of Lease Between Western Ada Recreation District and the City of Meridian for the Provision of Golf Course Operations at City of Meridian's Lakeview Golf Course

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I would move that the assignment of lease between Western Ada Recreation District and the City of Meridian for the provision of golf course operations at City of Meridian's Lakeview Golf Course be approved.

Perreault: Second.

Simison: Okay. I have a motion and a second to approve the assignment of lease between WARD and the City of Meridian. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion is agreed to.

MOTION CARRIED: ALL AYES.

DEPARTMENT / COMMISSION REPORTS [Action Item]

19. Fire Department: Discussion of Potential Fire Stations 7 and 8

Simison: We are now moving on to Item 19 under Department/Commission Reports, the Fire Department discussion of potential Fire Station 7 and 8. As I turn this over to Chief

Niemeyer and his team, just a reminder, this was an item that was discussed during the budget -- this was an item that was discussed during the budget hearings. Sorry. I'm trying to find that right volume level for those away. But it's a continuation of that conversation, so we can get an idea about whether or not this -- the design of two stations would be included as part of the upcoming FY-21 budget process. So, with that I will turn this over to Chief Niemeyer.

Niemeyer: Thank you, Mr. Mayor, and good evening, Council. Some of you personally and some of you virtually. Really appreciate the time tonight and I hope this will be the first of many discussions we have with regards to the future of fire stations, specifically Station 7 and Station 8. As the Mayor alluded to, we have had our staff working on this for several months now. Certainly COVID took a turn for us as far as being able to present this to you. We feel very comfortable in the information and data we are sharing and look forward to a conversation following this presentation. So, with that, just a review of our response time standards. That's been asked in the past. So, for Council in 2015 the Fire Department conducted a master plan. We used GSI to -- to perform that master plan and part of that was multiple stakeholders that were involved in the input with regards, really, to response times and services that we provide to the community. The outcome of that in 2016, December, was that the Council unanimously adopted the following standards for the Fire Department. A 90 second chute time. Some people call that a turnout time and for a definition that is the time from when the bells go off in our stations until the time our apparatus rolls out of the stations and responds to the call. So, we are receiving that call from dispatch and our goal is 90 seconds or less to get out the door and be responding to that emergency. Our travel time for the city is five minutes. We heard everything in our -- from our community stakeholder group from we want them there in 30 seconds to whenever they get there. And so as a -- as a group and as a City Council, we selected five minutes as the travel time standard that we have for the Fire Department to respond to emergencies and, then, also to maintain 80 percent or greater response reliability. Response reliability means how often our apparatus assigned to a station can respond to a call within that jurisdiction. So, for example, Station 1 has a coverage area. How often does the apparatus from Station 1 respond to Station 1's area. That's reliability. We also as part of that plan engage with our partners and in addition to what we did specific to Meridian, also worked to strengthen our mutual aid and our mutual aid agreements. The Fire Department and the Fire Department response is a system of mutual aid. When our crews are tied up on calls here in the city and other calls come in for service, we do have to rely on mutual aid from other cities, whether it's Boise, Nampa, Eagle, Kuna or Star and, likewise, they can rely on us at times when they are out of service. So, we did strengthen that mutual aid partnership in 2015. So, our review of what we are doing today, to give you an idea of our performance -- I didn't mention earlier the dispatch processing time, but that's a piece and a component of the overall response time. This applies for both Police and Fire. So, when folks call 911 there is a call taker in the Ada County Dispatch Center. They take the initial information. They put that information over to a dispatcher. That dispatcher goes through a process of identifying which units are going to respond to that call for service. Right now the average time it takes to do that entire process is a minute and 54 seconds. Our chute time average in the last six months is 70 seconds. So, we are below our average and that's a testament to our crews. I have

always said that's a response to the citizens. When they call for help how quickly do we begin that response and getting out of the station. So, certainly, our firefighters are doing their part and doing a great job and this is the one piece that we feel we can control the most when it comes to an overall response time. Our travel time. Currently last six months we are at five minutes and three seconds. So, we are maintaining really close to that goal that we set back in 2016 of five minutes. This does fluctuate. There is so many dependents as far as the travel time and how long it takes us to get Point -- to Point A to Point B that includes travel. It includes weather. There are several factors that come into a travel time. Certainly as we talk about roadway, roadway construction, hopefully, roadway growth in the future and our ability to move throughout the city in a more timely manner will be important conversations to have. And, then, our effective response force. Again, this isn't a piece I mentioned in the earlier slide, but this is how long it takes us to assemble all the units needed to respond to a structure fire. We want to try and keep this under nine minutes if we can. You will see we are at eight minutes and 26 seconds. When we do have a fire we have three engines, one truck, and one battalion chief respond to that call. We are able currently to meet an effective response force and that just means the right number of people on scene to effectively do the job. Chris, I might need some help. The computer over here is thinking. I apologize for the pause there. Apologies, Council. It looks like Microsoft PowerPoint is trying to send the issue to Microsoft right now. Four. It wasn't a black screen, but that's okay. If we can move through it I can make it work. Council, I will take you back one screen. Unfortunately, it's black. We are having some computer issues over here. So, I will have to e-mail you out the video that I have. But in a nutshell this was a video produced by NIST. NIST is the National Institute for Safety and Technology and they have done studies on how fire grows given an environment and what you would have seen in this is over a four minute time frame the fire growing exponentially to where we get what is known as flashover. So, as the fire builds in a room, the superheated gases and smoke rise to the ceiling and slowly lower to the floor and over time you are going to get what you may commonly see as backdraft in the movie or flashover in our world. That is the concern we have. That is why we are trying to get on scene as quickly as we can to eliminate that phenomenon to where that fire is going to rapidly spread. There is -- there is a well known fact to the science community that have studied this that a fire grows every -- it doubles in size for every minute after a certain time frame and that time frame is anywhere from four to five minutes. Also on the medical side when it comes to response time why five minutes is important and why we set that as our standard. In a cardiac arrest or other trauma time is in seconds, not hours, not minutes, not days, but seconds truly do matter and it's not an over exaggeration. When we are in a cardiac arrest situation the sooner we can get on scene, perform CPR or perform defibrillation and, then, perform ALS interventions to try and turn that situation around the better. The longer it takes to get there, the harder it is to make that issue better and so we have that both on the medical side, the trauma side, and we have it on the fire side as well. So, I will have to send that video out to you in a separate e-mail. To give you an idea -- for some of Council you have seen this before, as far as the NIST study and how fire grows and the behavior of fire. If we look at the review of growth that we have had -- that we are facing in response for the Fire Department, you can see these are -- these are approved growth areas. You can see in the southeast and in the northwest we have had pretty significant growth. We have done

some anecdotal studies, if you will, to say when we add a subdivision what kind of growth do we see in our call volume. As we examined and evaluated the growth of the Oaks Subdivision, as one example, and there are some variables here certainly -- that has increased our call volume by about 40 runs per year. So, as you add more and more and more subdivisions or more growth on the business and -- and commercial side, we know that's going to increase our call volume. Next slide. So, here is an example of what we are seeing in the northwest area of our city on -- the slide on the left is growth that's been approved. You will recognize that as the Oaks Subdivision and, then, the slide on the right is from Chief Bongiorno and this is some of the engagement and interactions he's had with other developers who are interested in bringing projects to Meridian. We are trying to track that as far as growth that's been approved and, then, growth that is in -- in the projections and potential growth. Next slide. If you look in the south, same thing. You will see the growth that's been approved, which is going to increase our call volume and, then, projected growth based on early discussions with developers that are looking to grow in the south side. There is a direct correlation between population growth and call volume growth. So, on the left we have population growth from 2002 to 2019. You will see a very similar correspondence to incidents per year as that population grows. I will point out one little blip downward and that was in 2015, 2016 in our incidents. You can see that we trended down. The reason for that is our EMS system got together and determined who was going to respond to what calls, especially in the non-acute calls and we made a change in our dispatch processing where Ada County Ambulance only responded to a certain call type. That resulted in a reduction across the board for fire responses decreasing slightly, but since that time you can see that our trend is back up and you can see a fairly steep increase from 2018 to 2019. Our analysis shows that we don't anticipate that trend to reverse. As our population continues to grow, so, too, will our call volume and consistently between the two. So, adding stations -- what does adding stations due to response times. We talked about the two areas, the northwest and the south. On the left-hand side you can see what we can do today. The green is the five minute travel time. This was produced by our GIS team. They do amazing work. The yellow is a seven minute travel time and the nine is a -- is a nine minute travel time. On the right-hand side, if you were to add a station in the northwest and a station in the south, you can see that our southern coverage we can get to in five minutes and the northwest coverage we can get to in five minutes and we can certainly create these maps in any way you choose, adding one station, adding both. But you can see the difference between the two slides and what we can do today and with the growth occurring in these two areas by adding stations what we could do moving forward. Next slide.

Cavener: Mr. Mayor, if I could ask a question.

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. Chief, back to that -- slides going back that shows the response times, back -- what's the time of day that this is? Is this on average? It's much easier to get to one part of town at 5:00 a.m. than it is at 5:00 p.m. So, I'm curious what -- the time of day that these models are based on.

Niemeyer: Great question. Thanks, Councilman Cavener. What -- what GIS did with this -- they didn't pick a time of day to pick. What they picked is they use roadway speeds. I don't believe they even used traffic counts. So, it's simply the roadway system and the roadway speeds and how we can get to certain places in a certain amount of time. I think the time of day question that's a really deep -- and I think our GIS folks will tell you this -- that is a really deep analysis -- analysis that even ESRI has had trouble predicting. When you bring in time of day, you bring in traffic patterns, you bring in road construction, all those other factors that I mentioned -- this doesn't bring in any of that. This is simply roadways and station locations. They do bring in speed limits on the roadways. So, they do bring in that estimation.

Cavener: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess a general question. If we look at that map do we have existing development that already falls outside of the five minute fire response time or -- or is it primarily a question of expanding fire stations to open up areas for new development? Or both?

Niemeyer: Council Woman Strader -- Council Woman Strader, great question. It's both right now. Certainly in the south we do have some development that we are not able to get to -- there we go. We are not able to get to in five minutes. There is a lot of development in the southeast corner that we simply can't get to in five minutes. There is some development certainly going on around the 77 acre regional park that we can't get to in five minutes. In the northwest corner you can see this area and these areas highlighted in yellow, those are unachievable within five minutes currently. The Owyhee High School, as we all know, is going into this area in here that we won't be able to get to in five minutes and the thing about schools -- anecdotally speaking I don't know what it is about Cherry Lane and McDermott right now, but that seems to be where a lot of wrecks are that I come across. In the last 12 months I have come across five pretty significant T-bone accidents at that intersection. I think as we talked about schools going in, especially a high school, we talked about increased traffic and I know that's something that Chief Lavey and I talked about as we were discussing that Owyhee High School and the plan for it and the roadway system around it and that concern of increased car accidents, which we also respond to.

Perreault: Mr. Mayor?

Strader: Thank you.

Simison: Council Woman Perreault.

Perreault: Chief, isn't that intersection a two way intersection? Stop -- stop signs on McDermott, but not on Cherry?

Niemeyer: Correct.

Perreault: Yeah.

Niemeyer: Correct. Yes. So, looking at cost and I -- I would like to try and keep this focused on two different aspects. The first is something the Mayor alluded to and that was discussion during budget hearing regarding the design of fire stations. Certainly this is within our impact fee schedule. This is something that we work -- work with our impact fee committee on. We knew that this was going to be a development issue at some point within that impact fee study. So, for the FY-21 budget request, the request was to design two fire stations and the reason we brought that forward is that there is some cost savings by doing both designing -- designs at the same time. We anticipate really very similar stations. As far as the floor plan goes, we expect it to be the same station, because the land is a little bit different site to site. We anticipate there is going to be some changes with regards to elevations, landscaping, et cetera. So, we -- we believe this is somewhat an independent issue to the discussion around building the stations and staffing the stations. Personally as the chief I like to have something that's shovel ready. I can tell you we learned a lot through Station 6. I think Councilman Cavener and those that were on Council at that time would understand that. We learned a lot about the timing, about the process, about the phases you go through when you go through a project like this and we believe we have a very good plan to meet those timelines, so we can stay exactly on track to what we commit to and that first step is really getting this design work done. It's a lot of the annexation work. It's a lot of the permitting work. And it's really going through that process of designing the floor plan and the elevations. That was the request for FY-21. In addition to purchasing the land in northwest Meridian. We have land assigned and allocated in the south. The rural fire district purchase four acres that's tied in with a 77 acre regional park. I believe we have talked about that in the past. The land that we are looking at in the northwest is just north of the proposed Owyhee High School -- or Owyhee High School that's being built. We do have a development agreement with -- with the developer of that to have two acres donated and, then, to purchase two acres and I think we covered that during the budget hearing as far as the cost of that. That's in the Gander Creek Subdivision. So, this is the -- the request for FY-21 and I can certainly pause here to discuss the idea of designing two at the same time, what that savings potentially looks like, or I can continue on. Mr. Mayor, I will take your -- your cue on that.

Simison: Council, any questions at this point in time in the presentation? Councilman Bernt.

Bernt: Mr. Mayor, I got -- I got numerous, but I'm still wanting to listen a little bit more.

Simison: Okay.

Niemeyer: With regards to --

Cavener: Mr. Mayor?

Simison: Mr. Cavener.

Cavener: Thank you, Mr. Mayor. And I'm not sure who this question is posed to. I hope whoever is the most equipped to answer it can -- can help me. When I'm looking at this information that's in front of us on the slide, I'm trying to understand how that aligns with the direction that it came out of our -- of our budget hearing. Am I -- am I misremembering? Was this included as part of the 2021 budget or not?

Simison: Councilman Cavener, yes, it was. Everything you see in here is -- this was a conversation about whether or not to take something out.

Cavener: Got it. Thank you. Appreciate the clarification.

Niemeyer: Just to add to that, Councilman Cavener, really good question. The initial budget request and what we had in our CFP was 1.2 million dollars for overall design. As we have worked with the architect, this piece specifically that you see before you is for the design -- schematic design of those two stations. The additional amount that would equate to 1.2 million moves into the construction phase where the architect is involved in the bidding, et cetera. So, this is the actual amount that would be expended in FY-21. If we choose to move to construction in FY-22, that full amount that we have requested would, then, move into year two. It looks like that probably makes sense as I'm talking there.

Cavener: Thank you.

Niemeyer: And, then, FY-22, if we move forward with construction, if we move into phase two of these projects, we would be looking to purchase the two fire engines. It takes about 12 months to get those fire engines built. They come from Pierce. That's the manufacturer that we use for our fire engines. We would go to bid packages, pre-construction estimating, budget preparation. That would be October through March and, then, start construction of the first station sometime in April and the second station in June if that's the direction that we move forward as a city. That total impact fund -- fiscal impact for that year, FY-22, would be 5.786 million dollars. We have been working very closely with Todd Lavoie, our CFO, on what our impact fee balance looks like and we certainly have projections to that and I think that -- that we would look forward to another conversation with Council and bring in Todd to talk about how that funding piece would be working through these projects. FY-23, if we continue to move forward, this would be the year that we hire the staff. This is certainly the biggest lift in a project like this. This is not impact fee eligible. We have looked into a FEMA grant. It's called a SAFER grant. It's through the assistance to firefighters. There is an opportunity for us to apply for that. We would do that. Chief, I'm going to look to you. I forgot to include this. What month would we -- '22. So, we would make the application in '22 and we would know in September prior to going into the FY-23 budget year. We are eligible for up to two million dollars. That is a 25 percent cost share the first two years that the city would be

responsible for and, then, a 65 percent cost share in year three. So, that is a three year grant application. We also have engaged with our rural fire district. We understand that the station out south, if and when that gets built, there is certainly some coverage areas to the district as well. They have shown an interest in having the discussion with the city about a potential cost share for that. Certainly we don't have numbers to present at this time, but as a -- as a possibility or option there is that partnership that the district is willing to entertain. That I think I just want to make the point here that -- that, again, lessons learned from Station 6 and Chief Butterfield and Bongiorno have been heavily involved in this. We have laid out a process and a mapping process to where we know exactly how long different aspects of these projects would take. So, this is our way to stay on course, stay on time, and deliver. So, we have -- again, this is more of a visual to at least look at the detail in which we look at these projects to present them to you. As considerations we have reached out to the architect, worked exclusively with them to talk about design savings if we do both stations at once. There is another supplemental piece to this that we are not bringing tonight, I think it's for further discussion, and that would be designing in police substations or precincts as part of a fire station design in the future. We have certainly worked with Chief Lavey and his staff on that -- that concept. There seems to be agreement that the concept makes sense. We still have work to do there to determine how exactly that would be done. But if we were to incorporate a precinct in one or both of these stations in the future, there is certainly some more cost savings we can find in designing all of it at the same time. We will continue to work with Chief Lavey on that. And, then, on the construction side we did reach out to ESI. They were the general contractors for Station 6. We engaged with them and said if we were to build two at the same time is there any kind of savings whatsoever by doing so and what they anticipate is a five to ten percent cost savings per station. That's anywhere 450,000 and 900,000 dollars per station potentially that could be saved by building two stations at the same time. Mentioned the AFC grant a little bit. We are eligible for up to two million dollars. The grant funding, again, we would match 25 percent in year one and two and, then, 65 percent in year three. We have -- we have spoken with Finance about the possibility of a grant. Talking to Todd he's all for it. He said it wouldn't be an issue. We have managed grants in the past. So, this certainly is a possibility moving forward. Also did reach out to the Idaho Survey and Rating Bureau. This is otherwise known as ISO ratings. ISO ratings are in Idaho. The ISRB ratings do affect insurance premiums. Currently we are at a class three. We just got re-rated not too long ago. We have been a class three for several years now. In Idaho there are no class one departments. It's the best you can get. Two class two departments currently and that's Boise and Idaho Falls. I did ask them if we add Station 7 and 8, as well as a second battalion that's a part of this conversation, where does that put us and that would put us in a class two rating. The kicker is I can't -- I can't promise anything as far as insurance premiums. I reached out to the insurance agent. It's the underwriters that develop those premiums. The message I got from the insurance companies is there would be pretty small effect on homeowner premiums, but they do anticipate there would be a positive effect on our business community and the business premiums and that's pretty standard in the insurance companies that I reached out to and talked to. Okay. The other question that got asked and discussed during the budget hearing is which station comes first and I have maintained and I will continue to somewhat maintain it's a flip of the coin. There is pros and cons for either area, the northwest or the

south, but as we analyzed it within our Fire Department, we looked at four different factors that we felt are very important relevant to this conversation. First one being how much ground do we need to cover within each of these areas. If you look at the south currently we have two fire stations that covers half of our response district south of I-84. Those two stations are Station 4 and Station 6. The concern I have with Station 4 is the reliability right now is at 80 percent. Anytime we fall below 80 percent we get a little bit concerned. So, right now today 20 percent of the time that station is out on another call or otherwise tied up. So, that leaves one unit on the south side of I-84 to cover an entire half of our response district. We look at the area risk and what projects or buildings are in the area and what risks does that bring to our response and what I mean by risk is what type of calls are we going to be responding to and what's that risk factor. If you look at the south we have a southeast residential growing rapidly. We have the YMCA. We have a school. You have some high speed two lane roads. We have Meridian Road, which is another corridor that we see quite a few wrecks on. In the north we have a high school. We have large residential subdivisions. We have Highway 20-26. Some commercial development, both currently approved and -- and possibly forthcoming with medical facilities. We have high speed two lane roads again. I mentioned that in the Cherry Lane-McDermott example. Then we have also Highway 16. Part of Highway 16 and what we cover, this is part of the mutual aid process that we have. We cover everything northbound from Highway 20-26 to Highway 44. Star covers everything southbound from Highway 44 to Highway 20-26. The reason we do that is we have a large divider down the entire middle of that and so it's impossible to get to if we just cover our piece of the district. So, we split that -- that piece in two. I mentioned a little bit reliability, how reliable are the closest stations to these areas. I mentioned Station 4. It's actually at 80 percent. I apologize for the typo. We don't have enough data yet for Station 6, other than it's pretty dang reliable right now and, then, as we look at our -- our mutual aid availability -- this is also the fourth bullet point down below. In the south we really have one department that we can rely on for any mutual aid and that's Kuna. They have one station. We also have Boise Fire Station Number 14. That's over on Five Mile. If you look in the north we have a lot better mutual aid possibilities if we are out on a call. So, in other words, if Engine 35 at Linder Road is out on a call and a secondary call comes in somewhere on Highway 20-26 to the west, we typically have either Star or even Nampa come in and provide mutual aid. So, again, there is some areas where we can pretty clearly define one area over another as far as a priority when it -- when it comes to risk and the subdivisions going in, the commercial development, the school development -- again, I would argue we are still kind of a flip of the coin. That's really where we are at as far as our -- our recommendations or what we feel. With that, Council, I was hoping to leave some time for questions, discussion -- I'm sure there are some. Happy to answer.

Simison: Thank you, Mark. And, Council, Mark was a little bit more forthright with me earlier when he said the station in south Meridian is the one that he would recommend moving forward if we only did one at this point in time and so I'm not going to let him off the hook with -- with leaving it as an equal component. Just that -- I think that that does bring some -- some conversations into it that people are going to want to know to that element. So, with that any questions for Chief Niemeyer at this time?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: So, I remember a while back -- I don't -- I don't remember when. It's fairly recently. We saw some data where the data said that Owyhee High School -- the edge of Owyhee High School was right at five minutes. Is there -- is there some different data that -- that has transpired between then and now where Owyhee High School is now out of that five minute boundary?

Niemeyer: Councilman Bernt, good question. I would have to go back to the presentation you are alluding to. The -- the most recent data set that we got is directly from our GIS team up in IT where they have -- they have run analysis based on roadway speeds and they have calculations within their system that analyze how quickly we can get to a certain point in time. Keep in mind there is variables in what you saw on the map. If we have heavy traffic congestion it's going to take us longer. If it's 2:00 a.m. where we have no road construction -- no road congestion, to Councilman Cavener's question -- or I think it was -- either that or Council Woman Strader. I apologize. At 2:00 a.m. we can probably get places a little bit quicker, because we don't have the roadway congestion. So, I think the analysis you are seeing from IT is this is based on simply roadway speeds without time of day consideration or traffic congestion consideration.

Bernt: Well, one question. Do you foresee -- if we were to go ahead with two fire stations do you foresee that one would sit empty?

Niemeyer: That would certainly not be my recommendation, Councilman Bernt. I believe if we are going to move forward with the fire stations --

Bernt: I know that it wouldn't be. I would be shocked if that was your recommendation. So, setting aside what your recommendation would be, is there a chance that one of these -- these fire stations would sit empty until -- until, you know, if we had some, you know, personnel issues or staffing was a problem, do you -- do you -- is there a chance that one of these fire stations would sit empty for a certain amount of time?

Niemeyer: From a staffing standpoint, no. If -- if Council approves building two stations and staffing two stations, we will get two station staffed.

Simison: Councilman Bernt, I think the underlying question is not knowing what will happen this year with the legislature and not knowing if Council is committed to getting the three percent for the next four years, which it would take to fund these stations potentially -- I mean the -- the -- there is a lot of changes and the money that flows in and out from various things it's really hard to predict, but I think what -- to the chief's point is what we are talking about now is not making the decision to move forward with two stations until we probably have many of those questions -- at least a couple of those questions answered. This is about whether or not -- do you think that we need two fire stations built in Meridian and, if so, having one shovel ready -- having -- doing both

designs at the same time to save costs allows one to be shovel ready if they both don't go at the same time. It's not a throwaway cost to our -- in our belief to do this project.

Bernt: Yeah. And that -- Mr. Mayor, follow up. That was -- that was my next comment slash question was with the state legislature. I have talked to Todd, you know, a couple times on and off the record about what that looks like in regard to financing both these departments -- or these fire stations without, you know, hamstringing, you know, the Parks Department and the Police Department at the same time and it's sort of a -- sort of a big deal and, you know, to do this according to the -- what I have heard would require at, you know, three percent for the next unforeseeable future and, then, maybe even having to go and get foregone and so I know that we are probably safe for one year, but beyond that I agree with you, Mr. Mayor, I don't -- we just don't know what that looks like and we don't know what the state legislature is going to do in regard to property taxes. It makes it sort of uncertain and causes me for concern.

Simison: Well, again, that goes back to we are not asking you to approve personnel and building of two fire stations, but the question is do you think that there is going to be two fire stations needed in the future in our community and, if so, does doing the design of both of them at this point in time, while we wait for those questions to be answered, is appropriate.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I guess maybe two questions. Just to put a little more precision around it, is Owyhee High School within the five minute response time or not is my first question. And my second question is I really want to delineate between existing development that's been approved that has not -- that is not within the five minute response time versus opening up future development, because in my mind they are two different things. Is there a way to quantify how much we have approved that's outside of the five minute response time in the southeast area of Meridian?

Niemeyer: Mr. Mayor and Council Woman Strader, I can answer the first one explicitly. The answer is no. The Owyhee High School is outside the five minute travel time. As far as development goes, we can certainly bring back for discussion -- and, again, I think this goes to the Mayor's point. We are not here asking for construction of two stations at this point. This is about design of two stations. So, there is certainly more discussion to come. I think Councilman Bernt brought up a great point. We have talked about this as far as the future of funding we don't know what the legislature is going to do. We don't know some of those factors. I think I could say the same thing for growth. I could present to you today what growth is in these two areas and I could present you a year from now and it will be different in some form or fashion, depending on how we grow. So, I can certainly get that to you as Council -- a clear example of what development has been approved that's going in that we cannot hit in the five minute travel time.

Simison: And just to that point, that's the map that Dave Miles brought and shared from that standpoint. It's -- it is dynamic, so that's really the appropriate place to look at that. So, you can see what has been approved, that's constantly being updated with that information. But, yes, there is the area approved and there is the area already in and well outside the five minute response time. It will just be, you know, where they have a -- an entitlement to currently develop. Whether or not they have a plat or final plat or anything else, but, you know, that -- that's very true for a good portion of south Meridian.

Bernt: Mr. Mayor, I remember -- I remember where I saw that data in regard to five minute response times. I believe it was in the presentation that -- that Chief of Staff Miles made where there were just overlaps of different data that we were looking at. I believe one of those -- one data set showed us response times with different fires -- you know, with seven and eight there and not there and I -- and I believe -- and I believe without the north -- the northwest fire station there the response time just right to Owyhee High School was five minutes.

Simison: My recollection -- Councilman Bernt, my recollection is very close. The chief is pulling the same GIS information that's on that map. It's not different, so -- but if I -- if my recollection was very close, maybe on a portion of the property, maybe not on all of the property. Maybe not --

Bernt: I will give you that.

Simison: Yeah. The school is -- the school is down a quarter mile or so off of the main arterial and I think that is -- I think you get to the property at the arterial level, but maybe not to the school in five minutes.

Bongiorno: Mr. Mayor?

Simison: Yes, Deputy Chief.

Bongiorno: Just a quick comment. Council Member Bernt and Council Woman Strader, the school is not -- it's outside. I have the map open right now that the Mayor has been talking about and we have approved projects that touch that five minute boundary. We don't have too many that are outside of that five minute boundary. In the chief's presentation I made those slides that showed the approved projects and projects that Development has seen, but has not been submitted to the city yet and many of those are outside of that five minute response time and that's kind of what started this whole discussion was we were just getting outside of that boundary and so we were trying to find a solution to the -- to the problem.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Chief, does Ada County Paramedics have any stations planned near or around either region?

Niemeyer: Councilman Borton, great -- great question. And we have talked about this in our Access -- as you know we are part of Access Joint Powers Agreement. They have absolutely no plans to service south Meridian or northwest Meridian. Their closest station to service that northwest corner comes from Star down closer to the -- to the city of Star and out south they don't have anywhere close to that. The closest I believe they have is coming from St. Luke's Meridian to service that area and no plans for -- I guess to make sure there is a good understanding of how we grow versus how they grow, Ada County Paramedics is primarily funded through fees for service. They have a very very small tax base. Their primary revenue source is fees for service. So, they will not put in a station into an area until there is enough call volume within that area to generate enough funds to pay for that unit. It's a little bit different animal when it comes to funding and how they fund.

Borton: Interesting.

Niemeyer: I can tell you south of I-84 within our jurisdiction Ada County Paramedics does not have any ambulances stationed south of I-84 within the Meridian area.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just a few follow-up questions from what brought us to today, at least that I have -- my notes recall the -- the proposed budget we last saw in July had the Station 7 and 8 each with 600,000 dollars. It was identified as design and it sounds like there is some clarification now that it was perhaps more than just design, but that's what prompted some of the initial concern. And the way you presented today, looks like, again, there is a lot of work that's been done to get to this stage. If you have mapped out that much detail, a lot of that that you showed looks like it is a plan to do two fire stations and for what it's worth, it just kind of rolled out here a moment ago like here is how we can build them within three or four months of each other and, then, staff them within six months and so if the intent is to -- to merely design two, I guess I caught the presentation as though there was a lot of inertia to build two within a year of each other. But that -- is that not now the case?

Simison: I will -- Councilman Borton, from my perspective we are still moving forward under that hope. But the funding is the reality. So, you know, we are preparing these and the chief would bring forward potential construction in FY-22 for both these if the funding is there at that point in time and if Council agrees. So, on one hand this is about, you know, designing and getting both of them ready and what will -- what will the legislature do and will the funding mechanisms be there. Will we have the leverage to do both? We don't know that.

Borton: So, Mr. Mayor, I guess that's the concern that -- that I had was is the design is somewhat the camel's nose under the tent and though it's not a technical commitment to do two, if we see in next year's budget, for example, you know, one or two stations, those would go into a proposed budget in lieu of something else and there is -- those are big conversations. The adjustment in the CFP to allow that to occur in a compressed fashion, while approving just the design, is maybe not a commitment, it sure does push it down the road towards that and that's what, frankly, gave me some concern, because that's a huge pivot financially to do the construction and the staffing of two stations in a compressed time frame. You know, one of the design questions that -- from today's presentation that kind of jumps out is why not use the design of Station 6 for Station 7.

Niemeyer: Council Member Borton, I can -- I'm happy to answer that one. That is the design that we are using as the template. There is certainly some things we learned from the build of Station 6, some minor modifications. We anticipate a slightly smaller footprint in square footage. That's just redesigning some walls and moving some walls. But that is the template that we are using to start that project.

Borton: So, just a couple of follow-ups if I could. Just trying to get my head around how -- I guess I don't get the savings. I don't understand how engineers and architects work, how they -- they actually save it and if, for example, you didn't use Station 6 as a template, if a single station as presented today designed is roughly 425,000 dollars to do a single station, I assume that's the cost using the Station 6 template. If we didn't use the template do we know what the figure is designing a single station from scratch and if we learned things from Station 6 that we want to do different in seven, might we also benefit from doing -- designing seven and learning more and improving it again for eight? I mean there is -- those are some of the unknowns that I think gave a little pause and do it quick.

Niemeyer: Yeah. I think there is -- there is a lot of questions there certainly. What's the cost of doing a standalone station without a template? I have no idea. I'm not an architect and I would have to engage that architect firm or any firm to get a better understanding of that. I think there is -- as I have learned there is a bunch of different pieces when you talk about architectural design and the cost of it; right? So, there is schematic design and there is further design and there is construction docs and all of that that I'm sure Public Works and Parks are very used to. We are not. So, I don't know the answer to your question on that as far as template versus non-template and cost differentiation. As far as learning things, I will give you the best example I can. We started developing a spec for fire engines a number of years ago. I think when you were on Council before and certainly Councilman Hoaglund was there. We started building that spec and we got to a point where we were super happy with that spec and so now when we order a fire engine there is no more sit down and draw out what we think we need, we just call Pierce and we say rinse and repeat what we have done, because we are very happy with it. I think overall we are incredibly happy with Station 6. We know that the footprint is going to be a little bit smaller in these next two stations. We don't need that much room because we don't anticipate multiple units potentially in the future out of that. So, there are some -- some tweaks that need to be made and certainly there is costs associated with those tweaks. As far as continuing to hone in the perfection of a fire station, I'm -- I'm pretty

happy with what we have. We did a really good job designing Station 6 and the layout, the safety features of Station 6, so I don't see a whole lot of changing and tweaking with regards to the next few stations. I think the -- the school district has been a good example of finding a design they like and, then, being able to replicate that at other sites and they save money by doing so.

Borton: Okay.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, in my mind I'm sort of going through each step. So, acquiring the land for fire stations that -- that seems like an easy decision. That's not getting any cheaper; right? So, we need to get the land. I think it's for one of these fire stations. That makes sense to me. So, we need to make that move sooner. It sounds like the need is higher in south Meridian to me for the risk analysis, but I'm a little bit questioning the cost savings of co-designing them. I think I have some similar concerns that Councilman Borton has. I think if I felt there was a true significant cost savings I would be all for it. I just -- it's not making a ton of sense to me yet, but I'm open to hearing more. It seems to make sense to get more dialed in. I would like to get a little more dialed in maybe in a separate conversation with Dave Miles, just about how much development have we approved that's outside of the five minutes. If it's a significant amount it feels like we are going to need one in south Meridian sooner rather than later. But I do think Council can control how we grow and that we have to hold ourselves to those priority areas, so we don't get stuck building a ton of things at one time and stretching ourselves too far.

Cavener: Councilman Hoaglund.

Hoaglund: Mayor. Yeah. Just giving this some -- some thought and listening to Council Members speak and weigh in on this, it's definitely something that we know in the future we are going to need two -- two locations, one in the north, one in the south for fire stations. I think going through purchasing the land, getting everything prepped, going through the design phase, puts us in a position and to a point where, then, we can make future decisions based on the information that we have and we will be well positioned to decide do we go forward with both, do we go forward with one, which one is that, and that's information that we don't have now, but going through these three steps that the chief outlined on that one slide I think puts us -- there is some cost savings and to Council Woman Strader's point, you know, how much is that exactly. I don't know what her significant is versus my significant amount of savings and that sort of thing, but it would get us to the point where we are ready to go. It strikes me a little bit like some of the land purchases we do for parks. We try to look ahead. We try to make those purchases in advance. It's cheaper in the long run and we are well positioned, then, to decide, hey, let's start that phase one or whatever phase we want to proceed with in a park and you try to do it far enough in advance and I see that in the same light. We are doing this far enough in advance, we have got the land at Discovery Park, we have got an agreement

with a developer who is giving us a very good deal for land and, then, if we do the design we are ready to go and we will see what happens with the legislature, with tax revenue, where the growth might occur more quickly in one area over the other and, then, we can decide one or two and move forward with that. So, to me it makes sense to go to that point and, then, okay, what's next. And we can make that decision when the time comes.

Simison: And just as a reminder, Council, we are talking one hundred percent impact fees. So, this is what these funds are there for. They are not in competition with something else that we can or can't do from that standpoint.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I agree with Councilman Hoaglund. I see the advantage of designing these at the same time and continuing with what we have already committed for FY-21. If -- if we don't design them at the same time -- I mean I -- this is one of those elements of -- this isn't just about the cost of -- of design and staffing needs, but it's also how we are planning to grow and just like we are having these conversations about the school district, if we have a development come before us and we know that a new station is slated to come on in 2023, then, that helps us in our planning decisions for -- you know, for residential developments. If we don't design both and we just design one and say it's in south Meridian, then, what happens in north Meridian is still sort of out there in an undetermined time frame and I think we will have some difficulty with our planning decisions in the future come two, three years from now.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think my thought process is more on the lines of Mr. Borton. I -- I understand -- and I don't think there is anyone that's going to say that we don't need two fire stations. I think it's pretty evident that we need ultimately new -- two fire stations. But the problem is funding both at the same time and I'm just going to be real frank and I'm going to just say it. I mean Station 6 was an absolute cluster and -- and -- and I'm not going to point any fingers and I'm not -- I'm not going to, you know, get into a -- you know, a discussion of why that was the case, but knowing that that's the case, I just -- with the -- with the lack of funding or the lack of direction from the state legislature and what that looks like, makes me pause knowing that I have some big questions in regard to how we are going to staff and how we are going to be able to afford both stations makes me pause and there is just too many question marks in my opinion and if we -- if we do a rinse and repeat type situation where we -- we design one fire station and do the exact same fire station in another area, I don't see the real imminent need to design two at the same time, knowing that both are going to be smaller and -- but, you know, fairly similar in design. So, I feel like if we approve two designs and -- if we approve the design for two fire stations, I feel like that's where we are headed. I feel like there is going to be momentum going that

direction that will be difficult to stop and -- and if I -- and personally if -- if -- if those questions aren't answered for me, then -- then I would rather take pause, do one, and, then, reevaluate next year after we know what the state legislature has decided. So, with that said I'm in favor of one. I think the data shows it's to the south and that's -- that's -- those are my thoughts.

Simison: Council, we are not making a decision tonight. This is part -- in your budget discussion where you would be making any modifications to the budget at that point in time.

Strader: Mr. Mayor, two quick questions.

Simison: Council Woman Strader.

Strader: I was just curious if we designed one, what the architect or design team feedback would be on the turnaround time to, then, go and design a second one. How long does it take? Does that set us back a long time or is that something that -- because we are using an existing design we could be pretty flexible and nimble on that. Then I guess my other question would just be is there -- in your experience if a certain amount of time goes by before a station is built, does it become like outdated? I guess that's kind of a question to ask, I mean how close to the construction ideally should you design it?

Niemeyer: Council Woman Strader, great questions. I will answer both and the first -- the first question I will make no commitment whatsoever on the nimbleness and quickness of design. I'm not going to do that. I can tell you the process is about a six to nine to 12 month process, take your pick. So, if we are truly talking about designing one and, then, waiting to design another, no promises. I think as far as the outdatedness of a design, certainly over time there are code changes that would change the requirements of whatever and I think the Public Works folks and the Planning folks could speak much better to some of those code changes that could occur that might change the size of a two by six or a two by four or two by eight or the headers or whatever those changes could be. I think from the standpoint of a layout, once we have the design it could be one year, two years, three years. I think once we are happy with a design and a layout and a floor plan, we are good on our side. It's just a matter of code changes. So, from a design perspective that timeline I'm not even going to take a guess at how long it would take to complete that first step, that first station, and move into a second one. I just want to throw out -- and certainly for discussion in the budget hearing. From my standpoint as the chief that manages our impact fee fund, along with Todd Lavoie, I have a real challenge trying to step over a potential savings of 135,000 dollars and if that means we need to bring more documentation and data before you to do that, I'm okay with that. But as I look at how do we fund our needs moving forward, that's -- that to me and I think Councilman Hoaglund alluded to it, what's -- what's big to each of us, that's -- that's certainly a perspective. For me trying to manage our impact fee fund, 135,000 dollars is no small change and if we can save that potentially through a joint design, I think that's the right move and that's what I will certainly bring back to the budget hearing and more data along with that.

Simison: And, chief, just as a refresher, I think we get really confused on maybe -- maybe not -- on the word design. This -- this is a development process that -- that this goes through in a lot of different aspects. So, it's not -- it's not the -- drawing the picture as the sole purpose through this process, because, otherwise, you are right, we already have a design. We can just be done. But that's not the way these things are funded or paid for and they generally work off the overall cost of the project. You know, unfortunately, you don't get -- you don't get a lot of cost savings by just pulling up -- up the last plan and putting it onto a piece of -- on the property. So, just keep that in mind. It's not about drawing the building.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just -- because that is -- I need some help with that, to be honest. So, I think what would be helpful for me to understand is -- is the savings associated with an architect and other professionals managing a process of construction that's happening at the same time or where that savings really comes from, because if we are not going to build them at the same time -- if we may not build them at the same time, the probability of whether or not we do that is a big driver of whether those cost savings are realized. So, I think if I just had more information that -- for our budget hearing about where the savings comes from, that would help -- that might help me, because, yeah, I don't know exactly what's included in that, you know, quote, unquote design.

Niemeyer: Council Woman Strader, Members of Council, we can certainly provide that in a packet to you by tomorrow. We have the data that shows where those savings are in the -- in the various aspects. To the Mayor's point, design consists of multiple factors and so that -- we asked the architect to break that out into several different factors that incorporate design and so we can certainly send that packet off and have that further discussion.

Simison: Council, any further questions on this item?

Borton: Thank you, chief.

Simison: Thanks, chief.

Niemeyer: Thank you.

Bernt: Thanks, buddy.

EXECUTIVE SESSION

- 20. Per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer.**

Simison: Mr. Nary, are we going to go into Item 20 at this point in time?

Nary: Mr. Mayor, it's not necessary this week. We could skip the Executive Session. The short time frame and the longer regular meeting, I think we are good for a week and we will reschedule for next week.

Simison: Okay. Then, Council, do I have a motion to adjourn?

Hoaglun: Mr. Mayor?

Simison: Council Member Hoaglun.

Hoaglun: I move that we adjourn our work session.

Perreault: Second.

Simison: I have a motion and a second to adjourn the work session. All those in favor signify by saying aye. Those opposed nay. The ayes have it and we are adjourned.

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 5:45 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Approve Minutes of the August 11, 2020 City Council Regular Meeting

Meridian City Council

August 11, 2020.

A Meeting of the Meridian City Council was called to order at 6:04 p.m., Tuesday, August 11, 2020, by Mayor Robert Simison.

Members Present: Robert Simison, Joe Borton, Luke Cavener, Treg Bernt, Jessica Perreault, Brad Hoaglun and Liz Strader.

Also present: Chris Johnson, Adrienne Weatherly, Bill Nary, Sonya Allen, Clint Dolsby, Shawn Harper, Joe Bongiorno and Dean Willis.

Item 1: Roll-call Attendance:

- | | |
|---|--|
| <input checked="" type="checkbox"/> Liz Strader | <input checked="" type="checkbox"/> Joe Borton |
| <input checked="" type="checkbox"/> Brad Hoaglun | <input checked="" type="checkbox"/> Treg Bernt |
| <input checked="" type="checkbox"/> Jessica Perreault | <input checked="" type="checkbox"/> Luke Cavener |
| <input checked="" type="checkbox"/> Mayor Robert E. Simison | |

Simison: Council, I'm going to go ahead and call this meeting to order. For the record it is August 11th, 2020, at 6:04 p.m. We will begin tonight's agenda with roll call attendance.

PLEDGE OF ALLEGIANCE

Simison: Next item on the agenda is the Pledge of Allegiance.

(Pledge of Allegiance recited.)

Simison: And for the record Council Woman Perreault has joined us. My understanding is we didn't have anyone for the community invocation.

ADOPTION OF AGENDA

Simison: So, we will move right on to the adoption of the agenda.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move adoption of tonight's agenda as published.

Bernt: Second.

Simison: I have a motion and a second to adopt the agenda as published. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

PUBLIC FORUM – Future Meeting Topics

Simison: Mr. Clerk, do we have anyone signed up under public forum?

Johnson: Mr. Mayor, only one. Genesis Milam says hi. That is our only sign in.

Simison: Thank you.

Bernt: Genesis, I love you. I miss you.

ACTION ITEMS

1. **Public Hearing for Landing South (H-2020-0005) by Jim Jewett, Located at 660 S. Linder Rd.**
 - A. Request: Rezone of 2.43 acres of land from the R-4 to the R-8 zoning district.
 - B. Request: Preliminary Plat consisting of 11 building lots and 2 common lots on 2.27 acres of land in the proposed R-8 zoning district.

Simison: Okay. Then it will -- with that we will move on to our action items. First item up is a public hearing for Landing South, H-2020-0005. I'm going to open this public hearing and turn this over to Councilman Hoaglund.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: We have a request by the applicant to continue this public hearing. The applicant did not post a sign, so it cannot be heard. We will just continue this hearing to -- continue it and hear it on August 25th. That's enough time to re-post the sign and have it up for the required amount of time for -- for this public hearing. So, I would move that we continue H-2020-0005 until August 25th.

Perreault: Second.

Borton: Second.

Simison: I have a motion and a second to continue this item until August 25th. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

2. Public Hearing for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

- A. Request: Rezone of 4.43 acres of land from the R-8 zoning district (Medium density Residential) to the C-G zoning district (General Retail and Service Commercial) for the purpose of developing commercial storage on the site.
- B. Request: A Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district.

Simison: Item No. 2 under Action Items is a public hearing for Epic Storage, H-2020-0058. I will open this public hearing with staff comments and turn this over to Joe.

Dodson: Thank you, Mr. Mayor. Can everybody hear me all right? Okay. Good. My fiancée says I mumble, so I got to make sure I enunciate now. The request before you -- before us is for a rezone and conditional use permit for Epic Storage Facility. The applicant is requesting a rezone to change the existing R-8 zoning to the C-G zoning district, general commercial. Actually, Chris, can I share my screen? There we go. Better for you guys. The applicant is also requesting a conditional use permit approval for a storage facility. The subject site is surrounded by existing City of Meridian zoning and development to its north, west and south. Directly to the east City Council has recently approved a new residential subdivision Sagewood West that will have R-8 zoning. Directly across West Overland Road, an arterial street, is I-L zoning with two RV uses currently existing, Bish's RV and Camping World of Meridian. Directly to the west along the northern half of the site is the new Meridian fire station and abutting the site on the southern half of the west boundary is a multi-family residential development. This parcel -- this parcel has both the commercial and medium density residential future land use designations as of the most recent change to the comprehensive map. The addition of the commercial designation spawned the proposal to rezone this property. The proposed new land use is a form of RV storage and is a conditional use in the proposed C-G commercial zoning district. However, the proposed use is not a traditional RV self storage as our code depicts, just staff must assess proposed uses with those listed in the UDC use tables for each zone. Precision Storage Concepts, for the actual business proposed on this site, who operate the business, is a more encompassing commercial business than traditional self storage by providing a valet drop and go system that requires customers to only drop off their trailers and RVs. They will not park nor store them themselves. In other words, the customer will drive their trailer or RV to the facility and stop it near the north end of the site, roughly here, and, then, employees will check the customer in and take the trailer or RV from there. The customer would, then, proceed to the office at the back of the property at the south end here and finish -- finish the paperwork as needed. When they need their vehicle again they will likely call ahead and the employees will prepare it for use. To do this Precision Storage Concepts is intended

to be a full service RV and trailer business that includes a wash before each use, supply stocking of the vehicle and maintenance checks on standard items, such as batteries, water, refrigerator and tire pressure. In addition, a majority of the storage and business will occur within a large single story building that is approximately 29,000 square feet. There is also intent for ancillary outdoor storage of vehicles and trailers that will be stored in the asphalt area between the office in the back of the parcel and the main building along Overland Road as seen on the site plan. Because this property is already zoned residential, currently zoned R-8, and development to the south and southwest and to the east is residential, staff was originally concerned with the request for C-G zoning. This concern lies with the potential for a higher intensity of commercial use next to said residential if this property is rezoned to C-G, but never develops as proposed. Staff recommended changing the requested rezone of C-G to be C-C instead and the applicant agreed to this change during the Commission meeting. If approved the C-C zoning district is a lower intensity commercial zoning that is still commercial, but will help staff ensure a more disruptive use is not principally permitted and so easily attainable if this project is not completed. Self service storage, the use that staff has to place this proposed use into, is still a conditional use in the C-C zone and will not affect the future operation of this site. Access to the site is proposed via an existing curb cut from West Overland Road, an arterial street. ACHD approves of this access point as the proposed use is a commercial use and vehicle trips to the location is presumed to be minimal when compared to a residential development. The specific use standards require a secondary access for storage facilities and the applicant is proposing one at the eastern boundary that lines up with a common driveway in the adjacent Sagewood West development recently approved. This applicant and the applicant for Sagewood West have worked together to align this access. This is an emergency only access. To be clear, this is a Planning requirement and not a Fire requirement for the emergency access, which is why they are allowed to be so close. I just wanted to put that on the record for Council. As part of proposing a commercial zoning and use, a 25 foot -- a 25 foot landscape buffer is required adjacent to any residential uses. The applicant is showing this buffer on the submitted landscape plans, but the buffer does not appear to meet the UDC requirement of having vegetation -- enough vegetation within the required buffer. Staff has recommended a condition of approval to correct this. The applicant submitted conceptual renderings and conceptual elevations of the new proposed storage commercial building. The originally submitted -- submitted plans did not meet all of the standards as required for commercial development in the architectural standards manual. This application does not include design review, but staff recommended certain conditions prior to the Commission meeting to ensure any future building on this site is built to a premier standard as intended by the ASM. In response to these conditions in the staff report prior to the P&Z meeting the applicant provided revised elevation renderings that responded to most of staff's concerns. Staff believe some -- some additional tweaks should take place, but these can happen at the time of certificate of zoning compliance and design review application submittal. Planning and Zoning Commission recommended approval of the subject applications. Generally the key issues of discussion were the height of the fence adjacent to residential uses, the use of the existing facility in the rear of the property that is to remain and how the proposed use actually functions on site with the intended valet service model. A condition change to the staff report was recommending a DA

provision or condition that an eight foot tall fence be constructed along the property lines that abut residential uses, which is in line with the allowable fence height in the commercial zoning districts. The only outstanding issue for City Council from the staff report is Conditions 1.1 and 1.2 regarding providing staff with revised legal descriptions and rezone descriptions because of the change in zoning and the small sliver that Sagewood West is conveying over to them. The applicant did not get those to staff in time and, therefore, staff recommends that Council modify these conditions to include some type of rewording that allows them to supply these prior to the rezone ordinance being approved. Just continue through these elevations for everybody. And I will stand for questions. Thank you.

Simison: Thank you, Joe. Council, any questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Joe, do you know what the height of this -- approximate height of the building is that they -- I mean I know this is just a rendering. It may change in design, but the big -- do you have an estimate for us or is that a question for the applicant?

Dodson: Council Woman Perreault, I believe it's roughly 30 feet, but the applicant would be sure to tell you for sure.

Perreault: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Joe, on these renderings, can you just briefly point out the concern you had with the before and how the after fixed it, because the difference is subtle. It's hard to see it I guess at first glance.

Dodson: Thank you, Council Member. I -- I understand the question. One of the biggest things that they changed was adding windows, which definitely helps along Overland Road. One of the tweaks that I would be recommending when it comes through design review is adding some more along Overland Road especially. They also added some required roof parapet variation along the top by popping out that centerpiece here. They also ensured that the awnings, where ever they do exist, are actually tied into the building with some architectural supports. I plan on -- if this were to be approved I plan on asking for some more of these types of things on all facades, since they are going to be all visible from residential and the public right of way.

Borton: And that would be part of a future design review?

Dodson: Yes, sir. That's correct. Which they do have to do for any new building in a commercial zone.

Borton: Okay. Thank you.

Dodson: You are welcome.

Simison: Council, any additional questions for staff at this time? If not, I will turn this over to the applicant. Is Mr. Walker with us in the room or online? Oh, please come forward and state your name and address for the record. Be recognized for 15 minutes.

Walker: My name is Glen Walker. 1891 North Wildwood Street, Boise, Idaho. I'm representing the ownership group for this project, which the project is called Precision -- Precision Storage Concepts. We have submitted this project for a rezone and a conditional use permit. We were originally requesting to rezone to a C-G zone, but after reading the staff report we would agree that a rezone to a C-C zone would work and we would agree to the staff report that a C-C zone is more in line with what they would like and we would agree with that. The site is located at 1345 West Overland Road, which has been designated a commercial zone under the future land use map. We feel this project will fit in nicely with the surrounding uses. The site is surrounded by existing City of Meridian zoning and development to its north, west and south. To the east of the site is a new residential subdivision and across Overland Road is an I-L zone with two RV uses, both of which would fit in nicely with this project, that being Bish's RV and Camping World, which we feel would fit in nicely and to the west is a new fire station that has been newly constructed, which is convenient. All the utilities are located at or close to the site. There is an existing home and accessory building on the site. The home will be removed upon the development. However, the accessory facility, which will remain, houses an existing rest -- ADA restrooms and it will become the office for this facility, which when clients come up they will drop off their vehicle, their RV, and, then, the employees will take over, grab that, and bring it in -- either into the facility or park it on site and they go and finish their paperwork inside that little office building. The new facility we are proposing is a high end storage facility for storing RV trailers, boats, et cetera. This storage facility is a more encompassing commercial business than a traditional self storage facility. Precision Storage Concepts was established with a valet system that comes with a drop and go system. A wash before each use and includes maintenance checks on standard items, such as battery, water, refrigerator and tire pressures. Precision Storage Concepts of Meridian will blend in perfectly with the convenience of the city and its beautiful surroundings. People move here to play with their toys and will love the valet system and care Precision Storage Concepts will offer to their customers and will help the City of Meridian to continue to achieve beauty, clean neighborhoods by keeping your RVs, boats, and trailers off the streets and out of the housing developments and also in accordance with a lot of the HOAs and CC&Rs. Precision Storage Concepts is intended to be a full service RV trailer and boat business for the community and we feel -- the ownership feels that the location of this facility is ideal for the proposed use due to its proximity to Bish's RV and Camping World. With regards to our CUP application, the project is subjected to a conditional use permit approval. The facility -- the facility will be used as a commercial

use for storage and light maintenance only. No manufacturing will be done at this facility. This facility will be separated by more than 45 feet on all sides and will be fire sprinkled as well. The site will be surrounded by green vinyl fence, which they have said would be an eight foot fence along the residential and we agree to that. The hours of operation for the facility will be proximately 6:00 a.m. to 7:00 p.m., which falls under the allowed time for the city. We are providing the 25 foot landscape buffer between the residential zone, as well as a 25 foot street buffer, which should meet the landscaping requirements from the city. We are also showing a secondary means of access for emergency which lines up with a development to our east and you can see that on the site plan and also on the landscape plan. We line that up with the development to our east. We are proposing seven parking stalls with two ADA stalls. As mentioned, this facility is a valet type system. We feel that the seven parking stalls is in compliance with city code for the amount of parking spaces needed. The staff report talks about providing a sidewalk from Overland Road to the rear of the building as well. The owners will agree to that to provide some sort of path, either by concrete or walkway or a striped area on the asphalt that would lead to the back area of the building and that would be that rear building on the property. We will be submitting the design as mentioned by Joe. We will be submitting a design review and a certificate of zoning compliance that has yet to be done, but we will be doing that because -- because of the code requirement, which at the time we will be working with the city -- city officials with regards to the design of the building itself. We do hope these two applications, the CPU and the rezone, will be acceptable and we feel that this project is a great fit for the City of Meridian and will add quality, great architecture, and distinctiveness to the area and that's really all I have.

Simison: Thank you. Council, any questions to the applicant?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Just a quick question for Mr. Walker. There is somewhat -- there is going to be some outside storage of some of the trailers. Is that to be on the west side of the property?

Walker: It's mainly to the south. The drive -- we -- what we did was we provided a drive around the building would be more of a fire truck drive around the building.

Hoaglund: Right. And, then, that lower part is that where --

Walker: Yeah.

Hoaglund: -- it would be outside?

Walker: Yeah.

Hoaglund: Okay.

Simison: Council, any additional questions for the applicant? Thank you very much.

Walker: Thank you very much. Appreciate it.

Simison: This is a public hearing. Mr. Clerk, do we have anybody signed up to testify on this item?

Johnson: Mr. Mayor, for this item nobody signed up in advance.

Simison: Okay. No one has signed up. If there is anybody in the audience who like to provide testimony on this item, if you would like to come forward to the podium now and do so or if you are online on Zoom, please, use the raise hand feature at the bottom of your -- of the app and we can bring you in to provide testimony. I don't think we have anybody on the phone, if I'm not mistaken. Oh, we do have someone -- one person on the phone and if you are on the phone it is star --

Johnson: I believe it's star six.

Simison: Star six to raise your hand if you would like to provide testimony. I am not seeing anybody that's raising their hand or coming forward to provide testimony. Would the applicant like to make any --

Johnson: Mr. Mayor, my apologies. It is star nine.

Simison: Okay. Star nine. Would the applicant like to come forward? Any final comments or -- okay. Council, I will turn this over to you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I can't see the applicant, but a question that -- just to confirm that staff's outstanding issues, that Conditions 1.1 and 1.2 requiring those to be done and provided prior to rezone ordinance approval, was there any concern in meeting that language as well?

Simison: I have an affirmative head nod from the applicant that that is not a problem.

Borton: Okay. Thank you.

Simison: Do I have a motion to close the public hearing?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I move we close the public hearing on Item 2, H-2020-0058.

Cavener: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: To launch discussion, I thought this was an interesting application and business model and a pretty good location and unique addition to the -- to the city. I think P&Z did a good job of vetting it well. I'm glad that there is design review to take an additional step. The C-C rezone makes sense. And the applicant's agreement with meeting the Conditions 1.1 and 1.2 prior to the rezone ordinance approval all make it a project that I think is a definite net win for the City of Meridian. So, I'm one that's supportive of the application.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Councilman Borton said it perfectly.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I will take a stab at a motion if I may. Item 2 on the agenda, H-2020-0058. I move that we approve that application as presented in the staff report dated August 11, 2020, and to include the applicant -- applicant's commitment to meet Conditions 1.1 and 1.2 of the staff report prior to any rezone ordinance approval.

Hoaglun: Second the motion.

Cavener: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion passes and the item is agreed to. Thank you very much.

MOTION CARRIED: ALL AYES.

3. Public Hearing for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.

- A. Request: Annexation of 14.87 acres of land with an R-15 zoning district.
- B. Request: A Preliminary Plat consisting of 44 buildable lots and 4 common lots on 14.87 acres of land in the R-15 zoning district.

Simison: Item 3 under Action Items is a public hearing for Poiema Subdivision, H-2020-0035. I'm going to open this public hearing with staff comments and hand this over to Joe.

Dodson: Thank you, Mr. Mayor. All right. On to the next one. As stated, the next item before us is Poiema Subdivision. The request is for annexation of 14.87 acres of land, with a request for R-15 zoning and a preliminary plat consisting of 48 building lots and six common lots, of which one is a common drive serving four lots. The proposed annexation area lies at the edge of the city's area of impact on the south side of East Lake Hazel Road, approximately half a mile east of Eagle Road. There is existing city zoning directly across Lake Hazel to the north, which is Bicentennial Farm Subdivision, but no other existing Meridian zoning is adjacent to the site at this time. There is also a golf course directly to the east of this property, but is within the city of Boise area of impact. Despite minimal -- 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 plan development map on the right. The proposed land use of attached single family residential and townhome units is consistent with the future land use map designation of medium high density residential and are both principally permitted uses in the requested R-15 zoning district. Medium high density residential requires a density of eight to 12 units per acre. The applicant has proposed a project with 7.5 dwelling units per acre with their updated plat. The Comprehensive Plan allows for rounding of densities. Because of the proposed product type and the difficult shape of the property to begin with, staff does support rounding this proposed density is 7.5 to the required eight dwelling units per acre per the provisions in the Comprehensive Plan. In addition to the proposed residential use on this site, the applicant is reserving a building lot for a future church. A church -- a church is a conditional use within the proposed R-15 zoning district. The residential portion of the site consists of approximately seven and a half acres and includes the right of way and the future church lot is approximately seven acres. This application does not include the conditional use permit for the church lot. That use will be analyzed with the future conditional use permit application. The applicant submitted sample elevations of the attached single family homes and the proposed townhome units. The submitted elevations for the attached single family show all single story attached structures with two car garages and similar finishing materials of stucco, masonry, and wood. In addition, the

elevations show both shed roof and traditional pitched roof designs. The applicant has not stated that all of these will be single story structures. The conceptual townhome elevations show a different color palette, which is appreciated, and the offer -- and offers similar finished materials as the attached units. In addition, these elevations show high amounts of -- high amounts of modulation and roof height variation, which breaks up the facade of the building. The submitted conceptual elevations appear to meet design requirements, but attached and townhomes single family residential units do require design review approval prior to building permit submittal. This requirement gives staff the opportunity to review the buildings and ensure compliance with the ASM. In addition, the proposed north-south local street is straight and relatively long. So, staff is recommending that future homes are built across varying setbacks on this road to provide variation along the street and help ensure there is not one monotonous wall plain of homes along the street. All proposed lots shown on the submitted preliminary plat appear to meet all UDC dimensional standards and this includes property sizes, street frontages, and the road widths. Access to this development is proposed via a new local street into this development from East Lake Hazel Road. This access is the farthest east it could be built and still technically does not meet ACHD district policies. However, the closest adjacent access on the north side of Lake Hazel is too far west and, therefore, would not line up with this -- with the west part of this property in order to have accesses at the same place along Lake Hazel. ACHD understands this and, therefore, approved of the proposed access to Lake Hazel and appreciated that they moved it as far east as possible. The applicant is also proposing a stub street to the west for future local street connectivity, shown as Street B here, and that is required to have a temporary turnaround constructed at its terminus until it is extended in the future. The proposed street sections are 33 feet wide and can accommodate parking on both sides of the street where no driveways exist and are proposed with five foot attached sidewalks. Because the stub street to the west will likely lead to nowhere at the time of this development, the applicant is required to provide an emergency only access to Lake Hazel or the development will be limited to no more than 30 homes. The applicant is showing on their master plan a 20 foot wide -- wide emergency only access from the western stub street that runs along the western property boundary and connects to East Lake -- East Lake Hazel. ACHD and Meridian Fire have granted their approval of this emergency access. That is roughly what this is depicting here. Staff is recommending that the emergency access is built prior to the applicant receiving any building permit approval. A 35 foot wide street buffer is required adjacent to East Lake Hazel Road, because it is both an arterial and noted as an entryway corridor in the master street map. The revised landscape plan depicts compliance with this requirement. Per UDC standards arterial roadways are required to have detached sidewalks. Staff is recommending a condition of approval to construct a detached sidewalk and all required street frontage improvements with the residential phase of this development and not with the church site development. A minimum of ten percent qualified open space meeting the standards listed in UDC 11-3G is required. The proposed future church site will not be required to meet open space standards. Therefore, the required qualified open space for this development is based upon the only -- based only upon the portion of the property where the residential use is proposed. According to the applicant, the residential area is approximately six acres. Based on this size, the applicant should supply at least .6 acres of qualified open space or approximately 20,000

-- 26,000 square feet. The applicant is proposing approximately one acre of qualified open space. The largest common open space lot is centrally located and is approximately 15,000 square feet and sits between the proposed residences and the future church site. It is the intention of the applicant that this open space lot would be used for both the residential part of this development and for the future church site, even though the church site will not be required to meet any certain open space requirement. Staff has amended the conditions in the staff report following the Commission meeting to make this open space lot a nonbuildable lot in perpetuity and require that the future HOA and church enter into a use agreement to ensure it is maintained regardless of who was using it. Another area of qualified open space is located around the cul-de-sac and includes a very nice water feature and seating area for future residences, which is this water feature here. The open space exhibit also shows an open space area between the proposed alley and the street that is less than 5,000 square feet. There are actually two areas that are less than 5,000 square feet, this area and here. This area does not appear to be qualified open space per UDC standards and should be removed from the open space calculations. With this area removed the open space still meets the minimum requirements. Planning and Zoning Commission recommended approval of the subject applications with some modifications to the conditions in the staff report. The key issues of discussion by Commission were removal or modification of staff condition 3.B and feasibility of either outcome. The location and size of the large common open space lot shared between the future church site and this preliminary plat and the issue of who will maintain this shared open space lot. The other item is whether this plat should be combined with the future conditional use permit required for the church site and how the two projects will function together. And the last one wants applicant to look at some sort of netting to prevent broken windows from the adjacent golf course on the east side of this plat. The Commission recommended two changes to the staff report. One, modify condition 1-F to include language that requires the future HOA and the church to enter into a use agreement to ensure perpetual maintenance of the common open space lot, the large 15,000 square foot lot as noted before. And their second change was to remove condition 3.B from the staff report. The outstanding issue for City Council is that the applicant does not desire to install netting along the eastern property line that Commission wanted them to discuss and would like to leave that up to each property owner to determine whether that is feasible. Council should discuss whether they want to condition this netting or leave it up to each property owner. And I will stand for questions. Thank you.

Simison: Thank you, Joe. Council, any questions?

Strader: Mr. Mayor?

Borton: Mr. Mayor? Go ahead.

Strader: If -- if the planners can give us some background on -- if you look at the map it looks like -- almost looks like a little bit of a leapfrog compared to the surrounding developments that haven't developed yet. Would the city be required to make any investments in connecting city services and when are those other -- when do you estimate

those other developments would -- would happen and is there any drawback to sort of leaping over here and doing this one first?

Dodson: Council Woman Strader, Members of the Council, if you look at the planned development map, everything in gray is built already. Everything in red is planned. So, services are already here, which is good. So, leapfrogging across Lake Hazel should not be, you know, any more strain on the system. The developer will be required to build all of that infrastructure themselves and provide it to themselves for this development.

Hoaglund: Mr. Mayor?

Borton: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question regarding the Ten Mile Creek and pathway system. I remember reading another document -- the developer for the other unit was developing the pathway, but I want to make sure that is accurate. If my memory serves correct.

Dodson: Councilman Hoaglund, yes, sir, that is correct. The master pathways plan does not show it on this site, it shows it on the -- I guess you could say west side of the Ten Mile Creek. This applicant is, therefore, not proposing a pathway on this side. However, they are proposing an open space area that the townhomes in the center will front on as required by the staff report as well.

Hoaglund: Okay. Thank you.

Simison: Council, any further questions for staff at this time?

Strader: Mr. Mayor, maybe one more.

Simison: Council Woman Strader.

Strader: Is the boundary of our -- our plan set with Boise? Like is this clearly an area that Meridian should develop, as opposed to Boise, given the location of their golf course?

Dodson: Council Woman Strader, according to our maps this -- this is right on our boundary, yes. I'm not sure if their area of impact overlaps ours in this area. I do not believe it does. So, this is ours to develop, yes, ma'am.

Simison: Council, any further questions for staff? If not, I will ask the applicant to state their name and address for the record, be recognized for 15 minutes.

Thompson: Thank you, Mr. Mayor, Members of the City Council. Good afternoon. I'm Tamara Thompson, I'm with The Land Group, 462 East Shore Drive in Eagle. I do have a PowerPoint, if it's -- if I could show that. Does that show for you?

Borton: Yes.

Thompson: Okay. Excellent. All right. Since the -- since the word was new to me I thought I would give you a definition. Poema is Greek origin and it means masterpiece, poem, or work of art and since the property is currently owned by the Calvary Chapel and it's also a Biblical term here. The site is 14.87 acres and it's located approximately a third of a mile east of Eagle and south of Lake Hazel Road. The property consists of one parcel, which is 3727 East Lake Hazel and it's currently zoned RUT in Ada county. The Boise Ranch Golf Course is to the immediate east and note that the YMCA and Bicentennial Farm is to the north. This is just zoomed in just a little bit more. The project is adjacent to Ten Mile Creek. Ten Mile Creek is not on the property, but it's actually on the property to the west and a pathway is planned on the west side of Ten Mile Creek. And here is the future land use map. The property is in the City of Meridian impact area and the path of annexation -- and this would be by Bicentennial Farm Subdivision, which is immediately across -- across Lake Hazel to the north and the property has a future land use map designation of medium high density residential and single family attached and detached residential units townhouses, condominiums, and multi-family are permitted within that land use designation. Our preliminary plat consists of 56 total lots, 48 single family residential building lots, one nonresidential lot for a future church and five open space lots. One common drive and one alley. And, then, again, the stub street to the west and there is an application that's been submitted to the city for the properties to the immediate west. They went to P&Z last week and, then, they were continued until September. The layout has 33 patio homes that back to the existing golf course. All of these are accessed via -- I'm sorry. And, then, 15 townhouses within the area of B and all the 15 townhouses are accessed via an alley and ten of those townhouses front on Ten Mile Creek as an amenity. The residential area, approximately 12 percent -- 12 to 14 percent open space. I know Joe just mentioned that maybe one of the ones that we were counting didn't -- wasn't counted -- wasn't -- couldn't count. We still have 12 percent without that. We have 14 percent with it. There is an open space with a plaza and a water feature at the end of the cul-de-sac for an amenity. Plus the amenity at -- at the corner of the church lot. This is the master plan with the church. We had our neighborhood meeting for the conditional use permit last week and I'm currently putting that application together and will be submitting that to the city in the next week or two. The applications before you tonight are annexation and a rezone to R-15 and a preliminary plat and, then, the conditional use will be submitted separately. But I have given you the site plan so you can see the full master plan. The proposed annexation R-15 zoning designation complies with the city's Comprehensive Plan and the preliminary plat consists -- or is consistent with the R-15 zoning designation. And, again, these is the conceptual elevations. They will be single family patio homes, which are detached units, and, then, 15 townhouses, which will consist of three five-plexes and these are all single family. They are for sale product. And, then, ACHD -- we are in agreement with ACHD's conditions and I just did a clip here to show you there is many public improvements that are slated in the capital improvement plan, their five year work plan, within the next two to three years in this -- in this area. I wanted to just go through with you the netting discussion. The patio home lots are adjacent to the Boise Ranch golf hole number five. In my next slide I will show you that hole. There is currently existing large trees on the

golf course. This first picture on the left, that is on the property. I was standing on the property looking southeast and you can see how big the trees are already along that -- that area or that property line and, then, the right picture that you see here I was standing in -- right -- I'm in the borrow area of Lake Hazel Road looking mostly south. South. And you can see the green here and, then, the property is -- is to the left of the picture and the -- the large trees that already exist in this area. And, then, here I put it side by side so you could see the hole. So, on the -- on the right-hand side here I have a little pin showing where the Poiema -- Poiema Subdivision is and you can see all of the -- of the trees along the property line that currently exist and how large those trees actually are and, then, I would like you to note that there is existing homes on other golf holes. If you look at here number -- number one, number nine, number ten, number 12 and 13. All have existing homes. Very few of these existing homes have -- have nets or other mitigation, as it's very strategic on -- on where to place those. Hole number 13 is the hole that is the most similar to how we are with number five, where the homes are on the left-hand side of the tee box, so the tee box is in the lower right-hand corner of the picture and the fairway goes off to the west and I walked the hole and none of the homes on Hole 13 have nets. There are trees along there as well. Definitely not as dense. But the trees have been strategically placed already to protect those homes and my client is not in favor of a condition for netting, because such placement is very strategic and it definitely doesn't need to be along the entire property. We wouldn't want to block the view of those homes and there is also a handful of other mitigations that can be used, such as awnings or landscaping. There is film that you can put on -- on -- on windows. But as such we don't -- we don't think, number one, that it's an issue due to the existing and, number two, that it should be up to the homeowner -- excuse me -- homeowner of which mitigation measure they would like if it is an issue. So, they don't have their view blocked by netting. And, again, none of those on number 13 have -- have any netting. I did a little research and most miss hit golf balls -- 70 percent go right and with it being on the left and there is no trouble on the right, we really just don't think it's -- it's an issue. The annexation and zoning of this property provides for the orderly development of the city and it's in accordance with the Meridian Development Code and the rezone of the property as R-15 and the platting of single family homes continues the zoning framework planned for the Comprehensive Plan and the future land use map. We agree with staff's analysis and recommended conditions of approval and we respectfully request your approval tonight. Thank you.

Simison: Thank you, Tamara. Council, any questions?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Tamara, great presentation. I apologize for chuckling. I just -- I wish I could say I haven't hit it left and right playing golf, but -- I could hit a house anywhere probably. So, if -- if the netting is not required is there any concern that the CC&Rs of the subdivision could prohibit a future homeowner from desiring to put a netting up and -- how would you -- if you -- if you suggested that it should -- it could be the individual homeowner's future

decision, which I understand and can appreciate, how do -- how do we ensure CC&Rs don't prohibit that future homeowner from doing so? With the big poles oftentimes and some folks don't like that around --

Thompson: Mr. Mayor, Councilman Borton, we could definitely have a provision in the CC&Rs that -- that netting or other mitigation measures would be approved and we could have some criteria there. That's not a bad idea. But it would definitely not be prohibited.

Borton: Okay.

Simison: Council, any other questions for the applicant? Okay. Seeing none, this is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony on this item?

Johnson: Mr. Mayor, there were two folks signed in. The first is Annette Alonso and she is representing Southern Rim Coalition.

Alonso: Hi, Mayor. Hello, Council Members. Thank you so much for having me. Of course, I'm Annette Alonso at 2204 East Hyperdrive in Meridian and I'm representing the Southern Rim Coalition. I just can't help but feel that this development was kind of just squeezed into a small triangle. We look at -- we look at the open space and we are always really big into open space and how it feels and this open space just kind of looks like it's just squeezed in the back of the development. They put a cul-de-sac at the end there and, in reality, it doesn't really look like it won't be used by anybody, other than the townhouses that are back there. It will be more screened from the rest of it due to those townhouses and, I don't know, for me I would rather see that cul-de-sac be connected to the -- to Pura Vida which is going to be next door. I know there already is a connection coming across, but when I lay the two developments together Pura Vida doesn't have anything in it that's going to connect that road. So, that one connector road that's going across there is not going to connect to anything ever. So, you are going to have one entrance in and out of this development and -- and if you just look at the development of where the housing units are themselves, it's actually pretty high density if you take out the church. There is a lot of houses in a little bit of small space and a tiny little piece of something that was kind of squeezed in there, in our opinion. And that's just kind of how we feel about that open space. We would love to see that open space somewhere more centralized in some way, so that everybody could enjoy it and I know we might say that they might be using the church property, but we don't know how that's going to work. I mean kids definitely aren't going to run around in the church parking lot I'm not thinking and, of course, the golf course isn't considered an amenity, because you can't go walk on the golf course. So, I just -- to the Southern Rim Coalition that open space just seems like it was stuck in there at the end of that cul-de-sac and there just doesn't feel like there is any connectivity, this is just a triangle and something to squeeze high density in. Of course, there aren't any walkways in the development. Like I said, the stub out street isn't going to connect to anything I don't believe in Ten Mile Creek. I would love to see that cul-de-sac also being crossed there and connected. The common driveways -- we know that those are always a problem when you have more than, you know, three homes on it.

I know that city code allows six at this point. We are thinking of changing that. But those always end up to be a problem and I just can't see where any of the parking is going to be for the five -- five units -- five sets of three townhouses, where are they going to park? It's a wider street there, the main street coming in, but I just think parking is going to be a problem as well. And, of course, the main thing we always talk about are the schools. I did a little map and -- of all the developments that are coming -- that are already on the City Council's worksheet or that have already been approved. We have Sky Mesa Highlands, the Turf Farm, Century Farm, Eastridge, Lavender Heights, Pura Vida, Sky Mesa, McKay Farms, Pinnacle and with what's coming that's 1,716 new homes, that means that's 1,373 children. Again, where are we putting 1,300 children? We know there is a problem already. So, those are our main concerns, the open space, the connecting of the road and the schools. That's all I have. Thank you.

Simison: Thank you. Council, any questions? All right. Mr. Clerk.

Johnson: Mr. Mayor, next is Kit Fitzgerald.

Fitzgerald: Can you hear me okay?

Simison: We can. If you would state your name and address for the record.

Fitzgerald: All right. My name is Kit Fitzgerald. My address is 7051 North Sunset Maple Way in Meridian. 83646. First of all, thank you for having me. I have been a part of this conversation from -- from a very early stage and first want to thank the city staff for talking with us well before we ever -- we got going about what would make the most sense to the development based on the density requirements. This development is a unique piece of land, which is planning to have a beautiful church with a huge amphitheater set up, so tons of green space that even though it's not technically part of the residential space, it's going to be very appealing to the eye and I just -- I just want to make sure that everyone that is working in a -- in a high density environment, you know, with -- with land that does about something like a golf course and then -- and then two roads, it's tricky to try to figure out how to put in a -- you know, a physically appealing product where you get the density right and still maintain the ability for easy access, nice, you know, turns in the street and that's what the cul-de-sac point is for and we reworked this with the developer many many times to try to really figure out how to make this the most beautiful neighborhood as possible and -- and I do just want to say that the conversations that we have had from a number of -- even the members, of course, of the church who are super excited to see what is going to be happening out there. They just love the idea of what's being done. And, you know, that -- it's amazing already the number of people who have asked to be put on an interest list or a waiting list for this product, because it's so unique to the south part of Meridian, because high density really hasn't happened all that much over there yet and so it fills the need for those that are trying to get in at a reasonable price point and yet still have a high amenity neighborhood close to the -- to something like their church or their services that are very important to them. So, I just obviously want to speak in favor of the project and thank -- most importantly I just want to thank the city staff, because they were fantastic helping us at a very early stage when we had a completely different

plan in mind and found out that -- that we needed to totally take a look at it and everybody's worked really hard to try to really make so it will be super appealing to the south part of Meridian. That's it.

Simison: All right. Thank you very much. Council, any questions? This is a public hearing. If there is anybody else in the audience or online who would like to provide testimony on this item I would encourage you to use the raise your hand feature at the bottom of the app -- to the Zoom app or if you are on the phone you can hit star nine to raise your hand and the clerk will bring you in to testify. Seeing nobody in the audience or online wishing to testify, I will ask the applicant to come back forward for any last comments.

Thompson: Thank you, Mr. Mayor, Members of Council. I will attempt to answer some of the questions that were brought up. If I could share again -- the open space that we have isn't just at the end of the cul-de-sac. There is -- there is a park that is part of the subdivision for the neighbors' use. It is very centralized. It is about a third of an acre and we are planning on having a tot lot and, then, a ball field, something where they can -- you can throw a ball or -- or kick a ball. A little soccer field. The -- the one thing that we wanted to make sure is that it is -- it is part of the subdivision. It will -- there will be a lease agreement, so that the church can use it and -- and on Sundays it -- it would be shared. But it's definitely part of the subdivision and for all the residents and, again, it is centralized. We do have a very unique shape. Triangles are not the most efficient for -- for laying out a square or rectangle lots and the -- the brokers of the real estate units have proximity to the golf course and having walked back to those, are -- are very desirable and so that's one of the -- the main parts of laying this out is having those -- those patio homes that back to there -- to the golf course and that is something that has caught a lot of interest so far and, then, the parking -- both sides of the street for the off-street -- offsite have parking on them. There is also -- the single family homes will have their own garages and the pad outside of the garage. So, basically, all the single family homes have four parking spaces for each of them with a two car garage and two cars outside and the townhouses are exactly the same. They have two car garages and, then, they have their parking pad as well and, then, there will be all access from the -- from the alleyway. So, we have adequate parking. That should not be a problem. And, then, connectivity. Let me see if I can change -- so, while I was waiting I went onto the city's website and pulled up the adjacent -- let me see if I can switch here. It's not letting me switch to a different screen. I looked up the -- are you guys seeing my screen or are you on the city screen?

Johnson: Tamara, we are seeing the city screen. We can stop that share and you can start your share. You had nod, so Joe brought up his -- the reference. But we will stop this and allow you to share your --

Thompson: I thought I was --

Johnson: It never started, so Joe took over. So, you can do that now.

Thompson: Okay. Thank you. What I'm going to pull up is the city's website. On the

Clerk's website where you can see the applications that have been submitted. So, Pura Vida, Ridge Ranch, is the property on the left side of Ten Mile Creek and I hope -- is that showing for you now? Are you all seeing that? So, anyway, they have contacted us and we have coordinated this connecting point. So, their -- their plan and what they have submitted to the city has been coordinated with our design and that connection point and the -- the stub road we are submitting to -- or the stub road to the west, they are aligned with that. So, those -- those two have been coordinated. And let's see. Something else we have mentioned about density and, again, we comply with the comp plan designation, both four and eight and we are 7.5. But it does allow the rounding, so we are at the very low end of the Comprehensive Plan. And I think I have addressed everything. With that I will, again, ask for your approval and I will stand for questions if you have any other questions.

Simison: Thank you, Tamara. Council, any additional comments or questions?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Tamara, I'm curious -- well, I have a couple of questions. The -- you talked about the parking for the townhomes. What is the length of their driveways there? Do you have a standard 20 foot driveway or is that a shortened drive into the alley? And, then, my second question is it seems to me that there might not be a lot of parking -- a lot of guest parking options for the townhomes and so I suppose they could park on the streets or are they able to park in the section of the Church parking lot and is there any pedestrian access between the townhomes and the church parking lot?

Thomsen: We -- Mr. Mayor, Council Woman, the -- the Townhouses do have a regular driveway link. So, they will have that 20 foot length and the -- which is on their parcel. So, what you are seeing there is the parcel and the -- well, you are not seeing my screen anymore. Let me switch that for you. And, then, the -- so, it does have the 20 foot and, then, you asked about guest -- guest parking. There is street parking on both sides of the street and, then, the church parking might change that, you know, when it's not in service on Sunday that sharing those parking areas are -- would be fine, but they would -- they would allow that cross-parking as well. And, then, you asked about connectivity. These are public streets, other than the alleyway between the townhouses and so there is -- there is sidewalk all -- all along the -- on both sides of the road.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: You know, one thing we are very concerned about and aware of in this area of Meridian is school overcrowding and I guess I would ask the applicant to maybe give us a feel for the target buyer here and if they have had discussions with the school district and just give an overview of how this project would sort of layer onto that topic.

Thompson: Absolutely. Mr. Mayor, Council Woman. The -- the target buyer for the patio homes typically are your over 55. This is not -- you know, more empty nesters. This is not going to be restricted. Anybody could buy them. But for this type of product and the interest that we have had so far, these are empty nesters and not people with children in the home. They are smaller -- a smallest product and, then, the same thing with townhouses. Those typically are your younger first home buyer and not -- not someone with a -- with active older school aged children. But, again, none of these are -- these are just so anyone could purchase them. As far as the school district goes, they have plans for the development of this area of town and they do have schools planned in the area and that the other thing that they will be doing is with new development they redraw their line to what schools the different areas will fall into.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I -- unfortunately, now I think we all know far too much about this. It doesn't appear that the school has a great funding source for their capital projects and their passing of bonds has not worked out lately, so I -- I have real concerns about their ability to build future schools, especially in a timely manner. You know, is there any reason -- did you contemplate doing this development age restricted? Is that something that you guys looked into?

Thompson: Mr. Mayor, Council Woman, we -- we have not talked about doing an age restricted. That was discussed with me. That would be more on the sale end of things and they have not discussed that with me.

Strader: Thank you.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Tamara, just a question with regards to the row of housing heading south on the entrance road. How would we describe -- I guess a DA condition or that -- that would set forth that kind of breaking up the row, so some are a little more forward and some are back. I'm not sure how to -- capturing that goal.

Dodson: Councilman Borton, I can answer that.

Borton: Okay.

Dodson: Sorry, Tamara. I don't mean to cut you off there, but it is already an existing provision in my staff report and condition. One way that we would do that is because these are attached products they have to provide a certificate of zoning compliance and design review and with that I specifically ask that they put a master plan in with that

submittal --

Borton: Perfect.

Dodson: -- that will show the different setbacks. So, then, we would be able to tie that to that concept plan and hold them to it.

Borton: Perfect. Thank you.

Dodson: You are welcome.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Not -- not necessarily a question, but a comment. I -- I agree with -- with Tamara with regards to the netting being required. We have seen it in a lot of places not be required and -- and with the appropriate landscaping it can be successful. I was thinking of the home sites around Spur Wing number one and two that don't have netting and there is other examples. So, by not requiring it I think that makes sense in this one.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question for Joe. I think it was Lot 54 is the one that did not qualify. It wasn't 5,000 square feet as open space. Is that right? It was 49 something and -- and didn't qualify. Was there any consideration for putting in any -- I mean I don't know if it would work -- any type of parking there for additional parking if it didn't qualify?

Dodson: Councilman Hoaglund, so it's actually Lot 53 and 54. As seen both of those lots are under the 5,000 and not at the 50 by 100. So, I believe that was brought up at the Commission hearing as well. It was not proposed since then about adding. But it should be noted that all along -- I can't find my pointer. All along here and here will be on-street parking because there are no driveways, so -- and even on the other side it's adjacent to the open space. So, that is an additional bunch of parking. If you were to add parking spaces doing the math you would probably be able to get maybe one or two more than just having straight parallel parking, but that's up to Council to determine whether or not you want to add that condition.

Hoaglund: Mr. Mayor and Joe, that's -- that's a good point. Probably wouldn't -- wouldn't add a whole lot to do that, so -- thank you.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: That being said, is there -- and this is a question I suppose for Tamara. Is there a possibility of putting in some -- some walkways from the street to -- to the townhomes through -- through at least Lot 53 or Lot 54 -- it looks like the street access through Lot 54 may be -- may be close enough, but Lot 53 -- I just -- I'm trying to figure out how -- you know, are individuals going to park on the street and, then, walk through the grass to -- to -- you know, are they supposed to walk from the street to the alley load? I mean kind of -- take us through how the pedestrians are walking around this area if they are parking on the street.

Thompson: Mr. Mayor, Council Woman, we would definitely have some -- have some walkways. So, those would be programmed with the -- with the CDC applications that -- that we can work through with those applications. But definitely there would be some walkways to get to the front doors, because those front doors are adjacent to the -- to the Ten Mile Creek and -- and to that street. So, there will be walkways.

Strader: Mr. Mayor, I have a question for Planning staff.

Simison: Council Woman Strader.

Strader: From Planning staff's perspective do you agree that this type of product tends to appeal to older residents? Is there any empirical evidence that backs that up or in your experience do you find that that's the case, that we could -- maybe with some degree of confidence feel that there wouldn't be the .8 kids added to the school system per residential property?

Dodson: Council Woman Strader, Members of the Council, I don't have the empirical evidence, unfortunately. However, usually any home that is going to be on a lot that's smaller than 4,000 square feet will generally be a smaller home and as Tamara pointed out, those do tend to not lend themselves to a family of five or even four. So, I could deduce that there might not be a number of large families here, but I cannot say that empirically.

Strader: Mr. Mayor, a quick follow up for the applicant.

Simison: Okay. Council Woman Strader.

Strader: What is the average number of bedrooms per home here?

Thompson: Madam -- or, sorry, Mr. Mayor, Council Woman, I -- I have this information and it's been a while since I have looked at it. I believe they are both -- are two and three bedroom. If you want to give me just a second I can look through my files and get -- and get the floor plans on these if you want.

Strader: Mr. Mayor, I don't want to hold us up. Maybe we can come back to that at the end if she happens to find it. That would be helpful from my perspective, but I don't want to hold -- hold up the whole meeting over it.

Simison: Council, any further questions while we are waiting for that information?

Thompson: Okay. I'm sorry, Mr. Mayor, I did find that information. They are -- some of the units are two bedrooms and some are three bedroom.

Strader: Thank you.

Simison: Council, any further questions?

Hoaglund: Mr. Mayor, just to shed a little light for Council Woman Strader. Where -- because it's located on a golf course, you -- you typically have people who are retired who like -- like to go there and, you know -- and the term old duffer -- I think you have heard of that. Those are particularly bad golfer. So, a lot of old duffers will live there. So, I think that will help on the school end, so -- we have some out in the audience, too, I'm pretty sure.

Strader: Thank you.

Simison: Council, anything else or do I have a motion to close the public hearing?

Perreault: Mr. Mayor?

Simison: Council Perreault.

Perreault: I move that we close the public hearing for application H-2020-0035.

Hoaglund: Second.

Simison: I have a motion and second to close the public hearing. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Hoaglund: Well, Mr. --

Perreault: Mr. --

Hoaglund: Go ahead.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I'm happy to start off the discussion. There has been a lot of conversation, especially during our Comprehensive Plan meetings, about open space and especially in

south Meridian and how that area will develop and I think that this is a great place for density, because you do have the course on the east side and that allows for those homeowners to perhaps not need as large of a physical space for their yard, because they have got the trees, they have got the view and, then, you have got the -- the buffer of the church location from the -- what looks to be a pretty dense development that's proposed on the west side. So, Lake Hazel, it's my understanding, that at some point it's going to become a pretty significant thoroughfare from Boise into -- through Meridian and potentially out to Nampa. So, at some point that road may have even more significant traffic than it does now and -- and the city prefers to put those higher density properties closer to the -- the arterial roads. So, I think that they have done a great job with this. I -- I think that they have tried to cover everything they can possibly cover. It sounds like they have had a good experience with the city and getting a lot of their questions answered. So, I'm -- I'm in favor of -- I don't see anything that greatly concerns me. I know it's on our very west -- or, excuse me, our very east side. It also surprises me that this isn't in Boise, but it is what it is. I'm not super concerned about the schooling, because I do think this is going to appeal to a homebuyer that's likely -- doesn't have several school aged children.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: You know, just to follow Council Woman Perreault there and her -- her line of thinking, I think they did a good job with a particularly difficult parcel. That triangle is always -- triangles are always difficult to make things work. Note that church property there, I think that makes for -- for a good development. I, too, had to kind of think about this and think about, oh, this is leapfrog development, it's going way out beyond our city core and out there, but, then, I had to rethink that from the standpoint of -- if you think of our neighbor to the east, Boise, they have grown to our border and this is, basically, a continuation of that growth that's heading west. So, I had to reorient myself thinking, okay, this really isn't -- if I think about from our core, yes, but when it's coming from that direction and that's what it's going to do to some -- come to some extent as well, then, I am more -- much more comfortable with having -- having this development go in and as -- as we know there is several more on the horizon here that we are going to have to -- have to take a look at. The no net requirement, I really do with -- with Ms. Thompson's assurance that this will be up to the individual homeowners, that it won't be prohibited, it really depends on the location of the house. Somewhere in that zone where, yep, a bad shot is going to be in their backyard, that's just the way it is, but many locations they don't have to worry about it, so I would just let the homeowner make that determination in their comfort level for that. Maybe they just want to collect golf balls. I don't know. That's their new hobby. So, we will just see what happens there. So, I'm comfortable with things that have been laid out here.

Simison: Since we are on the subject of golf, I will say I think I have hit more than one golf ball into this property, but I will say I'm not an average golfer either.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: No concerns. I think that the applicant did as good of a job they could for the space given to them and I echo previous Council Members' thoughts, so I'm in approval.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think I buy into the argument that generally this product will appeal to an audience approaching retirement age and I'm starting to draw real hard line about the schools and may -- maybe view other dense product differently if it wasn't abutting the golf course, but given that and the bedroom size and the fact that it's right on the golf course, I appreciated Councilman Hoaglund's point. I think I'm okay with it. The density should go along the arterial. I agree with Council Woman Perreault and the thing that -- that the buyer beware thing, you know. If you are concerned, you know, put in a net or don't buy it.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I don't have any additional comments. I think the body has done a good job of capturing a lot of my feelings. I -- I appreciate the example here that's before us. It really shows what a plan -- what's gone in and along -- along the Boise border. That piece helped me. I think Council Member Strader's comments about density and the impact on our schools is one that we will continue to wrestle with, but I think this is a great example that it's not always a black and white issue and really applies the -- the touch of -- of local representation to look at the project and -- and verify what that true impact could be for the district. So, with that, Mr. Mayor, I move that we close the public hearing on H-2020-0035.

Borton: Second.

Simison: Council, we have already closed the public hearing, so we are --

Cavener: Oh.

Simison: -- here for a motion.

Cavener: You have to -- there was so much commentary that escaped my mind. So, I'm happy to move that we approve H-2020-0035, include all staff, applicant, and public testimony.

Perreault: Second.

Simison: I have a motion and a second. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, yea; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion passes.

MOTION CARRIED: ALL AYES.

Simison: Motion passes. Council, a quick poll. I think that this next one is going to take us a little while. Do you want a five minute, ten minute recess, before we get going or get going and take a recess in -- whenever it seems appropriate? Okay. We are going to go ahead and call a five minute recess, just time to get -- get yourself fresh before the next extended time period. So, we will reconvene at 7:35.

(Recess: 7:30 p.m. to 7:39 p.m.)

- 4. Public Hearing for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Generally Located East of S. Meridian Rd. and North of E. Columbia Rd.**
 - A. Request: Modification to Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan.
 - B. Request: Annexation of 40.09 acres of land with an R-2 zoning district.
 - C. Request: A Rezone of 384.27 acres of land from the R-4 to the R-8 (144.78+119.28=264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.
- 5. Public Hearing for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.**
 - A. Request: Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.
- 6. Public Hearing for Apex Southeast (H-2020-0057) by Brighton,**

Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

- A. Request: A Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Simison: Okay. Council, I will call us back in from recess. The next item on the agenda are Items 4 -- 4, 5 and 6, which are public hearings for Apex H-2020-0066, public hearing for Apex Northwest, H-2020-0056, and public hearing for Apex Southeast, H-2020-0057, and open all these public hearings with staff comment and turn this over Sonya.

Allen: Thank you, Mr. Mayor, Members of the Council. Dean. The next application before you is a request for a modification to the existing development agreement, rezone, and two preliminary plat applications. The rezone portion of the site consists of 384.97 acres of land, generally located east of South Meridian Road and State Highway 69 and a half mile north of East Columbia Road and a quarter mile south of East Amity Road. This property was annexed as part of the South Meridian Annexation initiated by the city in 2015. The purpose of the annexation was to obtain easements and construct infrastructure for extension of city water and sewer service in the southern portion of the city. A placeholder zoning of R-4 was given to these properties and a development agreement was required as a provision of annexation that is required to be modified upon development of the properties. The Comprehensive Plan future land use map designation for this property is 206 acres is designated medium density residential, 21 acres is designated medium high density residential, and 120 acres as mixed use community. A future school site and city park is designated in the general area northwest of the Locust Grove-Lake Hazel intersection, north of the MUC designated area. Another school site is designated on the east side of North Locust Grove Road north of Lake Hazel Road just north of the subject rezone area. A rezone of 384.97 acres of land from the R-4 to the R-8 zoning district, which consists of 264.06 acres, to the R-15 district, which consists of 76.93 acres and the C-C district, which consists of 43.2 acres, is proposed consistent with the associated medium density residential, medium high density residential, and mixed use community future land use map designations. Only 123.38 acres of land to be rezoned is proposed to be subdivided with this application. The remainder will be developed at a later date. A master plan was submitted shown on the right and it shows how the property is proposed to develop with single family residential homes and two swimming pools, commercial office uses, a community center, amphitheater, two school sites, a charter and an elementary school, and future development areas with a conceptual street layout. A modification to the existing development agreement is requested to replace the agreements with a new agreement based on the master plan proposed with this application. In the MUC designated areas where a concept plan isn't depicted, the development agreement is required to be modified to include a concept plan prior to development of those areas to ensure future development is consistent with the general mixed use guidelines and the mixed use community guidelines specifically in the comp plan. Two separate preliminary plats are

proposed due to the right of way for Lake Hazel and Locust Grove Road separating the sites. The preliminary plat for Apex Northwest consists of 120 single family residential building lots for the development of 88 detached and 32 attached dwelling units. All alley loaded. Eleven commercial buildable lots and 14 common lots on 41.75 acres of land in the R-15 and C-C zoning districts. The minimum lot size proposed is 2,863 square feet, with an average lot size of 3,885 square feet. The gross density proposed is 5.62 units per acre, with a net density of 11.21 units acre. The subdivision is proposed to develop in three phases as shown on the phasing plan. The preliminary plat for Apex Southeast consists of 237 single family residential buildable lots, front and alley loaded, two commercial buildable lots, 30 common lots and ten other shared driveway lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet, with an average lot size of 7,058 square feet. The gross density proposed is 3.75 units per acre with a net density of 6.17 units per acre. The subdivision is proposed to develop in five phases as shown on the phasing plan. Overall a total of 357 single family residential buildable lots, 13 commercial buildable lots, 44 common lots and ten other lots are proposed between the two subdivisions at a gross overall density of 4.22 units per acre and a net overall density of 7.27 units per acre. There are no existing structures within the boundaries of the proposed plats. The Northwest Williams Gas Pipeline crosses the northeast corners of both subdivisions. The development within this area should comply with the Williams Developers Handbook. No structures should be located within the easement. And North -- and Apex Northwest, two public street accesses are proposed via East Lake Hazel Road and two public street accesses are proposed via South Locust Grove Road, both arterial streets. Collector streets, East Crescendo Street and South Apex Avenue, are proposed in accord with the master street map. In Apex Southeast three public street accesses are proposed via Locust Grove Road and two public street accesses are proposed via Lake Hazel Road. Collector streets, Tower Street, Vertex Way and Via Roberto Street are proposed in accord with the master street map. Alleys are proposed for access to homes in Apex Northwest and local streets, alleys, and common driveways are proposed to -- to access in Apex Southeast. Cross-access, ingress-egress easements are required to be provided between all commercial lots. The applicant has proposed to enter into a cooperative development agreement with ACHD to improve Lake Hazel and Locust Grove Roads abutting the site, with additional travel lanes, curb, gutter, planter strips and sidewalk with the first phase of development. Multi-use pathways are required to be provided with development along the south side of East Lake Hazel Road connecting Locust Grove Road to the pathway and Discovery Park within the Williams Pipeline easement and as otherwise required by the Parks Department in accord with the pathways master plan. A minimum of ten percent qualified open space is required to be provided in each subdivision. Revised open space exhibits were submitted that exceed the minimum standards. A total of 17.7 percent or 5.58 acres is proposed in Apex Northwest and 17.09 percent or 10.74 acres is proposed an Apex Southeast. Based on the area of the Apex Northwest plat, a minimum of one qualified site amenity is required. A gazebo is proposed and the Commission recommended tables and benches are also provided to qualify as a picnic area amenity. Based on the area of the Apex Southeast plat, a minimum of three qualified amenities are required. A swimming pool, children's play equipment, and multi-use pathways are proposed as amenities in accord with UDC standards. Several conceptual perspective

building elevations were submitted for the proposed single family homes and the commercial structures planned to be constructed in this development. Homes are a mix of one and two story units, attached and detached, with building materials consisting of a variety of siding styles and stucco, with stone and brick veneer accents. Final design is required to comply with the design standards in the architectural standards manual. Single family detached dwellings are exempt from design review standards. Because two story home elevations that face arterial and collector streets are highly visible, the rear and/or side of structures on lots that face these streets should incorporate articulation through various specific means or other integrated architectural elements to break up monotonous wall plains and roof lines that are visible from these streets. Single story structures are exempt from this requirement. The Commission recommended approval of these applications. Jon Wardle testified in favor. No one testified in opposition. The following people commented. Stacia Morgan and Annette Alonso representing the Southern Rim Coalition and written testimony was received from Julie Edwards. Key issues were as follows: Opposition to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Road between Meridian Road and Locust Grove Road. Not against higher density around commercial areas. And would like to see the zoning of the future development areas remain R-4, rather than be rezoned to R-8. Belief that farmland and open space should be preserved as much as possible. Concern the current school system does not have the capacity to accommodate all of the students from this development. Would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to reevaluate how we want to use our dwindling remaining open spaces and farmland. Concern pertaining to capacity of various schools and ability to accommodate more students from this development and desire for the pathways provided to BlackRock Subdivision for connectivity. Key issues of discussion by the Commission was the concern pertaining to capacity of various schools and impact of the proposed development on such. They were supportive of the proposed development, community amenities, and associated improvements to Locust Grove and Lake Hazel Roads. The Commission made the following change to the staff recommendation. Revised qualified open space exhibits, depict qualified area less than ten percent that the amphitheater and the commercial area be allowed to count toward the requirement through an alternative compliance request to UDC 11-3A3. Since that time the revised open space exhibit submitted by the applicant demonstrate that the project exceeds UDC standards, as I previously mentioned, for qualified open space. There are no outstanding issues for Council tonight and there has been no written testimony since the Commission hearing. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, before we go to any questions from staff, just to note that Councilman Bernt has recused himself from this item. You may have noticed he did not reappear coming back from our break. He does business with some of Brighton's main customers and it is his tradition to typically refrain from participating in applications regarding Brighton. So, with that any questions for Council -- or any questions from Council for staff?

Bongiorno: Mr. Mayor?

Simison: Deputy Chief.

Bongiorno: Continuing on with our discussion we had during the work session, Council Woman Strader had asked questions about projects that reach outside of our five minute boundary. This project is one of those. So, the northeast corner of both of these projects -- Sonya, if you can go back -- or whoever is running the computer through -- the full site plan. Both -- yeah. That one right there is perfect. So, the northeast corner of both of those projects is where our five minute boundary touches. Everything else outside of that is not in our five minute boundary. So, just those two single lots is in our five minute response time. Everything else is outside this response time. So, I want to make sure that that's clear. And, then, also the other thing that is a concern is the reliability rating of Station 4, which Chief Niemeyer brought up earlier, from January through June of this year the reliability rating for Station 4 is hovering around 76 percent -- 76, 77 percent. And, then, on top of that the next due closest would have been Engine 14, which is also the same -- it's the exact same reliability rating. So, I just wanted to continue that discussion with this project to let you know that this project is outside of our five minute boundary, except those two pieces of property.

Strader: Mr. Mayor, a question about that?

Simison: Council Woman Strader.

Strader: So, if -- have you looked at how the development phasing plan aligns with your timeline if you were to build an additional fire station in south Meridian? Does that match up and what does that look like?

Bongiorno: Mr. Mayor, Council Woman Strader, if -- if this -- if Station 7 were completed, it's right down the street and it would immensely help this project one hundred percent.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: To put a finer point on it, can you remind me the timeline of when that station would be complete and describe how the phasing plan of this project would -- would work with that. And maybe that -- that could be a question for the applicant as well later.

Simison: If we can have the applicant speak to the phasing plan. I think that there is a scenario where you don't have funding to audit to staff a -- this station until fiscal year '23 at the earliest. So, if that helps from that standpoint, that puts it into that October of '23 time frame.

Strader: Yes. Thank you.

Bongiorno: Thank you, Mr. Mayor.

Simison: Council, any other questions for staff at this time? Okay. Seeing none, I would invite the applicant -- I think we are going to be represented by Mr. Wardle this evening. Jon that is. We will turn this over to the applicant for 15 minutes.

Wardle: Mr. Mayor?

Simison: Yes, Mr. Wardle.

Wardle: And I just switched over to --

Johnson: Mr. Wardle, if you are speaking we can't hear you.

Wardle: Mr. Mayor, can you hear me now?

Simison: Yes, we can.

Wardle: Great. Sorry about that. So much for technology on the desktop here. And can you see my screen?

Simison: Yes.

Wardle: Great. Thank you. Mr. Mayor, thank you for the opportunity to be in front of you tonight. For the record my name is Jon Wardle. 2929 West Navigator, Meridian, Idaho. 83642. With me here tonight -- and they can be available if we need them to, but David Turnbull, Lars Hansen, Mike Wardle and Kody Daffer of our team. We are really excited to have an opportunity to talk with you tonight about our community Pinnacle. Pinnacle is a mixed use planned neighborhood at the intersections of Lake Hazel and Locust Grove. It's unique when you have an opportunity to develop all four corners of a major transportation system, but also have the ability to master plan a larger property within the City in Meridian. Pinnacle will develop as a single integrated neighborhood and will become a new town center for south Meridian. The applications before you tonight, rezoning from the prior annexation, modification of the development agreement, and we have one single project, but two preliminary plats, Apex Northwest and Apex Southeast, which are bifurcated by Lake Hazel and Locust Grove. This red outline shows you the two plats. We are providing you an overall master plan for the entire area, but we are providing you with two plats here tonight. We have designed Pinnacle to be a mix of land uses with multiple recreation opportunities and also a mix of home types. When we started looking at the project and figuring out how best to approach this, not just from a neighborhood design, but also for community design, we felt that the keys here were living choices, educational offerings, neighborhood scale services, as well as outdoor and social experiences. Like I mentioned, we have proposed -- or put in front of you tonight two preliminary plats for 120 acres, but overall we have about 400 acres here demonstrated in this master plan. We wanted to really consider not just what was needed for Pinnacle as a neighborhood, but also the -- the needs of the broader community. Like I said, we have living education services and recreation. I would like to walk through those specifically. The first one are mobility choices shown here in both of these

preliminary plats within Pinnacle. We have alley loaded homes. We have alley loaded homes which are attached and we will have conventional homes, which we see throughout Meridian and in some of our other neighborhoods that we have. One of the key components and an item that is always high discussion is education. We take a proactive approach -- and our first phone call whenever we are designing new neighborhoods is to go talk with West Ada School District. We need to -- we want to find out what their needs are and those needs are all often reflected upon your future land use map and so we have designated a future elementary school just north of Apex Northwest. We also are proposing with this application, although we will come in for a future conditional use permit, a Gem Prep K through eight charter school, which will be located in Pinnacle Southeast, very close to the corner with Discovery Park. That is anticipated to be open by fall of 2022 and, like I said, it will be a public charter school, grades K through eight. We are really excited about that opportunity to be able to bring education to this part of Meridian sooner than later. One of the things that's also important are neighborhood services which are of an appropriate size and scale. We are showing here in the northwest corner of Pinnacle some of these smaller scale commercial -- which also get a little bit more detailed related to our overall plan here, but these are intended to be small offices, maybe medical services that relate to both the neighborhood and the community as a whole. We will have some other services which are going to be quite unique within our community center. One of the things that's really critical within any community is providing that third space. We know that people go to work or school. We know they have a home, but how do they interact with their neighbors and as we have designed Pinnacle we -- we brought together some pieces here that are really critical to allow the social outdoor experiences. We have an amphitheater and community center right in the heart of Pinnacle. There are extensive trails, pathways, and there will also be community pools and parks. In essence, we are creating a new town center for south Meridian. I wanted to focus a little bit on the community center here and the amphitheater area. It is within the commercial designated area within the mixed use future land use map, but we really see it as a -- as an integrated part of the overall community. Just for context, the amphitheater here, community center component, is about three and a quarter acres. If you compare that to something that you are very close to right now, City Hall, your City Hall and -- your campus is on 2.78 acres. Or another comparison is -- it's the same as about three NFL football fields. So, that gives you the idea of what we are creating here at the core of this community. I have some different illustrations here I wanted to go through that show how this fits in the context of Locust Grove and Lake Hazel and the overall south Meridian area. This is looking southeast over the amphitheater towards the community center and you see Lake Hazel and Locust Grove on both sides of this drawing here. This is if you were at kind of eye level looking northwest from the community center into the amphitheater and, then, this one -- next one gives you kind of an overall view of that same, but if you were up about 150 feet looking down into it. This amphitheater is really designed -- and this is a great picture here that really shows you the opportunities here. Right between the community center, which is just off screen to the -- to the bottom there is a private road that has the ability to be cut off -- cut off for community events, street fairs. We can bring in food trucks. But this amphitheater component also has the ability to bring a lot of people together, provide some opportunities for being outside, but maybe not right next to your neighbor, but brings

some -- not only Pinnacle residents, but also the south Meridian residents into a place that they can experience outdoor living and socializing with their neighbors. This is looking at the community center, which fronts the amphitheater, and just another kind of a shot that pulls away from that as well. This amphitheater is -- is a private idea that we had. We were trying to come up with a way to create a central area. We know that it is -- there are other things that could be done on it. I mean it is part of a commercial designated location, but we felt like this open space would be super beneficial to do to Pinnacle in south Meridian. Finally, here is another picture, if we were looking northwest from the roundabout into Lake Hazel and Locust Grove. I want to touch really quickly here -- this exhibit in front of you -- or this graphic is showing you the extensive trail system. Of note, all of the sidewalks here will be detached. What's shown here in red are intended to be ten foot pathways for parallel sidewalks on the collector -- or the arterial roadways that will show some connectivity northwest to southeast to Discovery Park and also create some other linkages into existing neighborhoods by crossing the laterals and drains and things like that. We think that there is a great opportunity for both pathway systems, wider sidewalks on arterial roadways, to bring people -- give them a sense of comfort as they are moving through the community in a nonvehicular way and just quickly here within the -- the project, to begin with, we have a lot of open space. We have pools, parks, we have connections in Discovery Park through micro paths and so we are really excited about the opportunity to create places for people to gather throughout Pinnacle. So, as we -- as we started talking about what this was and really kind of the responsibility that we have to design not just for Pinnacle, but also designed for the entire south community -- south Meridian area, because we know there is a lot of interest out here and this will set the tone. We started looking at what this really could be. The city has other places throughout -- throughout the community that are designated. You have Old Town. You have The Village. We have Ten Mile. There is a designation of The Fields, there is going to be planning area. So, we started looking at that as well and we came up with a phrase that we feel is appropriate, which would be the SO ME District, which is the south Meridian area. This isn't just exclusive for Pinnacle, but this is really kind of a designation tying in Discovery Park, tying in the parks, pathways, which will be created, but also, you know, really inviting the south Meridian area to be part -- have its own identity and we think that Pinnacle sets the tone for all of that. One of the key elements as well that we know that is always of interest is transportation. We didn't really step away from this. We actually came right towards it. Our solution on the transportation was to enter into a cooperative development agreement with ACHD. What this really means initially from the very start of the project -- instead of piecemealing an intersection and piecemealing the arterial roadways, we are intending to build a five lane Lake Hazel corridor. We will build a dual lane roundabout and, then, we will also build out Locust Grove a quarter mile as well. These are really critical. We know that if we can make improvements from day one at the intersection, the other arterial connections can extend -- their lives are extended more, but these intersections are critical and by building the ultimate roundabout from day one, we -- we feel like this gives a lot of transportation growth in south Meridian. I want to -- just to kind of look at this really quickly. This is looking at Locust Grove to the north, Lake Hazel to the left -- or to the -- to the west here. The look of the street sections and what will be built here. This is Locust Grove. So, on Locust Grove this would be looking due north. On the left-hand side is west. We will be

building a ten foot sidewalk, which will connect in with the other trail system heading to the northwest and that will also connect in with the ten foot sidewalks that would be built on Lake Hazel, which is demonstrated here. Lake Hazel will have dual ten foot sidewalks east and west and will provide those connections -- safe connection to the city park, but also safe connection for people to move east and west and north into the future trail system. Here is our vision for what Lake Hazel will look like. Coming out of the roundabout there will be a split island. We -- we want to have that landscape. We want to create a boulevard. The sidewalks on each side will be protected by a detached planter strip with street trees. Another shot kind of to the north -- northeast, how that will look as well into the community area. Looking from the roundabout again due west. This is looking due east towards Discovery Park. So, that kind of handles -- or discusses some of those transportation uses we are looking at right from the very beginning. As Sonya mentioned, this is the rezoning, which as it relates to the overall concept master plan. Really before you tonight, as mentioned, we have two preliminary plats. We have Apex Northwest, which has a mix of alley loaded homes with attached and detached commercial lots, the amphitheater, opportunity for neighborhood services and the creation of that pathway system. Apex Southeast, 237 homes, two commercial lots, one of which will be the future charter school. We do have a mix of R-8 and C-C zoning here as well and connections directly into Discovery Park. As mentioned we are asking for a rezone, modification to current development agreements, although we do have one project there are two preliminary plats before you and the creation of the SO ME District, a new town center for south Meridian. So, we do agree with all the conditions of approval. We don't have any items that we are needing to discuss in front of you tonight. We are asking for City Council approval of the zoning -- rezones, the preliminary plats and modification development agreement as unanimously recommended by the Planning and Zoning Commission. And with that I stand for any questions that you might have and our team can jump in as well.

Simison: Thank you, Jon. Council, any questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Jon, thank you for that excellent presentation. These are some really beautiful renderings and it's fantastic to have some great visuals. I have some questions about the traffic flow through on Lake Hazel. So, as we mentioned in the last application, there has been discussion and I know there is no official planning that Lake Hazel is going to become a main corridor through the valley and it seems to me like this area -- the intention would be to slow that traffic down and not have it be moving at high speed. So, help me understand if you have a concern about that and, you know, how that might affect -- how that might affect pedestrian activity and vehicle movement through your development. It seems to me like the intention is to have all four quadrants to be integrated, but, then, to have a high speed road through the middle of it. I'm curious your thoughts.

Wardle: Mr. Mayor, Council Woman Perreault, thank you for the question regarding how

-- really how do roundabouts function. We have had a lot of experience recently with roundabouts. I brought up this exhibit right here. Really the key is providing a safe place for pedestrians to be able to cross in -- you know, perpendicular to the flow of traffic and so that not only do they have a safe place to cross, but they have great visibility of the traffic coming through. We actually are out here at Ten Mile where we have a dual lane roundabout and the identical situation. ACHD does design these to be able to carry traffic, but they are also designed to slow the traffic down and protect the residents or individual pedestrians that will be walking through here. On either end of this, both at Meridian Road and at Eagle Road, those will be signalized intersections and so it won't be a continuous flow in either direction, but we do have this here. I think one of the benefits is that -- it's the balance between protecting pedestrians, but also being able to move traffic and get them -- get cars through, but also get pedestrians through. So, given our recent experience with these and living with these and every day, we do feel comfortable about the safety of them and the ability to get pedestrians back and forth across those roadways.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Thanks very much, Jon. I appreciated the presentation and the proactive approach to putting in infrastructure and building the road improvements and trying to bring a solution on the school front. Could you just confirm the seats that will be at Gem Prep. Is it a possibility it may extend grade eight and the possible timing of the additional school site?

Wardle: Mr. Mayor, Council Member Strader, thank you for the question. Gem Prep is designed to have 550 seats. We have talked to them about whether they would expand to a high school. They do -- they do offer high school. One of the things that they are -- at this particular charter school is they have looked at -- because they have several different campuses -- is finding a way that they can bring high school students together, because they do become smaller classes. We do not believe that they would do a high school at this location, but we do know that they -- they are considering that perhaps at another location where they could bring together students from other campuses into a physical location with more -- more students.

Strader: Mr. Mayor --

Cavener: Mr. Mayor?

Strader: -- follow up.

Simison: Council Woman Strader.

Strader: Just so -- I had read the 550 as well, so, you know, it appears that you are really helping to solve a problem. I mean you are providing more seats than you are taking initially. But for the -- can you kind of walk us through the total number of residences in

the entire master plan? Like what are we looking at including future phases and maybe some discussion later on timing of phases.

Wardle: Mr. Mayor, Councilman -- Council Member Strader, thank you for the question. I mean in -- in reality we have a lot of property here that will be developed over time and we know that these communities do -- they do bring families and they are looking for those educational opportunities. We have here in front of you -- the area that's not detailed would be about another 240 acres and there will be a variety of homes that will be built in here. So, there is the potential that there will be more students that will -- I mean there absolutely will be more students that come here. One of the things that having Gem Prep at the very beginning, they give us that buffer, but there is also the opportunity with a ten acre elementary school site for West Ada to provide some of that capacity as well. So, it will be a balance. As you know we have been proactively looking for solutions on how to find ways that this infrastructure can happen sooner. We will continue to be involved in that. So, we are not -- we are not unaware of the concern, but we are doing what we can to provide those schooling opportunities both in the short term and in the long term.

Strader: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Thank you, Mr. Mayor. Jon, appreciate you being here with us tonight working through those technical challenges that make these meetings so much fun. I wanted to dovetail off of Council Member Strader's questions about -- about Gem Prep, because I want to make sure that I'm clear on this. I couldn't recall any piece about it in the staff report and I know it wasn't covered in P&Z. We have got a Gem Prep Academy already in south Meridian off of Overland. My assumption is this is a new facility, not an intention to relocate their campus into a broader university further south in Meridian.

Wardle: Mr. Mayor, Council Member Cavener, that is correct. It is an additional campus. As you know, Gem Prep was also building a campus in northwest and they have -- they want another campus here in the southeast. One of the really unique things about Gem Prep is the coursework that they offer online as well and so we really felt like physical location, plus the academic that they provide for those that may not be able to come to the school, it was a key early on with the project here. So, the short answer is it is a new facility, not a replacement of what they currently have.

Cavener: Great. Thanks for that clarification. Mr. Mayor, a couple other questions if I may.

Simison: Councilman Cavener.

Cavener: Thank -- thank you, Mr. Mayor. Jon, this project is really -- I mean you know

this is incredibly unique and I -- you and I have had other conversations in the past about I really believe south Meridian is special and I think that this development really speaks to how special Meridian is -- south Meridian in particular. I wanted to touch a little bit on a couple of the amenities that you spoke about, particularly the amphitheater and the community center. I know in many of the developments that you guys do they are -- they are amazing. They -- they have pools and clubhouses that are really designed to -- for the enrichment of your residents. My question is, you know, with the proximity of the amphitheater to the major roads and this term community center, is there some intention that it is for the community as a whole benefit or are these designed to be, you know, enrichment for your residents only?

Wardle: Mr. Mayor, Council Member Cavener, great question. Thanks for the opportunity to clarify what our intent is with this. We really see that this amphitheater commons area, which is on the left-hand side of the screen, is really for the whole community. This is not -- this is not exclusive. We really see that there -- there is a great benefit to bring a lot of people, both residents who live here, people who are coming in for a street fair or a farmer's market, whatever it might be, can be here. The element on the right side, the community center, this really is kind of a hybrid. We -- we are not intending with this community center at this location of putting a swimming pool in. We really see this as a gathering place. We are going to have -- the mail delivery will be in house, so everybody will come into the community center to get their mail. There could also be package delivery there. We want to have a fully functioning cafe, which would be open to the public. Give people an opportunity to come in, you know, grab something to drink, food, whatever it might be. A business center. We do find that a lot of people want to get out of their home. Right now they want to have someplace else they can go work. So, this will be a business center with Wi-Fi enabled as well. But there definitely will be some neighborhood or Pinnacle specific elements, which would be reserved for residents to give them -- you know, maybe it's a larger space, but like we have done in other communities, we have allowed those spaces open for use based on kind of an availability perspective. So, some of those details, like timing or what all of those internal spaces are, we are still working through those. But we are -- we want this to be open. Councilman Cavener, we want this to be a place where many people will come and be able -- that you really wouldn't notice who is there and who -- who shouldn't be there.

Cavener: Great. Thank you. Appreciate that.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just a follow up regarding fire services. So, Jon, you may have heard from our previous discussion we are trying to get going on another fire station in south Meridian. It felt like that may not happen until, you know, October of 2023. So, how does that align with your phasing plan? I think that might be helpful for us to understand.

Wardle: Perfect. Mr. Mayor, Council Member Strader, one of the -- I mean we -- we very

much are well aware of that conversation. We have not come into this without considering what that means. As noted by Deputy Bongiorno, the property is with -- it does touch the five minutes, but there is a large portion -- there is portions of it which do not and we recognize that. I think this would be a much different conversation if we didn't have fire service anywhere near. I know that the city shoots for a five minute response time and, then, the next threshold is seven. We definitely fit within that range. So, from a phasing perspective, however, let me see if I can zoom this in. We will just go to this exhibit right here. Our first phase will be in Pinnacle Southeast. So, you see where the future charter school is, that is -- that touches the fire boundary right now, so the charter school and the lots just to the south will be our first phase, which will be about 70 -- 70 to 80 homes, including that pool and clubhouse element down to the south. Our first phase in the north and the northwest will also be right along Lake Hazel, with direct access to both Lake Hazel and Locust Grove. So, Council Woman Strader, we know we are on the border. We know that those phases are -- will be really critical to establish the infrastructure. Like I mentioned before, get the roads built out and really I think that will be a huge enhancement as well for getting fire out into those areas. If we can get that intersection built at the very beginning of the project as they are expanding their services and we are waiting for a fire station in 2023, they won't be contending with a cut up intersection here either. So, we are trying to be proactive in that approach as well. This area is all zoned. It's all been annexed into the city. We are modifying the rezoning, but we are trying to work with your -- with the city, so that they can deploy effectively the impact fees to both design and build the fire station here.

Strader: Mr. Mayor, follow up for the deputy chief.

Simison: Yes, Council Woman Strader.

Strader: Since we are on that topic. So, this is outside of the five minute fire response time. What is the fire response time? Are we talking about an additional 30 seconds? Are we talking about an additional minute? What are -- what are we really looking at? It feels like it's on the edge and I just want to get some context and I'm assuming there is mutual aid from another surrounding.

Bongiorno: So, Mr. Mayor, Council Woman Strader, it depends. Like Chief Niemeyer was saying in our discussion earlier, when you throw time of day and you throw weather into it, the response time can be different depending on the time of the year. So, again, the five minutes, as Jon mentioned, is a goal. That is our goal is a five minute -- obviously, time is of the essence when it comes to fire, police, EMS calls. So, going to the intersection, going around the roundabout and, then, you know, heading north or south takes extra time and so -- and, then, we have -- like I mentioned earlier, we have the other problem where only 76 percent of the time is Station 4 available. So, the next closest would most likely be Station 6 over -- all the way over to Overland and Meridian. So -- or it would be Kuna fire if they happen to be out. So, now we are relying on our neighbor to the south to cover this area if Station 4 is busy. So, I can't give you exact, you know, it will take a minute and a half to get to the center of that project. It's hard to say, because it's going to vary by their -- you know, their phasing. Are they in the middle of construction?

Is it wintertime? Too many variables to pin down an exact number.

Strader: Mr. Mayor, just to clarify.

Simison: Council Woman Strader.

Strader: Yeah. I don't think I'm asking you to promise the Fire Department is going to reach any -- any one place on any particular day on a sunny day within a certain time, but, you know, you guys used some data, right, in the map of Meridian to generate the area that you think most of the time is in a five minute response time and there was a yellow colored area that I'm assuming six minutes one time. Where do these two sections fall? Are they in a -- using one baseline that maybe it's a sunny day in November at 5:00 p.m., whatever you are looking at that's consistent, but what does this fall within, please?

Bongiorno: Mr. Mayor and Council Woman Strader, again, kind of what Mark covered. It's all strictly just using GIS. It's using the main road, the most direct route to these areas using just strictly speed, and, you know, we -- we have a policy in our department where we can go ten over the speed limit if it is safe. So, I'm not going to say they calculated that into it, but, obviously, you know, a short sprint going ten over for one mile is not going to gain you a whole lot of time, but, you know, again, it's -- it was all driven off GIS and that's -- that's where we got that data from when we created that -- the Mayor's, you know, five minute response goal map and, then, part of that map also, if you refer back to it, there is a section where we added Station 7 and 8, the stations on the -- the two borders -- and that was part of Mark's presentation -- or, sorry, Mark's presentation also, that -- that showed, you know, when we built those two fire stations these areas get colored in green and we are good to go. So, again, it's -- it's the five minutes is a goal and we are just touching the boundaries of these areas, you know, so I can't -- I can't promise that, you know, everything is going to be okay, because it's hard to say.

Simison: Council Woman Strader, I think you are looking at five to six minutes. Typically the further in you go on a collector road it takes a little longer. So, the shortest distance by flight doesn't always mean the shortest distance by time or the quickest time. It just depends on how they have to route to that within the internal part of the subdivision. But I think you are looking five to six minutes typically in what would be proposed in phase one. And, then, to follow up on your other conversation, Jon, I believe in your presentation you indicated Gem Prep you were looking at opening in the fall of 2022 in phase one. So, if -- if that's the case are you looking at -- for phase two would that be typically about a year later that you would be looking to be active and open or six months, just to give Council Woman Strader some confidence what might be built as of September 2023.

Wardle: Mr. Mayor, great question. So, let me go to the phasing first regarding what we are doing. So -- so, yes, Gem Prep would be there by fall of 2022, but the residential surrounding that directly on that collector road coming off of Lake Hazel, that's our first phase and we would be our goal is to be building -- finishing development middle of next year. So June we would have lots available. Home construction would occur. So, homes probably be occupied the very end early 2022. In that area. Regarding the other phase

in Pinnacle Northwest, one of the things that we -- we really feel strongly about is setting the vision for the community at the very beginning. So, we intend to develop the area right on Locust Grove and Lake Hazel, which would be our phase two, but it will be following right after phase one and when I say right after, it's not a -- it's not a linear right after, it's almost -- they are kind of happening concurrently. They won't both be available at the same time, there will be a little bit of a gap, but they will both have homes available in -- or lots would be available in 2021. In reality by the time that Fire Station No. 7 -- I'm assuming this is seven -- or let's call it the south. By 2023 we probably would have 140 to 180 homes built. One of the things that I think is also important to note that there are two different directions for Fire Station No. 4 to get to us, whether it's on Lake Hazel or Locust Grove, they both have about the same distance, although I don't know which one is a little bit farther. So, we aren't, quote, at the end of the road here, there are a couple of different ways to get here and the fact that we are also developing right along these arterial roadways gets pretty good access into the community at the very beginning.

Simison: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question for Mr. Wardle. Two very different questions. But to follow up on this current discussion, Mr. Wardle, have you had a chance to -- you know, growth brings impact and somehow we get impact fees and Fire is one of the impact fees we collect. Any idea what the -- for -- for these two developments what that impact fee would be for Fire?

Wardle: Mr. Mayor, Councilman Hoaglund, I am on the impact fee committee. If my recollection is correct, I think it's about 515 dollars per home for Fire and so in this project with 340 homes, we would have 175,000 dollars right off the bat that would be generated for this. One of the great things with -- with the planning that has gone on with your impact fees with Fire, Police and Parks, is they have -- they have anticipated this growth. They are collecting fees for this. It's not just Pinnacle, but there are others out here that also are generating fees, which go into the upfront design, acquisition of property, and the construction of these facilities, which are really constructed by -- almost wholly by impact fees. The operational site is General Fund. But the construction of these facilities are impact fee eligible, including the equipment that goes in it. So, I think they are -- I think the funds are -- are being collected. I know they are being collected. They are being generated and the city has done a great job planning for how to support areas that are already annexed and zoned currently by designating a site out here in south Meridian.

Hoaglund: And that's a good point, Mr. Wardle, Mr. Mayor, that, yes, you are not going to carry the whole load on -- on the fire station and whatnot, that's already identified and the land is there. We had an earlier discussion this evening about paying for that. We can get things rolling and, then, how do we collect and what's coming in and there will be other folks contributing to that fund that certainly impact that area. My second question that --

like I said, is entirely unrelated and it's regarding a conversation I had with a resident of south Meridian a couple weeks ago, completely unrelated to this site, but we were just talking generally about the growth that's occurring in south Meridian and whatnot and, like I said, he is a resident out there and he goes what I would really like is having a grocery store closer to me and not having to drive to the north and without -- you don't have to divulge any -- any top secret things and whatnot, but do you foresee some sort of major retailer coming out at some point in time in those areas and whether it's home improvement, grocery, other types of things?

Wardle: Mr. -- Mr. Mayor, Councilman Hoaglund, thank you for the question. Services are important. We want to do what we can to bring -- allow people to stay nearby. In the first part of this project, however, the commercial is really kind of neighborhood scale. We don't -- we don't feel like a grocery store or something that would generate a lot of impact -- this is the right place for it. However, with that said, we do have 80 acres on Lake Hazel and Meridian Road which we really see that would be the location for some of that higher automobile driven retail use that, you know, our residents definitely would go there, but we also see the people elsewhere in south Meridian are also looking for these things. As you know, the retailers are pretty savvy. They will follow where the growth is happening. We do know that there is another grocery store that is planned, you know, at the other corner of the Eagle Road and Amity. That will come at some point when timing is right and we feel like we will have some retail that will come out here as well with Pinnacle as -- you know, when it's built out and we bring in some other projects as well.

Hoaglund: Thank you, Mr. Wardle. Thank you, Mr. Mayor.

Simison: Mr. Wardle, I -- since I don't know if they are on the call and I'm sure you have had conversations, but I know it's going to be a concern from our Parks Department as we look at putting lights up -- more lights up on this park out in this area. I assume you are well aware of that and that you will help educate potential homebuyers about that as needed.

Wardle: Mr. Mayor, that's a good point regarding ball fields and lights. I think one of the great things that you have right now is that it's already there and so people who are moving in will be aware of that. Anecdotally, I live in a community that backs up to a high school that has a lot of lights on it already. We -- we moved in there knowing that that was going to be the case. We do -- though we are just aware of it and so that's a great point. It -- it won't go unnoticed, but I think one of the -- the trade-offs, Mr. Mayor, is being able to bring a great neighborhood close to an amenity that the city is already invested in and so I think they are -- I think we are looking forward to being neighbors with the Parks Department and continue our relationship there.

Simison: And it was more that only half the lights are in at this point in time and they may or may not all be in there before you begin selling the lots. Just so that that's --

Wardle: Noted. Thank you.

Simison: -- noted.

Wardle: Yes, we will -- yes. Thank you.

Simison: Council, any further questions for the applicant? Okay. This is a public hearing. Mr. Clerk, do we have anyone signed up to provide testimony?

Johnson: Mr. Mayor, we do. We had no one online besides the applicant, but we have three signed in in person, two wishing to testify. First is Christopher Loveland.

Simison: Okay. Please come forward and state your name and address for the record and you will be recognized for three minutes.

Loveland: How much do I got?

Simison: Three minutes.

Loveland: Three minutes. Okay. That's what I thought you were going to say. Yes, my name is Chris Loveland. I live at 224 East Prairie View Lane in the Shafer View Subdivision. Thank you, Council, for being here tonight. This is my first attempt to testifying in this manner, so you are going to have to excuse me for the whole basket of thoughts that have been building up over several years as I watch our community grow. My concern tonight all starts with this concept of cramming more houses into our community, while failing with our roads and our schools. Of course, I'm not alone in this concern and many of you have that same concern. As I communicate with my friends and neighbors, they are not here tonight because they feel that they are not heard. As we continue to see case in point, houses continue to be crammed into our -- into our subdivisions and into our city. Many are frustrated, but we feel helpless to change that. For that reason they are not here, but I'm going to try anyways. We have lived in south Meridian for 12 years. My roots go back way further than that. Generations. We moved back to Idaho after my schooling to raise my family here to the open space and beautiful landscape. With all the great people that live here -- I have lived all over the world. My dad grew up here. He left with us, we moved all over the world, came back, went to Boise State, married my wife, went off to school, we came back. We live now in the Shafer View Subdivision that have one plus acre lots for each home and many of the surrounding homes have several acres each. All of this area surrounding us is R-8 and R-4. My understanding is that when that land was sold that it would be at least R-4. We bought our house with the plan in place that we would have neighbors. We are not naive that we will -- that we weren't going to have neighbors, but we were hoping that it would be according to the plan as originally drawn. We love our open space, but we do look forward to future friends. We did not anticipate, however, littering the landscape surrounding us with homes and concrete, asphalt, where you can't even see the grass on the ground and when I talked to friends who moved here in the last several -- last few years, they think Idaho is an area where you can buy a little land for your kids and grandkids. They are surprised at the lack of property and are told by developers that, quote, there is no money in large lots and, quote, no one wants a larger lot anyway, closed quote. They

don't come to our area hoping for the same cramped situation they just left somewhere else. As the area grows we seem to be changing, clustering, cramming more and more homes into smaller spaces. Homes are so close together today that they can be often mistaken as one home. I don't think that that was the original plan with Idaho. It was our original -- it was not our original plan for coming back to Idaho. We love the open spaces and beautiful landscape. And as I mentioned my grandpa, he used to own the store just down the street here. My dad's dad. Just a few blocks away. I don't understand the reason for cramming more and more homes in, unless there is another reason someone can tell me. Perhaps it's financially driven. I -- let's see. How much time do I have left?

Simison: You are out of time. Go ahead and wrap up.

Loveland: Okay. I appreciate what Brighton is trying to do with Pinnacle with the amphitheater, the community. I commend them for those plans. But we are hiding the fact that we are cramming a lot of people to a small area. It is said to be an area for community. Where is the parking for all those individuals? Whereas I see future plans for schools, but we often see people move into communities -- case in point Century Farm and you go to sign your kid up for school and before the subdivision is even done the school is already full and you can't even sign your kid up and you end up busing them across the city. So, this south Meridian, a quiet place with open spaces, is becoming a cramped place. I don't understand the reason behind it. I -- I propose we -- we do not change the -- our zoning designation, that we leave it as is, and if we are going to change anything, let's open more land. We have plenty of subdivisions with small crammed in lots. Let's provide some Idaho larger lots and let's stop cramming in. So, thank you for your time and consideration.

Simison: Council, any questions? All right. Thank you.

Hoaglun: Mr. Mayor, real quick? Mr. Loveland. Since you made the effort to come, I do want to ask you a question. What's the value of your -- your home and lot right now?

Loveland: The value?

Hoaglun: Yeah. What -- what does the Ada county assessor say? It might be something different than you could sell it for, but --

Loveland: Yeah. Yeah. And if we were selling that would be helpful. Honestly, I don't know, because I -- I'm not in the market to sell. We plan on -- I have bought here, I want to stay here my whole life. Raise the -- we have six kids and we have raised -- raised -- three of them are leaving, so we are going to be here a long time. Hopefully grandchildren.

Hoaglun: Yeah. Well -- and you raise a great point. That's the difficulty we are trying to balance here, because I just had kids who were on the market looking for a home and they can't -- you know, things were just going out of sight and that's the dilemma we find ourselves in is, you know, we -- if we go to single family homes, people in the market

starting out, or even older folks wanting to downsize and so that's -- that's the tough -- tough dilemma. So, you touched on it, you know.

Loveland: Yeah.

Hoaglund: I wish everyone could have -- I got a single family home with a nice lot and you do, too, and that's great. Love it. And, unfortunately, times have changed. So, how do we -- how do we allow people the affordability to live in Meridian, because it is a great place, and not feel so crammed in, but at the same time having an amenity. So, it's a tough one. So, I appreciate you talking about that and making sure we keep this community a wonderful place, so --

Loveland: Yeah. Thank you.

Hoaglund: There is no easy answer to it.

Loveland: And I agree with you. I think that we need to provide those opportunities for people that are just entering. I have some children in that situation, but I have many many friends who don't have the opportunity to buy one acre lots, because they don't exist. They are not out there. And why is that? Why don't we have them? And it starts right here. So, thank you.

Hoaglund: Thank you.

Simison: Question somewhat for the applicant. Just out of curiosity, because this is -- this is the push and the pull. If you were to spread your density out over the entire area, do you have what that calculation would be? Obviously you are under no obligation to do schools or any of -- a lot of what you have proposed, but if you were to spread it out what -- what does your density equal out to? If you don't know that's okay, it's just a --

Wardle: Mr. Mayor, I -- can I just clarify. Are you asking about what the density would be on an R-4 zone?

Simison: If you took all the homes you are proposing and you spread it out over the areas where you are not proposing homes because you are doing other things, what that density would equate to in this area. And that's a hard question and it's -- you probably haven't done the calculations.

Wardle: Right -- right now we have 120 acres in these two plats that are before you and we are 350 -- 357 homes. So, it's really less than three units per acre right now on -- on these parcels.

Simison: With the -- with the amount of investment in the other things from that standpoint.

Wardle: Yes.

Simison: All right. Thank you.

Wardle: That is correct.

Simison: Mr. Clerk, who is next on our signup?

Johnson: Mr. Mayor, next is Marcella White.

Simison: State your name and address for the record and you will be recognized for three minutes.

White: Okay. My name is Marcella White. My address is 6180 South Tarrega Lane, Meridian, Idaho. Our property will be shared with the Pinnacle Subdivision and I guess my main -- and I -- it's beautiful. I love everything they are proposing. But I am -- I am kind of with Mr. Loveland here, I feel like the homes are -- or the lots -- the R-15. But I can see the R-4 and the R-8 even, but I feel like there is people -- I heard you say it earlier that Meridian -- south Meridian is special; right? I agree with that. And I have lived here my whole entire life, so -- my parents moved here 50 years ago. I'm older than that. So, I have raised all my children, but now I have grand -- my children want to locate here and -- and I feel like there is a need to have a little bigger lots. I think there is people that want them and not just -- you know, I don't know what R-15 is. I'm assuming it's patio homes or townhomes or apartments or something. I just feel like I would like to keep this area special and just a little bigger home lots that -- and I know things are high and expensive, but I feel like there is a need, that people want to have a little bit more space, myself included. I live on nine acres, so I still have a little cushion there. But I feel like if we just keep -- and it's a beautiful -- the Pinnacle -- this common area or this community center, it's beautiful, but I feel like the people -- I don't know. I mean that's nice and Discovery Park has been great. I use it. I -- I have been running around it since it's been being formed, so -- and I'm excited for parkways -- or the pathways and stuff. I just really am against R-15. Mainly that's why I sat here for three hours, because I really don't like sitting that long, but I would really like to see those be a little bigger lots and everything else. I think -- I know we have to have growth. I'm neighbors with Meridian. I have lived in my home for over 29 years. So, I have -- you know, I have watched this emerge and, then, my parents just live down the hill on Locust Grove and Amity. So, I have lived here my whole entire life, but -- and I know we have to have growth, but I would like to see it stay special and maybe not be so dense and just maybe a low -- lower density. Thank you.

Simison: Council, any questions? Thank you.

Johnson: Mr. Mayor, that was it for the advanced signup.

Simison: Okay. Is there anyone in the audience who would like to testify on this application or anybody online?

Cavener: Mr. Mayor?

Simison: Is that -- Mr. Cavener. Yes.

Cavener: Thank you, Mr. Mayor. Just bring to your attention -- and maybe the clerk has seen it and maybe you have already caught it, but it appears there is -- there is a hand raised. It's now disappeared, but it was raised not two seconds ago. I'm not sure if there was someone that still wanted to testify.

Johnson: Mr. Mayor, Mr. Cavener, thank you. We were getting people in the room and, then, I was moving that person and we do have Julie Edwards now.

Simison: Okay. And if there is anyone else who would like to testify on this item, please, do so by raising your hand at the bottom of the icon on the Zoom application. But if -- if Julie is ready we can recognize her for three minutes. Just state your name and address for the record.

Edwards: Hello. Can you hear me?

Simison: Yes. Julie, are you there?

Edwards: Hello. Can you hear me?

Simison: Yes, we can.

Edwards: Okay. Sorry about that. I actually just pulled over in a parking lot. So, there is a couple of things that I wanted to mention and comment --

Simison: Julie, if you can state your name and address for the record, please.

Edwards: Oh, I'm sorry. My name is --

Cavener: I think she muted herself.

Simison: Yeah. Julie, we lost you.

Edwards: Okay. I'm back.

Simison: Okay. So, try it again. Name and address for the record.

Edwards: Okay. My name is Julie Edwards. Address is 1310 East Mary Lane in Meridian.

Simison: Thank you. Julie, we lost you again if you are speaking.

Edwards: Are you there?

Simison: We are here. Yes.

Edwards: I'm so sorry about this. So, I just wanted to mention first off with zoning, I have -- I know that the northern area there is zoned R-4 now and they are looking to turn that into R-8 and I know that there is R-15 as well. My concern, like the other folks who are in Shafer View and I'm not sure where the other one person lives -- is also a concern about overgrowth and I think that with the zoning plan that's happening now, it just seems that the growth is -- is, you know, give an inch, take a foot, you know. So, it's R-4, these are -- I live -- I have some acreage as well and, you know, there are people who still want that. We -- you know, we raise cattle. Our children are working on our, you know, small farm and it's -- that's why we moved here years ago. However -- so, I have noticed comparing the future land use map, there are other subdivisions in this area, BlackRock and Mesa something, Century Farms as well, that in the future land use map they are zoned low density and I haven't gone around and counted and measured, but aerially it doesn't look low density, it looks at least medium density. So, I'm just not sure why --

Cavener: I think she muted again.

Simison: Yeah. We lost you again, Julie.

Edwards: Okay. Sorry about that. I don't know why it keeps muting. Can you hear me?

Simison: Yes.

Edwards: Oh. Okay. So -- so, just to follow the future land use map a little more thoroughly. I see subdivisions that are at higher capacity than I think they should be. So, that's what -- I would like to see the zoning stay R-4. You know, if -- if it's R-4 and they want R-8, you know, maybe rather than eight homes per acre we could compromise and say six, you know, something so it's not the extreme. As far as pools, I have heard the West Ada School District say that, you know, whatever developers come in we just say, yeah, we will fit those kids in. We will find a place for them. We will fit them in. But when you look at their website they are planning -- or they have planned eight schools by 2028. Well, that's probably impossible, because they would have to build at least a school a year, which means the people have to give the two-thirds majority vote in order to get that school. So, while it's gracious that Brighton is allowing the space to be created, they are not funding the school -- the building of the school, which doesn't help out the district at all, unless we impose the impact fees for schools from development from now on. Green space. I have noticed them --

Simison: Julie, if you can wrap up, please.

Edwards: Sure. I have noticed the green space. I hope green space -- I have seen in Century Farms there is some water retention areas and I hope that's not included in green space. I feel like the roundabout at the intersection of Lake Hazel and Locust Grove, five lanes, four lanes heading east-west, I wouldn't feel comfortable having my kids walk, ride bikes -- which there will be plenty of children walking and riding bikes from the Discovery Park to their home. That's just too much traffic for me and a roundabout with multiple cars traveling, you know, side by side, maybe one driving faster than the other, the child

goes to cross, gets hit by the other car. So, I would like to keep Lake Hazel to three lanes if possible and there is more than that, but I know other people need to speak, too.

Simison: Thank you.

Edwards: Thank you for your time.

Simison: Council, any questions?

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just a comment. Thanks -- thanks for coming and testifying. You know, we do take it to heart. I think what's different here -- and, hopefully, you caught this piece -- was that they are -- they are going to be including a 550 seat public charter school and in my mind that -- that's kind of the bar that needs to be cleared as developers -- we are actually trying to help fix problems with school overcrowding in this area, because as to your point, we have a severe overcrowding issue, but I just wanted to mention that. Does that change your concern on the school front, Julie?

Edwards: Can you still hear me?

Simison: Yes.

Strader: Yep.

Edwards: Okay. It actually doesn't, because there was an article about the Pinnacle Subdivision a few weeks back and it said -- I know he was hesitant to give you the number of homes that were in that subdivision and the article stated 2,000 homes, you know, mix of -- mixed use homes. Some single family, apartments, whatnot. So, I think that 550 students attending that Gem Prep, yeah, that's great for -- for starters, but as the other -- the homes -- as the other homes are built, as he said, they are going to start to be simultaneously built, I just don't see any room for 2,000 homes when you have Lavender Heights going in, you have Greycliff I think going in. They are still finishing Century Farm. And I just think there is such a massive amount of homes going in and my kids last year had 30 -- 33 and 34 kids per class in their elementary school and I think it was stated that 25 is about -- you know, nationally or something that -- that that's about a good level for parents -- or I mean teacher-student ratio I guess for learning. So, they were way over that and you can sense that in the classroom and in their learning experience as well, so -- I mean while I think Gem Prep going there is interesting and I just don't see -- you know, leaving room for a school -- again, I said that's gracious. I don't know what their agreement is, but I have read in the rezoning that, you know, if -- if -- if the builders do leave room -- room for schools and parks and whatnot within their community, then, they are allowed to bump up their residency -- residences, you know, so rather than eight homes per acre maybe they can bump it up to nine or ten, because they are doing a favor

to the city and -- you know, I mean I don't know where West Ada -- where they will get that money to build that school to fill that, you know, 2,000 homes if each home has one child that's an entire high school, you know.

Strader: Thank you. No doubt we need to understand the future. Appreciate your comment.

Simison: Council, any further questions for Ms. Edwards? Is there anybody else who would like to provide testimony on this application at this time? Hearing and seeing none, I will turn this back over to the applicant for final remarks.

Wardle: Mr. Mayor, thank you very much. I'm going to just make a couple of comments and, then, let David Turnbull talk for a few minutes as well. It's a -- it's an interesting question on growth and what that really means. The future land use map that I have shown here -- and I have actually put the outline of the Pinnacle community that -- that we are presenting to you tonight, this -- the future land use map, although it was recently re-adopted, this land pattern has been on the city's plans for a long time. We have been a landowner out here for a long time and been anxiously engaged in that process. The city approached us back in 2015 and 2016 looking for a way to get sewer extended out here and in order to do that they provided a holding zone and the holding zone was the R-4 zone. In that development agreement was anticipated that these properties would rezone in the future, something that would match up with the future land use map, but we need to demonstrate what that looks like and that's what we have for you now. We have a future land -- we have a concept plan. We are providing the zoning for that and giving you a vision of what this community will now be as we really invest back in the community. The sewer, although it is extended to our property, we actually are extending it another mile nearly to get the project going. We are committing to building a roundabout -- a dual lane roundabout and building out the roads ultimately for their future plans that ACHD has for the area. We know that schools are a big issue. A big topic. We are not blind to that. We are very well aware of it. Brighton has made investments in schools and education throughout Meridian and West Ada for a long time and we will continue to do that. But one of the things that we are really proud about is being able to provide an educational opportunity sooner than the public could offer it and it's going to be privately funded. This is not a publicly funded facility. Ultimately the education piece of it will be, but the facility will be built by private funds. We are really anticipating that this will set the tone not only for what Pinnacle will be and how we develop it, but it will set the tone for south Meridian as a whole. Create the SO ME District, so that we can create places for both the residents of Pinnacle and the community at large to come here, live and recreate and socialize. I'm going to give David a moment to talk and, then, we can stand for any questions that you might have.

Turnbull: Thank you, Mayor, Members of the Council. David Turnbull. 2929 West Navigator. I just wanted to take a moment to actually compliment our team. I think Jon's done an excellent job of presenting this. But what you don't see is the behind the scenes work that goes into a project like this. We bought -- we started buying property out in this area 14 years ago. We have been looking at this for all that time and we probably really

started serious development planning a couple of years ago and if you saw all of the charrette material, all of the different plans that we have gone through and torn up and gone through and torn up and, then, we finally arrived on what we think is really going to be a marquee project here and I gave our team a lot of leash. You know, Lars Hansen is here. Lars is our -- you know, in a lot of ways Lars is a creative genius and this whole amphitheater and the community center idea was his creation and as Jon mentioned, this is a community asset. There are a lot of ways you -- you have observed the way developers try to probably maximize return. We don't think of it in those terms. We -- we think of our development obligation in terms of how are we maximizing return to the community and this is just one of those ways. So, yeah, we could take out seven percent of our open space and meet the minimum. We could attach the sidewalks and save a lot of money there. But that's not what maximizes the value of what we create. I appreciate the comments of the people that showed up to testify. I think they have a misunderstanding of what the Comprehensive Plan has always detailed and we have worked with your staff about -- based on this Comprehensive Plan to tailor it to the Comprehensive Plan. I think what we have created here is actually pretty spectacular and I just want to note that, you know, to the best of my knowledge I think we are probably the only developer that is proactively addressing school capacity and transportation capacity issues the way we are. I had conversations in the past how we get a little bit wary of doing this upfront work and, then, other developers come tag along and piggyback on the capacity that we helped create throughout the community. So, I hope that you can appreciate the effort we go through when we submit an application like this and I just want to compliment our team once again. With that we will stand for any questions.

Simison: All right. Thank you very much. Council, I'm going to say something that's going to shock you all in a certain way, but in this case I don't mind a roundabout. I will say this, though. I would prefer a one lane roundabout in this location, because I do think it ultimately takes away from the walkability of this area personally. I would love to see this road be two lanes through this area. I know that's not going to happen though. But just as a general proposed -- rule I think they have created something really unique. We don't know what's going to happen on a couple of corners to see how the rest of it would integrate, being the pedestrian connections from that standpoint and, unfortunately, this is what happens when we have mile line section roads, how it can sometimes impact what could be something really really special, instead you got to put a four lane road in between it. I digress.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Thank you, gentlemen, for your patience in answering our many questions. I do have a specific question about Gem Prep. I'm familiar with some of the other public charter schools in the area, but not with Gem Prep specifically. So, I'm wondering if it's set up on a lottery system like some of the other charter schools and, if so, and if that -- that being the case I assume, since the public is open to anybody in the -- in the district, it's not -- there is not boundaries -- geographic boundaries, so how is there an assurance

that the residents of this neighborhood will have access to Gem Prep versus students from another area if it is a lottery system?

Wardle; Mr. Mayor, Council Member Perreault, that's a great question. Actually, in the case of Gem Prep and charter, there -- there are two boundaries that they draw. One is a boundary that is directly -- you know, they draw a boundary fairly close around where they are going to be, so that they have that opportunity to draw from students that are nearby. So, they would be priority on the lottery system. If those seats are not filled, then, it is opened up to a broader range and, then, that repeats itself year after year after year. So, we have worked very closely with them to draw boundaries that are -- you know, they work in this south area, not just Pinnacle, but in the direct area, so that, you know, neighbors, homeowners, residents will have an opportunity to attend here. But clearly we have worked with them on drawing a boundary that would create priority for this area.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Maybe just a comment and an opportunity for the applicant to comment as well. I -- I have to compliment you. I agree I have not seen developers be this proactive on building roads, extending infrastructure, and there is a reason -- I mean this is part of the limits of the city and so, you know, when you have a ten acre property chances are you are not connected to city sewer, et cetera. But I -- I appreciate the additional capacity being added by Gem Prep, but it certainly doesn't mean that future phases aren't going to have similar problems. I just think it would be helpful for the public to hear that you are still going to be laser focused on school capacity and helping, you know, to be as proactive as you can in future phases given the size of this development.

Turnbull: I will address that a little bit. So, with the Gem Prep with 550 seats -- I assume the elementary school is going to be around 650 seats. We have already included 1,200 seats into our plan. If you took the -- you know, one of the previous ladies that testified talked about 2,000 homes. Yeah, we have other property out in this area. There will be future applications. This isn't the end of opportunities for school facilities. But if we just took a 2,000 unit number, which I don't know if it's accurate or not, but -- and multiply that by the number of students that would be -- .8. -- yeah .8 is -- is total. That includes high school. So, high -- setting aside high school, we probably have already created enough K through eight just in the few sites that we have to accommodate our development. Now, we are not naive enough to think that it's just going to be our development, but, you know, other developers in this area are going to have to step up to the plate, too. I guess we are counting on the Council to hold other people's feet to the fire instead of having it all fall on us every time, so -- but, you know, there will be future applications. It will be viewed under the same lens. So, what -- what are we doing for transportation, what are we doing for school capacity. So, I think we have demonstrated our track record that we have addressed those issues and proactively.

Strader: Thank you.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, I think it was Mr. Wardle who said it -- that this will set the tone for south Meridian and it certainly does. As they were going through their presentation I thought, yeah, this -- this is a high bar and that's what we need, because the growth is going -- growth is going to occur out there.

Cavener: Mr. Mayor?

Hoaglun: Is this -- is this less or more?

Simison: They had a hard time hearing you.

Cavener: Yeah. I think it was maybe Mr. Hoaglun, but we couldn't hear anything. Sorry.

Hoaglun: I switched microphones. How is this?

Cavener: Much better.

Hoaglun: Okay. Okay. Is this less is more type of deal, Chris? Okay. And you don't need to see me, because nothing to look out there. And, Mr. Wardle, you said this will set the tone for south Meridian and looking at it I was very impressed with -- with the -- with the community center, with the amphitheater area, the open space. It certainly does and I guess maybe for Mr. Turnbull, the question is can you maintain this. You know, this is the first of much more to come and will this be something that we can still point people to and say this is what -- this is what you need to be doing. When developers come and say, well, how come this wasn't approved or you are not happy with this. You know, I would like some assurances that, yes, you will -- you will keep setting that bar high as you continue to develop the area.

Turnbull: Thank you, Mr. Mayor, Council Member Hoaglun, I think that -- I don't want to be -- I don't want to give anybody the effect that we think that we are -- you know, we do everything right. We make mistakes. We learn from things that we have done in the past. But -- but I can't point to a project that we have done where I think we actually weren't doing the best thing that was -- that was being done at that time. We learn from every project. We -- we incorporate elements and lessons learned and we put them into the next project. So, that is a continual evolution of continuing to try to get better and better and advance the quality of development in Meridian. I think many of you are aware of a conversation I had with Mayor Tammy -- I don't know how long ago it was. Probably 20 years ago where I said, you know, Tammy, take a look at your location. The question is not whether Meridian is going to grow, it's going to be how is it going to grow. What's going to be the quality of that growth and so we continue to advocate for development standards that will position the city and its residents and I think we have done a pretty darn good job of that. So, yes, in answer to your question as we continue to bring

development forward in this area -- this won't be the last application -- we want to be measured against that same standard and we will continue to provide a premier development for the City of Meridian.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I apologize if this was already asked and answered. This is a lot to take in. A big project to -- to think about all the parts. With the phasing of the -- the Northwest and the Southeast are -- is one area going to be primary? So, are you going to focus on the Southeast first and the Northwest later or are you going -- are you planning on working on both phase one in both quadrants at the same time? Can you go over that -- the two applications in relationship to one another and how they will be phased?

Wardle: Mr. Mayor, Council Member Perreault, thank you for the question and the clarification. As we -- as I did mention, we do -- we will be starting in the Southeast, but we will also be following almost simultaneously in the Northwest. So, we will have a variety of living opportunities and be able to get the charter school before you sooner than later, but also execute on the amphitheater and community center at the very beginning of the project. So, there will be in the Northwest that first phase will probably be about 20 acres, ten of that will be residential and ten of it will be the community center and small neighborhood services and amphitheater. Starting in the Southeast we probably will have about 25 acres of that, which will include the charter school and close to 80 homes as well. So, those will be going kind of at the same time. But our emphasis is starting Southeast, followed up, just like I said, almost at the same time in the Northwest.

Perreault: Thank you.

Simison: Council, anything further or a motion?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I wonder if maybe this would be a situation where we might leave the public hearing open if we have more questions for the applicant during our deliberation.

Simison: I leave it to Council.

Cavener: I'm good with that. That way a Council Member doesn't try to close the public hearing twice.

Simison: I will go to --

Borton: Mr. Mayor?

Simison: Yeah. I was going to say, Mr. Borton, you have been quiet, so -- I think we have heard from everybody else.

Borton: Thank you, Mr. Mayor. Just listening and taking it all in. A lot of preparation in getting ready for today's hearing, reviewing the materials, and it's a large complex application, but I think starting with the comp plan and what's been intended down there is something that I started my focus and review on and the staff report summarizes it pretty well. This project, in my mind, does check off all the boxes. It provides the variety of amenities, some of which are extremely unique. A large project like this has an opportunity to do unique things and that opportunity can be skipped, but this application seemed to capture that and try to -- to go above and beyond, to be unique in how it provides the amenities within it, the community center and amphitheater that we are looking at right now is just an example. The comp plan in review talks about a principle of diverse housing opportunities. I think this plan as a whole hits that one as well. A lot of good discussion on addressing school capacity and -- and transportation -- transportation capacity. Really important topics for us and I think this application was very proactive in addressing both of those concerns in ways that we don't see other applicants being able to do. So, I commend the applicant with those efforts as well. I think in review and in hearing the comments today and in looking at my notes, it's -- this master integrated community -- community plan, the town center, trails and pathways, there is reference -- Jon referenced social and outdoor experiences. There is a lot of things that -- that this large scale development does in a very unique and positive way that I -- I agree with Mr. Turnbull in describing it as providing value for the region as a whole. So, listening -- excuse me -- listening to the questions from fellow Council Members -- excuse me -- helped -- helped me gain even more comfort with this application. I think the rezone -- it's what's been planned in the comp plan and the future land use map for a number of years. That wasn't changed recently. We are -- we have a desire to now hold true to it, so I think it allows us to do it. So, the long and the short of it is, Mr. Mayor, I'm very supportive of this application as presented, having walked through all the requirements to make something like this -- this large scale development be successful. I think it's going to be a gem for south Meridian and I'm supportive of it.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I agree. I think that's perfect -- perfectly said. I think that Brighton's done a beautiful job with this. I appreciate them being proactive. I continue to be concerned about the education issue and the overcrowding and I think it's good for other developers in south Meridian to hear this is the bar that it takes to clear I think to get a large scale development approved in south Meridian and my expectation is that other developers are going to be part of helping to solve community problems and be real partners in the community. So, I just wanted to say that. But I like this project. I think it's a unique opportunity and I think it's a much better outcome having this big master plan than having smaller individual developments that are not integrated with this mix of uses and different amenities. So, I am also supportive.

Simison: As someone who has --

Cavener: Mr. Mayor?

Simison: Oh, Mr. Cavener.

Cavener: Please. You live in south Meridian, too. So do I. I would love to hear your thoughts.

Simison: Well, I was just going to suggest two -- two things is that, you know, creating community is hard and, you know, I think that Brighton's track record just in south Meridian is one that shows that they care about creating places and not just building homes. You know, I know -- I understand that the -- there is issues with density. Nobody likes density to a certain extent, although I wish I sometimes had a smaller lot than I currently have, because density creates yard work and that's not my favorite thing to do. But, you know, in -- in somewhat jest and somewhat seriousness, I encourage Mr. Turnbull to turn Lars loose a little bit more on -- when you have that opportunity on -- on these, because I do think that what you have presented is a very innovative way to look at an intersection of -- how you are incorporating the intersection components with two separate sets of communities. I had no idea what will go on the other corners, but it is a real testament to allow your team to see what they can put together and, essentially, create a space for the community. My one concern in this is, you know, if everyone's mailbox is in that one location, what's your traffic pattern going to be like at 5:15 four -- four days a week coming through that space, so -- and half joke, half serious, I don't know what that really looks like, how that flow moves through that area, but overall I think it's a great project, but if you haven't thought about that -- maybe you already have -- think about that and maybe everyone is just going to walk there at the end of the day, because that's where the ice cream shop is. I don't know. So, Councilman Cavener, your south Meridian comment.

Cavener: Thanks, Mr. Mayor. You captured -- much of Council has a lot of my thoughts. You know, I keep coming back to -- as a -- as a body we often find ourselves wrestling with two major categories, impact on schools, impact on our roads, but I think both of those are kind of just underlying issues about probably the overriding philosophy that our community is facing, which is that of just growth in general and should we grow, should we not grow, where is it okay to grow, where is it not okay to grow and for me, as somebody who grew up in Meridian and now lives in south Meridian, I remember a time where our only choice of housing was a big house on a big lot or a small house on a big lot and as buyers' demands and needs have changed and evolved, the free enterprise has evolved with that, and that's why when I look at Pinnacle, it's -- I think it's a showcase piece for community to show how diverse housing can work together, to the Mayor's point, to create community and I think the applicant has done a masterful job of addressing the two main factors that we wrestle with and so it really just boils down to some of the comments that we heard from, you know, the public tonight about is it okay to grow there. Big lots with agricultural use having our community kind of grow against their border and that's a philosophical debate that we could do for weeks and never come to a conclusion. So, for me it comes back to the -- I think the -- the most creative approach to having four

corners that I have seen in our community and you look across the nation, I mean they are given this amazing canvas and they created something really creative, something that whether you live in south Meridian, like the Mayor or I, or even in north Meridian or in another community in the Treasure Valley, you can look to and be proud of that. So, I'm supportive of the application. The boxes that we sometimes check as Council and we look at, I think they have checked in spades, but, moreover, they have created a project I think that we can really be proud to call a part of Meridian.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I just wanted to comment on a couple things. Julie Edwards said something that was interesting, talking about kids crossing the roundabout and -- and I know this is an ACHD thing, it's not in our wheelhouse to do, but, you know, I think she -- I would be concerned, too, because of the traffic and how they go around. If -- just a suggestion. I don't know if this is possible, but down the road if HAWK lights could be put in farther back from that roundabout for kids to cross might be something to look at. That just might be -- you know, I don't know if that would work, but I can understand her concern. I know when Mr. Loveland and Ms. White spoke, you know, the concern about the change and the densities and it is different and believe me I get it. My wife and I were on -- on her folk's dairy farm in northwest Meridian and change came, developers came, and we were fortunate that we were able to help guide that development to a place that, yes, we want a subdivision where we would want to live in. If we were coming here to move, we would look at that seriously to happen and we were out for a walk here a while back and we were talking about how it was a good change, they did a good job and everything. But we still miss seeing the whole Boise front mountains, you know, and the sunrise, sunset and those types of things. So, it will be different, but the good news is you have a developer who you heard is passionate about what they do, they are willing to invest and you will be glad that, yes, it's changed and there is some things you are going to miss that you go, ah, I wish we still had that. But, you know, change is coming and with that change you want it to be the very best it can be and I think you will -- you will see that the development will be top notch and that's -- that's a good thing. Just like we feel like things change, it had to change, and it's -- it's a good place to be, so -- but it is hard. It truly is hard. And -- and I certainly tried to put Mr. Turnbull on the spot there and get them to keep the bar high and I have no doubt the way they do their developments -- they do learn, they -- they change, they evolve and they are always trying to make it better, which we appreciate. So, other than roundabouts, which, Mayor, you did surprise me that you are in favor of the roundabout there. Yeah, just keeping an eye on that, seeing if other things need to happen to adjust with what goes on there and I know you have got good folks who do that and I think it's -- it's a good development. Yeah, it's a great development. It does set the bar high out there for south Meridian and that's certainly what we want to see and -- and have -- have others to follow in other areas commit to that high bar as well. So, that's all I have.

Simison: So, with that is there a desire to keep the public hearing open? Great. Any

further --

Hoaglund: Mr. Mayor, I do have one question on this. There are three different public hearings -- three different proposals here. Are all of these, Mr. Nary, that we have to close individually and vote on individually? Can it be a group deal or how does that work?

Nary: So, Mr. Mayor, Members of Council, Council Member Hoaglund, since you opened them together you can close them all together. The one thing I will point out on 4-B, the request for annexation, remember that was removed. So, in your motion make sure to note the fact that that was not part of the motion, because it has been requested to be removed from your consideration.

Hoaglund: Thank you. Well, Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for H-2020-0066, H-2020-0056, and H-2020-0057.

Perreault: Second.

Borton: Second.

Simison: I have a motion and a second to close the public hearings. Is there any discussion on the motion? If not, all those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FIVE AYES. ONE RECUSED.

Nary: Mr. Mayor?

Simison: Mr. Nary.

Nary: Mr. Mayor, Members of Council, to follow up on the individual applications, you will need to do them separately, because they obviously -- we have to keep track of the votes for each one -- individually could be appealed. So, you will need to move to take action on each one separately and vote separately.

Simison: Thank you, Mr. Nary.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After considering all staff, applicant, and public testimony, I move to approve H-2020-0066 for Items A and C, since B was removed.

Strader: Second.

Cavener: Second.

Simison: I have a motion and a second to approve H-2020-0066, Items A and C. Is there any discussion on the motion? Hearing none, Clerk will call the roll.

Roll call: Bernt, recused; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion is approved.

MOTION CARRIED: FIVE AYES. ONE RECUSED.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: After considering all staff, applicant, and public testimony, I move that we approve H-2020-0056, containing Item A.

Cavener: Second.

Simison: I have a motion and a second to approve Item H-2020-0056. Is there any discussion on the motion? If not, Clerk will call the roll.

Roll call: Bernt, recused; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea; Perreault, yea.

Simison: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE RECUSED.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: I move that we -- after considering all staff, applicant, and public testimony, I move to approve H-2020-0057, which included Item A.

Cavener: Second.

Simison: I have a motion and a second approve H-2020-0057. Is there any discussion on the motion? Hearing none, Clerk will call the roll.

Roll call: Bernt, recused; Borton, yea; Cavener, yea; Hoaglun, yea; Strader, yea;

Perreault, yea.

Simison: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE RECUSED.

FUTURE MEETING TOPICS

Simison: Council, we are at the end of our agenda. Is there any items under future meeting topics?

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: Just maybe a precursor and I'm happy to follow up with you and the Council President. I got a phone call today from a gentleman representing Crimestoppers who had indicated a desire to come speak to Council about the program. Perhaps we could combine that. I know we have had some conversations at different points about hearing from PD about crime prevention and some of the work that's coming out of that office. So, just something to put on your radar. I will -- we were playing phone tag, so I will get the details pulled together and forward it on to you, if that's something we want to consider.

Simison: Duly noted.

Cavener: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we adjourn.

Perreault: Second.

Cavener: Second.

Simison: I have a motion and a second to adjourn. All those in favor signify by saying aye. Opposed nay. The ayes have. We are adjourned.

MOTION CARRIED: FIVE AYES. ONE RECUSED.

MEETING ADJOURNED AT 7:36 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Final Plat for Aegean Estates No. 2 (H-2020-0084) by Becky McKay, Engineering Solutions, LLP, Generally Located South of the Five Mile Creek, East of N. McDermott Rd.



PUBLIC HEARING INFORMATION

Staff Contact: Sonya Allen

Meeting Date: August 25, 2020

Topic: Final Plat for Aegean Estates No. 2 (H-2020-0084) by Becky McKay, Engineering Solutions, LLP, Generally Located South of the Five Mile Creek, East of N. McDermott Rd.

Information Resources:

[Click Here for Application Materials](#)

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT

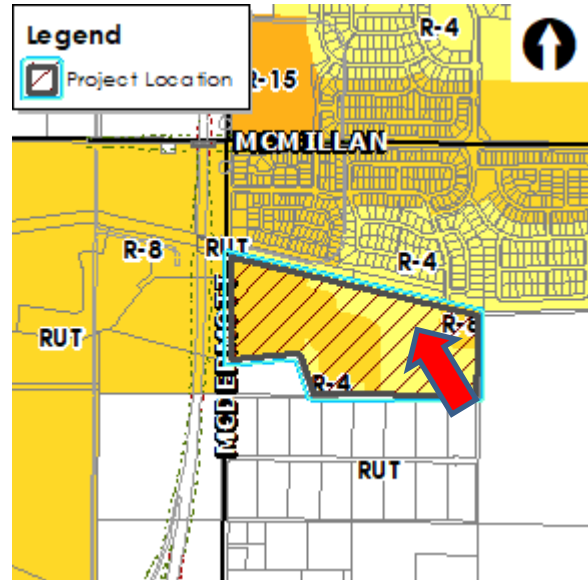


HEARING DATE: 8/25/2020

TO: Mayor & City Council
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0084
Aegean Estates No. 2

LOCATION: East side of N. McDermott Rd., ¼ mile south of W. McMillan Rd. (south of the Five Mile Creek), in the NW ¼ of Section 33, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

Final plat consisting of 24 buildable lots and 6 common lots on 8.33 acres of land in the R-4 zoning district.

II. APPLICANT INFORMATION

- A. Applicant:
Shari Stiles, Engineering Solutions, LLP – 1029 N. Rosario St., Ste. 100, Meridian, ID 83642
- B. Owner:
Endurance Holdings, LLC – 1977 E. Overland Rd., Meridian, ID 83642
- C. Representative:
Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2017-0114) in accord with the requirements listed in UDC 11-6B-3C.2.

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Staff has reviewed the proposed plat and the number of buildable lots has decreased by one (1) and the common open space has increased with the addition of a common lot between Lots 21 and 23, Block 1 for subsurface storm water drainage. Therefore,

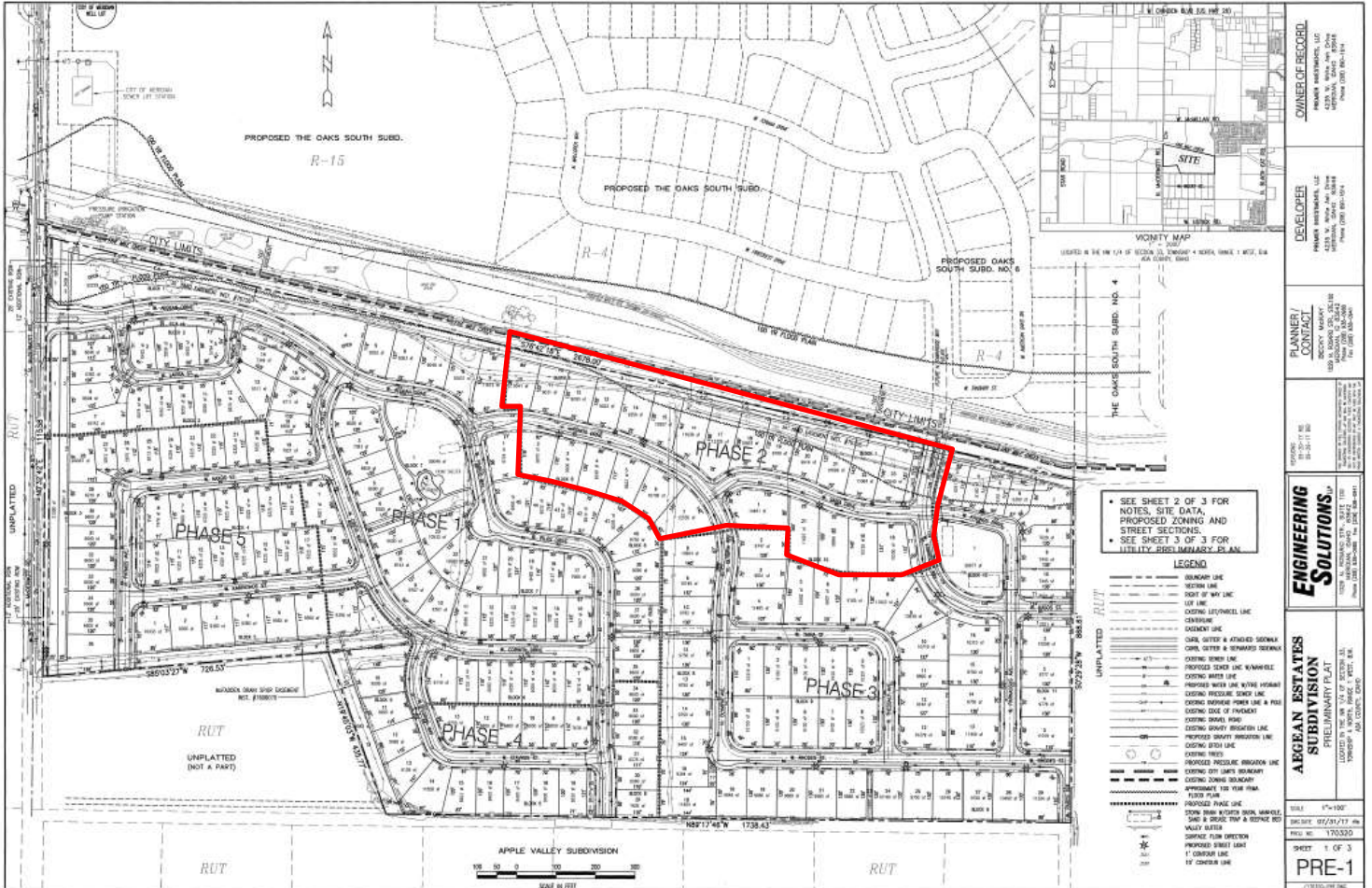
Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

IV. DECISION

Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

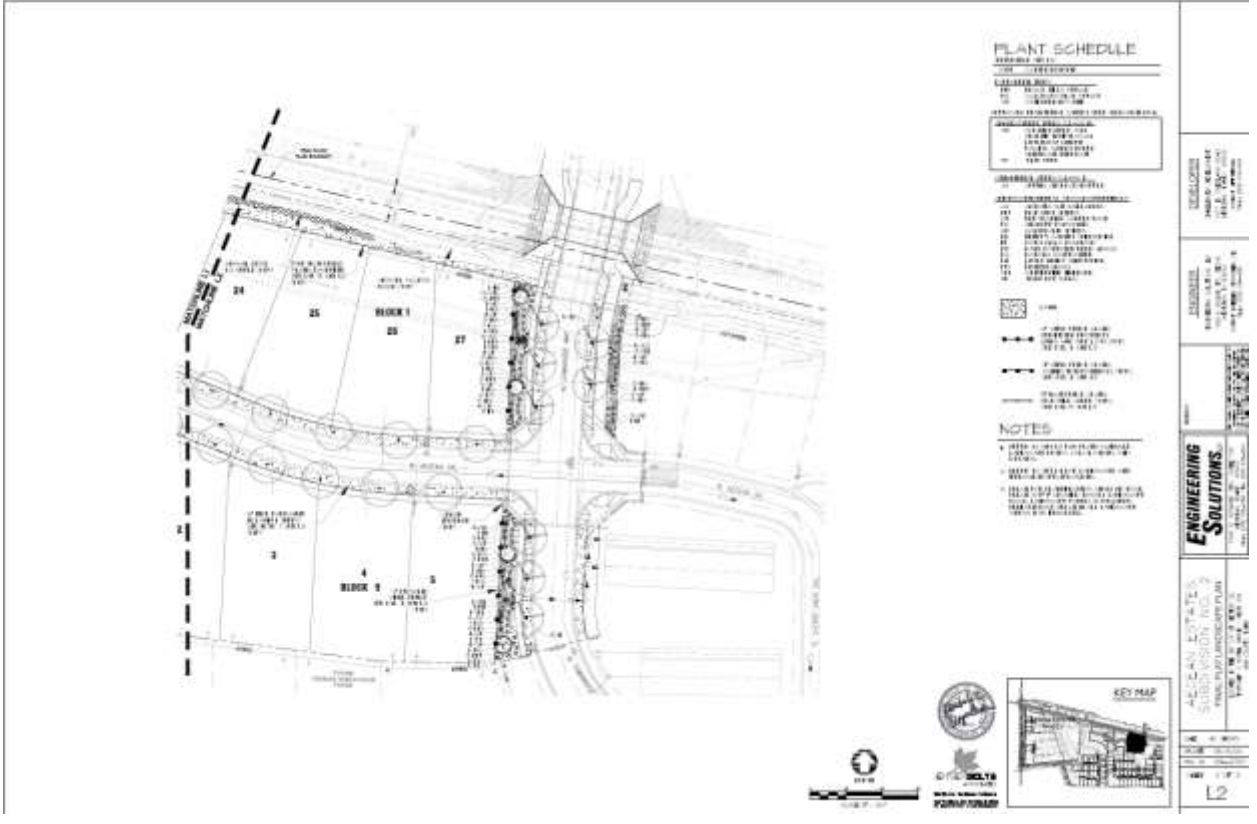
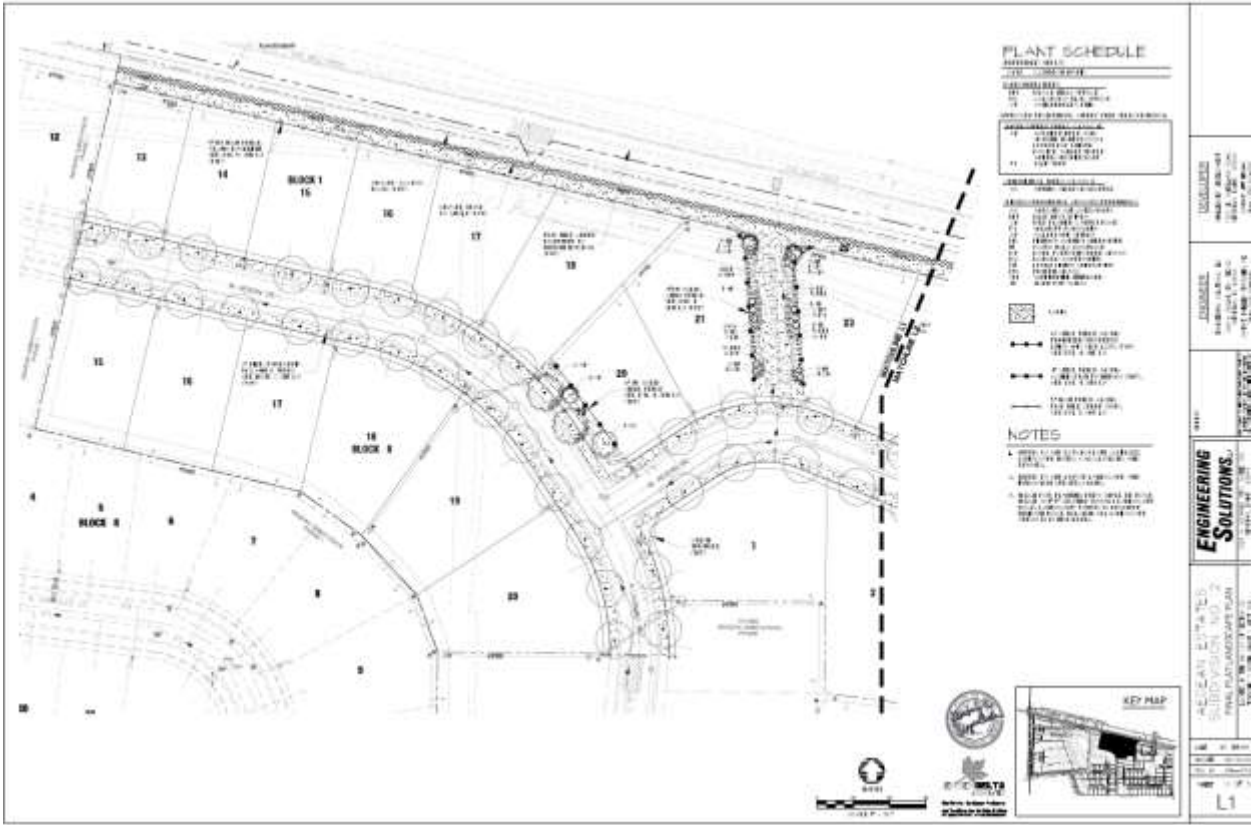
V. EXHIBITS

A. Preliminary Plat (dated: 7/31/2017)



| |
|---|
| OWNER OF RECORD PRIMER INVESTMENTS, LLC 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 |
| DEVELOPER PRIMER INVESTMENTS, LLC 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 |
| PLANNER / CONTRACT SOCIETY MARKET, INC. 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 |
| ENGINEERING SOLUTIONS 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 |
| AGRIAN ESTATES SUBDIVISION 10000 W. 10TH AVE. SUITE 100 DENVER, CO 80202 |
| PRE-1 |

C. Landscape Plan (dated: 06/30/2020)



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall meet all terms of the approved annexation (Development Agreement - Inst. #2017-116562) and preliminary plat (H-2017-0114) applications approved for this site.
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Engineer's signature on the previous phase final plat; *or* apply for a time extension, in accord with UDC 11-6B-7.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat prepared by Engineering Solutions, LLP, stamped by Clinton W. Hansen, dated: 6/11/2020, included in Section V.B shall be revised as follows:
 - a. Include the recorded instrument number of the existing ACHD permanent easement in the Legend.
 - b. Note #11: Include Lot and Block numbers that are servient to and contain the ACHD storm water drainage system.
 - c. Note #12: Include the recorded instrument number of the ACHD License Agreement.

A copy of the revised plat shall be submitted for City Engineer signature.
5. The landscape plan prepared by Jensen Belts Assoc., dated 06/30/2020, included in Section V.C, is approved as submitted.
6. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Sue Prescott, at 887-1620 for more information.
7. All fencing shall comply with the standards of UDC 11-3A-7C.
8. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. The street light plan submitted with the construction plans appear to meet city requirements based on a preliminary review. The type 1 streetlights on McDermott need to be placed over McDermott Road, and not the entry road.
2. A Floodplain Development Permit is required. A hydraulic study was completed for The Oaks Subdivision. Phase #1 of this development has no buildings in the floodplain. The permit is needed for site work.
3. The applicant shall be required to pay the Oaks Lift Station and Pressure Sewer Reimbursement Fees in the amount of \$265.25 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid prior to city signatures on the first final plat.
4. The applicant shall be required to pay required to pay the Oaks Lift Station Pump Upgrades Reimbursement fees in the amount of \$185.43 per building lot. The aggregate amount of the

reimbursement fees for the entire preliminary plat area must be paid prior to city signatures on the first final plat.

General Conditions:

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

11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any 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 Water Department at (208)888-5242 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.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.

23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
24. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Apex (H-2020-0066) by Brighton, Murgoitio, et al., Generally Located East of S. Meridian Rd. and North of E. Columbia Rd.

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



In the Matter of the Request for a Modification to the Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to Replace the Agreements with One New Agreement Based on the Proposed Development Plan; Rezone of 384.97 acres of Land from the R-4 to the R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) Zoning Districts; Preliminary Plat Consisting of 120 Residential Buildable Lots, 11 Commercial Buildable Lots and 14 Common Lots on 41.75 Acres of Land in the C-C and R-15 Zoning Districts; and Preliminary Plat Consisting of 237 Residential Buildable Lots, 2 Commercial Buildable Lots, 30 Common Lots and 10 Other (Shared Driveway) Lots on 81.63 Acres of Land in the C-C and R-8 Zoning Districts, by Brighton, Murgoitio, et al.

Case No(s). H-2020-0066; H-2020-0056; H-2020-0057

For the City Council Hearing Date of: August 11, 2020 (Findings on August 25, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.

- 6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of August 11, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for a modification to the existing Development Agreements, Rezone and Preliminary Plats is hereby approved per the provisions in the Staff Report for the hearing date of August 11, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of August 11, 2020

By action of the City Council at its regular meeting held on the _____ day of _____, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020

TO: Mayor & City Council

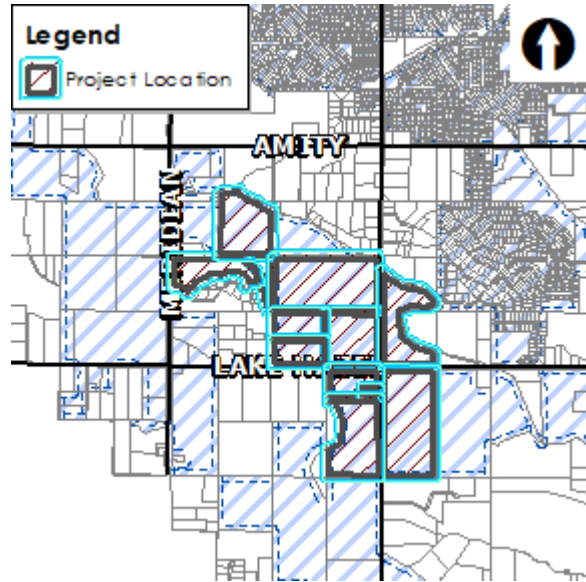
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbian Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.

PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E

PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

Modification to existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan; ~~Annexation of 40.09 acres of land with an R-2 zoning district;~~ and, Rezone of 384.97 acres of land from the R-4 to the R-2 (0.70 acre), R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

Apex Northwest (NW): Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

Apex Southeast (SE): Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Because right-of-way for E. Lake Hazel Rd. and S. Locust Grove Rd. separates the land proposed to be platted, two separate preliminary plat applications are required to subdivide the property.

II. SUMMARY OF REPORT

A. Project Summary

| Description | Details | Page |
|---|--|-------------|
| Acreage | 40.09 (AZ); 384.97 (RZ); 41.75 (PP - Northwest); 81.63 (PP - Southeast) | |
| Existing/Proposed Zoning | RUT in Ada County (existing); R-4 (Medium Low-Density Residential) | |
| Future Land Use Designation | Low Density Residential [LDR (3 or fewer units/acre) – 39+/- acres]; Medium Density Residential (MDR – 3 to 8 units/acre) (206/- acres); Medium High-Density Residential (21+/- acres); & Mixed Use – Community (MU-C) (120+/- acres) | |
| Existing Land Use(s) | Agricultural | |
| Proposed Land Use(s) | Single-family residential (SFR) attached/detached, commercial, office, 2 schools (elementary & charter) | |
| Lots (# and type; bldg./common) | NW: 120 residential buildable/11 commercial buildable/14 common SE: 237 residential buildable/2 commercial buildable/30 common/10 other NW & SE Combined: 357 SFR residential buildable; 13 commercial buildable; 44 common lots; and 10 other lots for shared driveways | |
| Phasing Plan (# of phases) | 3 (NW); 5 (SE) | |
| Number of Residential Units (type of units) | NW: 120 units (88 detached/32 attached) SE: 237 units (detached) NW & SE Combined: 325 detached & 88 attached | |
| Density (gross & net) | NW: 5.62 units/acre (gross); 11.21 units/acre (net) SE: 3.75 units/acre (gross); 6.17 units/acre (net) NW & SE (overall): 4.22 units/acre (gross); 7.27 units/acre (net) | |
| Open Space (acres, total [%]/buffer/qualified) | NW: 6.33 acres (15.17%) SE: 10.79 acres (13.22%) NW & SE Combined: 17.12 acres (or 13.88%) | |
| Amenities | NW: Community center with a clubhouse, community post office, café, library/business center; community amphitheater; additional common open space above the minimum required. SE: Community swimming pool, tot lot with play equipment, pathway access to the City’s Discovery Park, additional common open space above the minimum required. | |
| Physical Features (waterways, hazards, flood plain, hillside) | The Farr Lateral runs along the north and east boundaries of this site; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the site. | |
| Neighborhood meeting date; # of attendees: | 2/5/20; 29 attendees | |
| History (previous approvals) | ROS #7394; ROS #7783; H-2015-0019 – South Meridian AZ (DA’s: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; and Murgoitio Limited Partnership – Inst. #2016- 007074) | |

B. Community Metrics

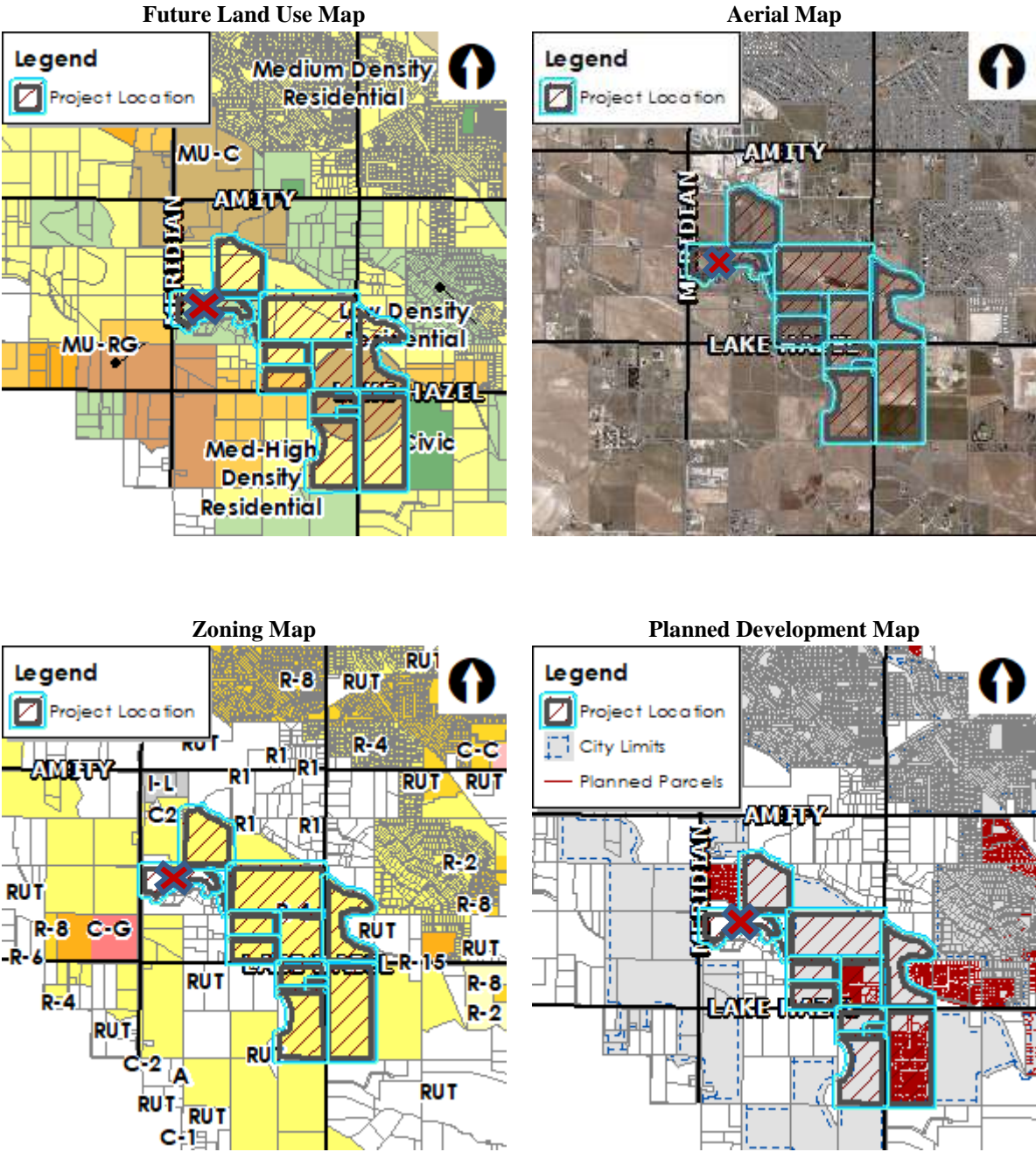
| Description | Details | Page |
|--|-------------------------------|-------------|
| Ada County Highway District | | |
| • Staff report (yes/no) | Yes (PP, draft); Yes (AZ, RZ) | |
| • Requires ACHD Commission Action (yes/no) | Yes (TBD) | |
| Traffic Impact Study (yes/no) | Yes | |

| Description | Details | Page |
|--|---|------|
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | NW: 2 accesses via S. Locust Grove Rd. & 2 accesses via E. Lake Hazel Rd., both existing arterial streets; and 2 collector streets are proposed SE: 2 accesses via E. Lake Hazel Rd. & 3 accesses via S. Locust Grove Rd., both existing arterial streets; and 3 collector streets are proposed | |
| Traffic Level of Service | Better than “D” (Acceptable level of service is “E”) – Lake Hazel, Locust Grove & Amity Roads | |
| Stub Street/Interconnectivity/Cross Access | Two stub streets are proposed to this site from Prevail Subdivision near the northwest corner of the rezone area; no other stub streets exist to this site. Stub streets are proposed to adjacent properties for interconnectivity as shown on the preliminary plats. | |
| Existing Road Network | There are no existing streets within the site, only S. Meridian Rd./SH-69, E. Lake Hazel Rd. and S. Locust Grove Rd. adjacent to the site | |
| Existing Arterial Sidewalks / Buffers | There are no existing sidewalks or buffers along Meridian Rd./SH-69, Lake Hazel, or Locust Grove Roads. | |
| Proposed Road Improvements | <p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road in 2023. • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road in 2021. • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Eagle Road to Cloverdale Road in 2024. • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Five Mile Road. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023. • The intersection of Locust Grove Road and Victory Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 4-lanes on the north and south legs and 2-lanes on the east and west legs in 2021. • Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Locust Grove Road to Eagle Road between 2026 and 2030. • Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Meridian Road (SH-69) to Locust Grove Road between 2026 and 2030. • Amity Road is listed in the 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 CIP to be reconstructed as a single lane roundabout widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg with a westbound bypass right turn bypass lane between 2026 and 2030. • The intersection of Lake Hazel Road and SH-69 is listed in the CIP to be widened to 7-lanes on the north, south, west and east legs and signalized between 2026 and 2030. • The intersection of Locust Grove Road and Amity Road is listed in the CIP to be widened to 4-lanes on the north leg, 3-lanes on the south leg, 5-lanes on the west leg and 6-lanes on the east leg and signalized between 2026 and 2030. <p>Additional right-of-way is required to be dedicated for the future expansion of Lake Hazel & Locust Grove Roads with pavement widened to 17’ from centerline</p> | |
| Fire Service | | |
| • Distance to Fire Station | NW – 3.3 miles to Fire Station #4 SE – 3.1 miles to Fire Station #4 | |
| • Fire Response Time | NW & SE - only a small portion falls within 5 minute response time goal | |
| • Resource Reliability | NW & SE - 78% - does <i>not</i> meet target goal of 80% or greater | |
| • Risk Identification | NW & SE – 1 and 4, current resources would <i>not</i> be adequate to supply service to this project | |
| • Accessibility | NW & SE - Project meets all required access, road widths and turnarounds <i>if</i> phasing plan is followed | |

| Description | Details | Page | | | | | | | | | | | | | | | | | | | | |
|--|---|----------|---|----------|---|-----------------------------|-----|-----|-----|---------------------|-----|-----|-----|-----------------------|-----|------|-----|---------------------------|------|------|-----|--|
| <ul style="list-style-type: none"> Special/resource needs | NW & SE - Project will require an aerial device; response time is 9 minutes travel time (under ideal conditions) – can meet this need in the required timeframe if needed | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Water Supply | NW & SE - Requires 1,500 gallons per minute for 2 hours, may be less if buildings are fully sprinklered | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Other Resources | | | | | | | | | | | | | | | | | | | | | | |
| Police Service | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Police Station | 4.5 miles | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Police Response Time | Average response time in the City is just under 4 minutes – there isn’t enough public initiated call data to determine an average response time for this area (goal is 3-5 minutes) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Calls for Service | 71 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Accessibility | No concerns | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Specialty/resource needs | No additional resources are required at this time. | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Crimes | 10 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Crashes | 38 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Other | The MPD can provide service if this development is approved as they already serve this area. | | | | | | | | | | | | | | | | | | | | | |
| 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 <small>(Dist. to School)</small></th> </tr> </thead> <tbody> <tr> <td>Mary McPherson Elementary**</td> <td>555</td> <td>550</td> <td>2.0</td> </tr> <tr> <td>Siena Elementary***</td> <td>677</td> <td>800</td> <td>3.1</td> </tr> <tr> <td>Victory Middle School</td> <td>969</td> <td>1000</td> <td>4.2</td> </tr> <tr> <td>Mountain View High School</td> <td>2210</td> <td>2349</td> <td>3.3</td> </tr> </tbody> </table> <p>**During the 20/21 school year Mary McPherson's student capacity will increase to 675, due to the current classroom expansion underway. **</p> <p>***Enrollment at Hillsdale Elementary is currently capped. Students in this development that are in the Hillsdale Boundary will be attending Siena Elementary until a new school is built to eliminate overcrowding at Hillsdale.***</p> | | Enrollment | Capacity | Miles <small>(Dist. to School)</small> | Mary McPherson Elementary** | 555 | 550 | 2.0 | Siena Elementary*** | 677 | 800 | 3.1 | Victory Middle School | 969 | 1000 | 4.2 | Mountain View High School | 2210 | 2349 | 3.3 | |
| | Enrollment | Capacity | Miles <small>(Dist. to School)</small> | | | | | | | | | | | | | | | | | | | |
| Mary McPherson Elementary** | 555 | 550 | 2.0 | | | | | | | | | | | | | | | | | | | |
| Siena Elementary*** | 677 | 800 | 3.1 | | | | | | | | | | | | | | | | | | | |
| Victory Middle School | 969 | 1000 | 4.2 | | | | | | | | | | | | | | | | | | | |
| Mountain View High School | 2210 | 2349 | 3.3 | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> # of Students Anticipated from this Development | 286 | | | | | | | | | | | | | | | | | | | | | |
| Wastewater | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Sewer Services | Directly adjacent | | | | | | | | | | | | | | | | | | | | | |
| <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 | 13.95 | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan | Yes | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Impacts/Concerns | Flow has been committed | | | | | | | | | | | | | | | | | | | | | |
| Water | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Water Services | Directly adjacent | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Pressure Zone | 5 | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Estimated Project Water ERU's | See application | | | | | | | | | | | | | | | | | | | | | |

| | | |
|---|---|--|
| <ul style="list-style-type: none"> • Water Quality | None | |
| <ul style="list-style-type: none"> • Project Consistent with Water Master Plan | Yes | |
| <ul style="list-style-type: none"> • Impacts/Concerns | Public Work's preference is to see all water utilities in the public right-of-way (ROW), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions | |

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Brighton, Murgoitio, et al – 2929 W. Navigator #400, Meridian, ID 83642

B. Owner:

Same as Applicant

C. Representative:

Michael D. Wardle, Brighton Corporation – 2929 W. Navigator #400, Meridian, ID 83642

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|--|---|----------------------------------|
| Notification published in newspaper | 6/19/2020 | 7/24/2020 |
| Notification mailed to property owners within 300 feet | 6/16/2020 | 7/21/2020 |
| Applicant posted public hearing notice on site | 6/26/2020 | 7/29/2020 |
| Nextdoor posting | 6/16/2020 | 7/21/2020 |

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

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates approximately ~~39 acres of the site as Low Density Residential (LDR)~~, 206+/- acres as Medium Density Residential (MDR); 21+/- acres as Medium High-Density Residential (MHDR); and 120+/- acres as Mixed Use – Community (MU-C). A future school site and City Park is designated in the general area northwest of the Locust Grove/Lake Hazel intersection, north of the MU-C designated area. Another school site is designated on the east side of N. Locust Grove Rd., north of Lake Hazel Rd., just north of the subject rezone area.

~~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.~~

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 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 purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas

have a tendency to be larger than in Mixed Use – Neighborhood (MU-N) areas, but not as large as in Mixed Use – Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C in the Comprehensive Plan (see pg. 3-16). In reviewing development applications, the items noted on Pgs. 3-13, 3-15 and 3-16 will be considered (see analysis below).

Transportation: ACHD’s [Master Street Map \(MSM\)](#) depicts an east/west residential collector street at the half mile between Amity and Lake Hazel Roads; a north/south industrial collector at the half mile between Meridian and Locust Grove Roads north of the half mile between Amity and Lake Hazel Roads, which transitions to a residential collector to the south to Lake Hazel Rd.; a commercial collector around the MU-C designated area at the Locust Grove/Lake Hazel intersection (see dashed lines on map below), and a residential collector along the southern boundary of Apex Southeast. A dual lane roundabout is planned at the Locust Grove/Lake Hazel Rd. intersection. *Note: Because a residential collector seems to be more appropriate than an industrial collector street designation in this area, ACHD has included a change to the street classification in the MSM update currently in process.*

The proposed preliminary plats depict collector streets consistent with the MSM (i.e. E. Crescendo St. & S. Apex Ave. in Apex Northwest; and E. Tower St., S. Vertex Way and E. Via Roberto St. in Apex Southeast). The proposed Master Plan included in Section VIII.A, depicts conceptual street locations in the annexation/rezone area; **future preliminary plats should provide collector streets in accord with the MSM as required by ACHD.**



Proposed Development: The Applicant proposes to develop the 41.75 acre property at the northwest corner of Locust Grove and Lake Hazel Roads in the MDR & MU-C designated areas with 120 single-family residential units consisting of 32 attached units and 88 detached units, a future public elementary school, and neighborhood-scale commercial uses as allowed in the C-C zoning district. The 81.63 acre property located at the southeast corner of Locust Grove and Lake Hazel Roads in the MDR and MU-C designated areas is

proposed to develop with 237 single-family residential detached units, a charter school, and commercial uses as allowed in the C-C zoning district.

A City Park is not required to be provided with this development due to the proximity of Discovery Park at the project’s southeast boundary; however, the Park’s Dept. would be willing to discuss the potential for a partnership if desired by the Applicant.

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)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front and alley-loaded) are proposed in Apex Southeast.

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

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

- “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)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front- and alley-loaded) are proposed in Apex Southeast.

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

The proposed residential uses should be compatible with existing rural residential/agricultural uses in the area. The proposed design of the commercial and residential areas with streets separating the uses should minimize conflicts.

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

Internal pedestrian pathways are proposed through common areas for interconnectivity as well as to the City Park on the east side of Apex Southeast and to perimeter sidewalks. Segments of the City’s multi-use pathway system are required in accord with the Pathways Master Plan (see Park’s Dept. comments in Section IX.E). Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

- “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 in accord with current City plans.

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

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed with the preliminary plats.

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

*Lake Hazel Rd. lies between the proposed preliminary plats and is classified as a residential mobility arterial that is planned to be a major transportation corridor. A City Park (Discovery Park) abuts the east side of the proposed Apex Southeast subdivision. All four corners of the Lake Hazel/Locust Grove intersection are designated for mixed use (MU-C) development. **Development in this area should be high quality and more densely populated at a minimum of 6 units/acre in the MU-C designated area. The gross density of Apex Southeast is only 3.75 units per acre while the density of Apex Northwest is 5.62 units per acre. Staff encourages a higher density due to the location of this site adjacent to a major transportation corridor and City Park. This could be attained through the inclusion of more dense housing types such as more single-family attached units, townhome units and/or multi-family apartments.***

- “Ensure development provides safe routes and access to schools, parks, and other community gathering places.” (2.02.01G)

Detached sidewalks and pathways are proposed throughout the proposed subdivisions for safe pedestrian access to the future school sites, the City Park and neighborhood commercial/office uses.

- “Where feasible, encourage large transmission and pipeline utility corridors to function as transitional buffers, parkland, pathways, and gathering spaces within and adjacent to their right of way.” (3.07.01E)

A 75-foot wide easement for the Williams Northwest Gas Pipeline crosses this site and is depicted on the Master Plan and preliminary plats as grassy open space area containing a multi-use pathway. No structures are allowed within this easement.

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

Collector streets are proposed on the preliminary plats in accord with the MSM; collector streets will be required to be provided with future preliminary plats in accord with the MSM as required by ACHD.

In reviewing development applications, the following items will be considered in all Mixed Use areas, per the Comprehensive Plan (pg. 3-13): *(Staff’s analysis in italics)*

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”

The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.

- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”

Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.

- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”

A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

is required as a provision of the rezone to ensure future development is consistent with the MU-C FLUM designation.

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”
*The Master Plan for Apex Northwest depicts a community center with a plaza and amphitheater in the commercial portion of the development. **The Master Plan for the commercial portion of Apex Southeast nearest the intersection doesn’t include a development plan – the future plan should include some form of common, usable area such as a plaza or green space as desired as should other future commercial/office areas in MU-C designated areas where future development is unknown at this time.***
- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”
There are no existing residential uses adjacent to proposed commercial development; therefore, transitional uses and buffering aren’t applicable.
- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”
A public school is planned in Apex Northwest and a charter school is planned in Apex Southeast per the Master Plan in accord with the FLUM which depicts two school sites in this general area. A community center and amphitheater is proposed in the commercial portion of Apex Northwest. A 27-acre City Park (Discovery Park) abuts the east side of Apex Southeast. A linear open space is planned where the Williams Northwest Gas Pipeline easement is located.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”
An outdoor amphitheater, community center with a plaza and charter school is proposed in this development in the MU-C designated area. Discovery Park, a 27-acre regional City park, exists to the east of Apex Southeast and includes picnic shelters, pathways, open play areas, play structures, a splash pad, an off-leash dog park and ballfields.
- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”
The public/quasi-public areas (i.e. community center and amphitheater) proposed in this development are centrally located within the mixed use designated area in Apex Northwest. Discovery Park abuts Apex Southeast and offers a wide variety of activities for area residents.
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”
The proposed mixed use developments will be directly accessible to adjacent neighborhoods within the section through extension of streets and internal pedestrian pathways.
- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”
Roadways are proposed as a transition between residential and commercial land uses in both of the proposed subdivisions; and alleys, roadways and common areas are proposed between residential housing types and densities as desired.

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

The subject property is not located in Old Town, therefore, this item is not applicable.

In reviewing development applications, the following items will be considered in MU-C areas, per the Comprehensive Plan (pgs. 3-15 thru 3-16):

- “Developments should comply with the general guidelines for development in all Mixed Use areas.”
See analysis above.
- “All developments should have a mix of at least three land use types.”
The proposed development has a mix of residential, commercial, office and civic uses as desired.
- “Residential uses should comprise a minimum of 20% of the development area at gross densities ranging from 6 to 15 units/acre.”
Residential uses should comprise a minimum of 20% of the overall MU-C designated area at a minimum density of 6 units/acre. Prior to development of the “future development” areas on the Master Plan, a conceptual development plan should be submitted to ensure compliance.
- “Non-residential buildings should be proportional to and blend in with adjacent residential buildings.”
The design, color, construction materials and height of non-residential buildings should be proportional to and blend with adjacent residential buildings as desired.
- “Vertically integrated structures are encouraged.”
No vertically integrated structures are proposed at this time but are encouraged to be included.
- “Unless a structure contains a mix of both residential and office, or residential and commercial land uses, a maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 60,000 square-foot building footprint. For the development of public school sites, the maximum building size does not apply.”
The building footprints shown on the Master Plan do not exceed 30,000 square feet; future development should be consistent with this guideline.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating areas at restaurants do not count towards this requirement.”
*A community center with a plaza area and amphitheater are proposed in Apex Northwest adjacent to service commercial and office uses; a charter school is proposed in Apex Southeast. **These types of spaces and places and uses should be provided in all of the MU-C designated areas in accord with this guideline.** Linear open space containing a multi-use pathway is proposed where the Williams Northwest Gas Pipeline easement is located.*
- Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for additional residential densities and/or an increase to the maximum building footprint.”
Although this is an option, the developer is not requesting an increase in density or in the maximum building footprint allowed.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

The Applicant proposes to modify the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) for this property in order to replace the agreements with one new agreement based on the proposed Master Plan (see Section VIII.A).

The existing Development Agreements (DA’s) were required with the South Meridian Annexation application in 2015. Because that application was initiated by the City, no development was proposed at that time. A “placeholder” zoning of R-4 was assigned to all of the properties with the requirement that any future development would require an amendment to the DA’s to approve any proposed development plan. Existing allowed uses in the County pertaining to the raising or maintaining of livestock and agricultural operations; an exemption to MCC 6-3-10, Firearms, Dischargeable Instruments; and existing agreements for the collection of solid waste were allowed to remain and continue until such time as the properties redeveloped in the future. With the proposed development, these uses are required to cease.

The existing DA’s require any property or easements needed by the City to provide any sewer or water infrastructure needed in furtherance of the agreement to be provided by the Owner at no cost to the City for the intent of providing for the advancement of sewer and water infrastructure for the benefit of the property, the City and adjacent properties for water mains, sewer mains and trunk lines. Because all of the water and sewer infrastructure commitments have been met and have been constructed, these provisions do not need to be carried over to the new DA.

Staff recommends the proposed Master Plan is included in the new DA along with the provisions for future development listed in Section IX.A.1 to ensure compliance with the MU-C FLUM designation.

~~B. Annexation & Zoning (AZ):~~

~~Annexation of Lot 4, Block 1 of Shafer View Estates Subdivision consisting of 40.09 acres of land is proposed with an R-2 zoning district consistent with the associated FLUM designation of LDR. This lot was previously deed restricted as part of a non-farm development in the County and was only allowed to be used as open space for a period of not less than 15 years from the recording date of the plat; because the plat was recorded in 2002, this restriction has since expired.~~

~~No development is proposed at this time. Annexation is requested because the easterly 10 acres of the lot is needed for sewer and access to the proposed development; the remainder of the property is not proposed to develop as part of this project. Future development is required to comply with the dimensional standards of the R-2 zoning district. The Developer plans to develop the property between the collector street and the adjoining Shafer View Subdivision with 1-acre lots as a transition and buffer to the existing neighborhood. **Prior to annexation of the property, a lot division should be approved by Ada County in order for the Applicant to only develop the eastern portion of the property.**~~

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

~~The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because the R-2 district only allows single family residential detached dwellings, parks, minor public utilities and certain wireless communication facilities as principal permitted uses, Staff does not feel it’s necessary to restrict development of the property through a DA as a provision of annexation.~~

C. Rezone (RZ):

A rezone of 384.97 acres of land from the R-4 to the ~~R-2 (0.70 acre)~~, R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts is proposed.

~~The 0.70 of an acre of land proposed to be rezoned to R-2 is located directly to the east of the annexation area on the west side of the future collector street depicted on the Master Plan. Because this property is designated MDR on the FLUM, the R-4 or R-8 zoning districts would typically be the best zoning choices. However, because this area will develop as part of the adjacent property to the west proposed to be annexed with R-2 zoning, Staff recommends the adjacent LDR designation is used for the area proposed to be rezoned as allowed in the Comprehensive Plan when deemed appropriate and approved as part of a public hearing with a land development application (see pg. 3-9). No development is proposed at this time. Future development is required to comply with the dimensional standards of the R-2 zoning district listed in UDC Table 11-2A-4 and the allowed uses listed in UDC Table 11-2A-2.~~

The areas proposed to be rezoned to R-8 consisting of a total of 264.06 acres are primarily designated on the FLUM as MDR but some of the area is within the MU-C designated area. The Master Plan does not depict a conceptual development plan for much of the R-8 zoned area except for that to the south of the C-C zoned area in Apex Southeast where single-family detached homes are proposed at a gross density of 3.75 units/acre. **Because this area is in close proximity to a major transportation/mobility corridor (E. Lake Hazel Rd.) and a City Park, a higher density in this area is encouraged.**

The 76.93 acre areas proposed to be rezoned to R-15 lie within areas designated as MDR, MHDR and MU-C on the FLUM. The Master Plan does not include a conceptual development plan for the portion in the MHDR designated area. **To ensure future development occurs consistent with the guidelines in the Comprehensive Plan for MHDR designated areas, Staff recommends a DA provision requiring future development to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place; an alternative housing type such as townhomes and/or multi-family is recommended. Connectivity with adjacent uses and area pathways, attractive landscaping and project identity should also be provided.** The majority of the remainder of the R-15 area is designated MU-C with a small portion designated MDR. Alley-loaded single-family attached and detached homes are depicted on the Master Plan in the MDR and MU-C designated areas included in the Apex Northwest plat at the northwest corner of Locust Grove/Lake Hazel Roads in accord with the Comprehensive Plan. A concept development plan is not proposed for the remainder of the area proposed to be zoned R-15 north of the commercial area in Apex Northwest, on the south side of Lake Hazel and on the east side of Locust Grove in the MU-C designated area. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan.** Future development should comply with the dimensional standards of the R-15 district listed in UDC Table 11-2A-7, the allowed uses for the R-15 district listed in UDC Table 11-2A-2, and the general guidelines for Mixed Use developments and specifically MU-C designated areas in the Comprehensive Plan.

The proposed rezone of 43.28 acres of land to the C-C zoning district is consistent with the associated FLUM designation of MU-C. The area at the northwest corner of Locust Grove and Lake Hazel Roads is proposed to develop with a mix of neighborhood-serving commercial and office uses including a community center and amphitheater; and the area on the south side of Lake Hazel, east of the Locust Grove/Lake Hazel intersection is proposed to develop with a charter school as depicted on the Master Plan. A conceptual development plan is not proposed for the MU-C designated areas at the southwest, southeast and northeast corners of the intersection. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan consistent with these guidelines.**

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such should be submitted to the Planning Division with a future subdivision application for the surrounding property.

~~Legal descriptions with associated exhibit maps of the areas proposed to be rezoned are included in Section VIII.B. Because the legal description and map for the R-2 zoned area includes 40.09 acres of land that is part of the annexation request, Staff has requested the Applicant revise the description to exclude that area; a revised legal description and exhibit map should be submitted prior to the City Council hearing.~~

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because a new DA is proposed to replace the existing DA’s Staff recommends the above recommended DA provisions are included in that agreement.

D. Preliminary Plats:

Two separate preliminary plats, Apex Northwest and Apex Southeast, are proposed due to ACHD right-of-way (ROW) for Lake Hazel and Locust Grove Roads separating the properties. Because this overall project will be developed as a single integrated project and marketed as such, analysis of both projects is included in this report.

Apex Northwest consists of 120 single-family residential buildable lots for the development of 88 detached and 32 attached dwelling units, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts. The minimum lot size proposed is 2,863 square feet (s.f.) with an average lot size of 3,885 s.f. The gross density proposed is 5.62 units/acre with a net density of 11.21 units/acre. The subdivision is proposed to develop in 3 phases as shown on the Phasing Plan in Section VIII.D.

Apex Southeast consists of 237 single-family residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet (s.f.) with an average lot size of 7,058 s.f. The gross density proposed is 3.75 units/acre with a net density of 6.17 units/acre. The subdivision is proposed to develop in three (5) phases as shown on the phasing plan in Section VIII.D.

Overall, a total of 357 single-family residential buildable lots, 13 commercial buildable lots, 44 common lots and 10 other lots are proposed between the two subdivisions at a gross overall density of 4.22 units/acre and a net overall density of 7.27 units/acre.

Existing Structures/Site Improvements:

There are no existing structures within the boundaries of the proposed plats.

The Northwest Williams Gas Pipeline crosses the northeast corners of Apex Northwest (Lot 2, Block 6) and Southeast (Lot 1, Block 9 and Lot 1, Block 14) subdivisions as depicted on the preliminary plats. Development within this area should comply with the Williams Developers’ Handbook. No structures should be located within the easement.

Proposed Use Analysis:

The proposed single-family detached and attached dwellings are listed as a principal permitted use in the R-8 and R-15 zoning districts; and an education institution is listed as a conditional use in the R-8 zoning district per UDC Table 11-2A-2, subject to the specific use standards listed in UDC 11-4-3-14. An education institution and professional service (i.e. office) is listed as a principal permitted use in the C-C

district, subject to the specific use standards listed in UDC 11-4-3-14; other allowed uses in the C-C district are listed in UDC Table 11-2B-2.

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

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

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, alleys, common driveways, easements and block face.

The proposed lots in Apex Northwest are consistent with the dimensional standards of the R-15 and C-C zoning districts. **However, one of the alleys is not designed so that the entire length is visible from a public street as required by UDC 11-6C-3B.5e; the plat should be revised to comply.** Common driveways that comply with the standards in UDC 11-6C-3D may be considered as an alternative.

The proposed lots in Apex Southeast are consistent with the dimensional standards of the C-C and R-8 zoning districts. Two (2) alleys and 10 common driveways are proposed in the residential portion of the development that are consistent with the standards in UDC 11-6C-3. Such alleys and common driveways should be constructed in accord with the standards listed in UDC 11-6C-3B.5 and 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

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

Access is required to comply with the standards listed in UDC 11-3A-3.

Apex Northwest: Two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street, and two (2) public street accesses are proposed via S. Locust Grove Rd., an arterial street. Collector streets (E. Crescendo St. and S. Apex Ave.) are proposed in accord with the MSM.

Apex Southeast: Three (3) public street accesses are proposed via S. Locust Grove Rd., an arterial street, and two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street. Collector streets (E. Tower St., S. Vertex Way and E. Via Roberto St.) are proposed in accord with the MSM.

Alleys are proposed for access to alley-loaded homes in Apex Northwest and Apex Southeast. Common driveways are proposed for access to certain homes in Apex Southeast.

Cross-access easements should be provided between all commercial lots in the subdivisions as set forth in UDC 11-3A-3A.2.

Road Improvements: The Applicant has proposed to enter into a Cooperative Development Agreement (CDA) with ACHD to improve Lake Hazel Road abutting the site with (4) 11.5' wide travel lanes, a 19' wide center landscape median, vertical curb, gutter, 8' wide planter strips and 10' wide detached concrete sidewalks within 109' to 120. 5' of right-of-way (ROW) with the first phase of development. The Applicant has proposed to construct dedicated right-turn lanes on Lake Hazel Rd. at Aspiration Ave., Apex Ave., Peak Ave. and Vertex Way. Locust Grove Rd. abutting the site is proposed to be improved with (3) 12' wide travel lanes with 6.5' wide bike lanes, vertical curb, gutter, 8' wide planter strips and 5' wide

detached concrete sidewalks within 77' of ROW. The specific conditions of approval pertaining to the CDA are included in the ACHD report in Section IX.H.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. Parking for non-residential uses is required per the standards listed in UDC 11-3C-6B.1.

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

The Pathways Master Plan (PMP) depicts segments of the City's multi-use pathway system in the linear area where the Williams gas pipeline is located and along the east boundary of the rezone area.

Pathways should be provided with development in accord with the PMP per the conditions from the Park's Dept. in Section IX.E. **All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan. Landscaping shall be provided along either side of the pathway in accord with the standards listed in UDC 11-3B-12C. Public pedestrian easements (14-foot wide) should be provided prior to signature by the City Engineer on final plat phases in which pathways are located.**

Staff recommends two (2) additional micro-path connections are provided in Apex Southeast at the east boundary to Discovery Park.

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

The UDC (11-3A-17) requires, at a minimum, detached sidewalks to be provided along arterial and collector streets and attached sidewalk to be provided along local streets.

Detached sidewalks are proposed along all internal local and collector streets and along the arterial streets in accord with the standards listed in UDC 11-3A-17.

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

Eight-foot wide parkways are proposed adjacent to all streets with detached sidewalks; all parkways are required to be constructed in accord with the standards listed in UDC 11-3A-17.

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

A 25-foot wide street buffer is required adjacent to S. Locust Grove Rd. and E. Lake Hazel Rd., both arterial streets; and a 20-foot wide street buffer is required adjacent to E. Crescendo St., S. Apex Ave., E. Tower St., S. Vertex Way and E. Via Roberto St., all collector streets, landscaped per the standards listed in [UDC 11-3B-7C](#). *Alternative Compliance may be requested to UDC 11-3B-7C.2a for street buffers along collector streets to be located in a dedicated buffer rather than in a common lot.*

Parkways are required to be landscaped in accord with the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#).

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

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

Mitigation is required for any existing trees proposed to be removed from the site as set forth in UDC 11-3B-10.C.5.

If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

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

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required to be provided with development of land in residential districts.

Based on the residential portion of the Apex Northwest plat (31.52 acres) zoned R-15, a minimum of 3.15 acres of *qualified* open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that appears to meet the minimum standards, it includes areas in the C-C zoning district that do not qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B in order to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of 6.32 acres of qualified open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that appears to comply with the minimum standards, it includes areas in the C-C zoning district that do not qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

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

A minimum of one (1) qualified site amenity is required for each 20 acres of land to be developed in residential districts as set forth in UDC 11-3G-3.

Based on the area of the residential portion of Apex Northwest (31.52 acres), a minimum of one (1) qualified site amenity is required to be provided. A gazebo is proposed as an amenity in Lot 32, Block 5 as an amenity; **Staff recommends tables and benches are also provided as required for a "picnic area" amenity.** A community center and amphitheater are also proposed as public amenities in the adjacent commercial portion of the development and a swimming pool is depicted on the Master Plan off-site on the adjacent property to the north; however, these do not qualify as amenities for the residential portion of the development proposed to be platted with this application.

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of three (3) qualified site amenities are required to be provided. **A swimming pool and children's play equipment are proposed in a central common area and pedestrian pathways (multi-use pathway along E. Lake Hazel Rd. and internal pathways) are proposed as amenities in this development in accord with UDC standards. A detail of the children's play equipment should be submitted with the final plat application.**

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

There are no waterways within the boundary of the preliminary plats.

The Farr Lateral runs along the north and east boundaries; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the annexation and/or rezone areas.

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

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

Six-foot tall wood picket fencing is proposed along end caps at the ends of residential lots adjacent to common areas; and 5-foot tall clear vision metal fencing is proposed adjacent to internal common areas.

Storm Drainage:

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

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from Boise Project Board of Control.

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

The Applicant submitted several perspective building elevations for the proposed single-family homes and for the commercial structures planned to be constructed in this development which are included in Section VIII.G. Homes depicted are a mix of 1- and 2-story units, attached and detached, with building materials consisting of a variety of siding styles and stucco with stone/brick veneer accents. Final design is required to comply with the design standards in the Architectural Standards Manual, single-family detached dwellings are exempt from design review standards.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and non-residential/commercial structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

Staff recommends approval of the proposed MDA, AZ, RZ and PP applications with the requirement of a new Development Agreement with the provisions noted in Section IX.A per the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on July 9, 2020. At the public hearing, the Commission moved to recommend approval of the subject MDA, RZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Wardle
- b. In opposition: None
- c. Commenting: Stacia Morgan; Annette Alonzo representing the Southern Rim Coalition
- d. Written testimony: Julie Edwards
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Rd. between Meridian Rd. & Locust Grove Rd. (not against higher density around

- commercial areas); would like to see the zoning of the “future development” areas remain R-4 rather than be rezoned to R-8; belief that farm land and open space should be preserved as much as possible; concern that current school system does not have the capacity to accommodate all of the students from this development; would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to re-evaluate how we want to use our dwindling remaining open spaces & farmland.
- b. Concern pertaining to capacity of area schools and ability to accommodate more students from this development;
 - c. Would like pathways provided to Black Rock Subdivision for connectivity.
3. Key issue(s) of discussion by Commission:
- a. Concern pertaining to capacity of area schools and impact of the proposed development on such;
 - b. Supportive of proposed development, community amenities and associated improvements to Locust Grove and Lake Hazel Roads;
4. Commission change(s) to Staff recommendation:
- a. If revised qualified open space exhibit depicts qualified area less than 10% that the amphitheater in the commercial area be allowed to count toward the requirement through an alternative compliance request to UDC 11-3A-3.
5. Outstanding issue(s) for City Council:
- a. None

Note: The annexation request was pulled from the Commission agenda at the request of the property owner so that it could be re-noticed with a change in zoning from R-2 to R-4. Therefore, it is not moving forward to Council with the MDA, RZ & PP applications.

- C. The Meridian City Council heard these items on August 11, 2020. At the public hearing, the Council moved to approve the subject MDA, RZ and PP requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: Jon Wardle and David Turnbull, Brighton Corporation
 - b. In opposition: None
 - c. Commenting: Chris Loveland, Marcella White, Julie Edwards
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Joe Bongiorno
 - 2. Key issue(s) of public testimony:
 - a. Not in favor of the proposed rezone from the R-4 district and density and lot sizes of the proposed development – preference for larger estate lots (1+ acre) and open space.
 - 3. Key issue(s) of discussion by City Council:
 - a. Phasing of the preliminary plats;
 - b. The uniqueness of the development with community amenities;
 - c. Development is proactive in addressing traffic/infrastructure concerns up front; and,
 - d. Concern about education issue and overcrowding of area schools.
 - 4. City Council change(s) to Commission recommendation:
 - a. None

VIII. EXHIBITS

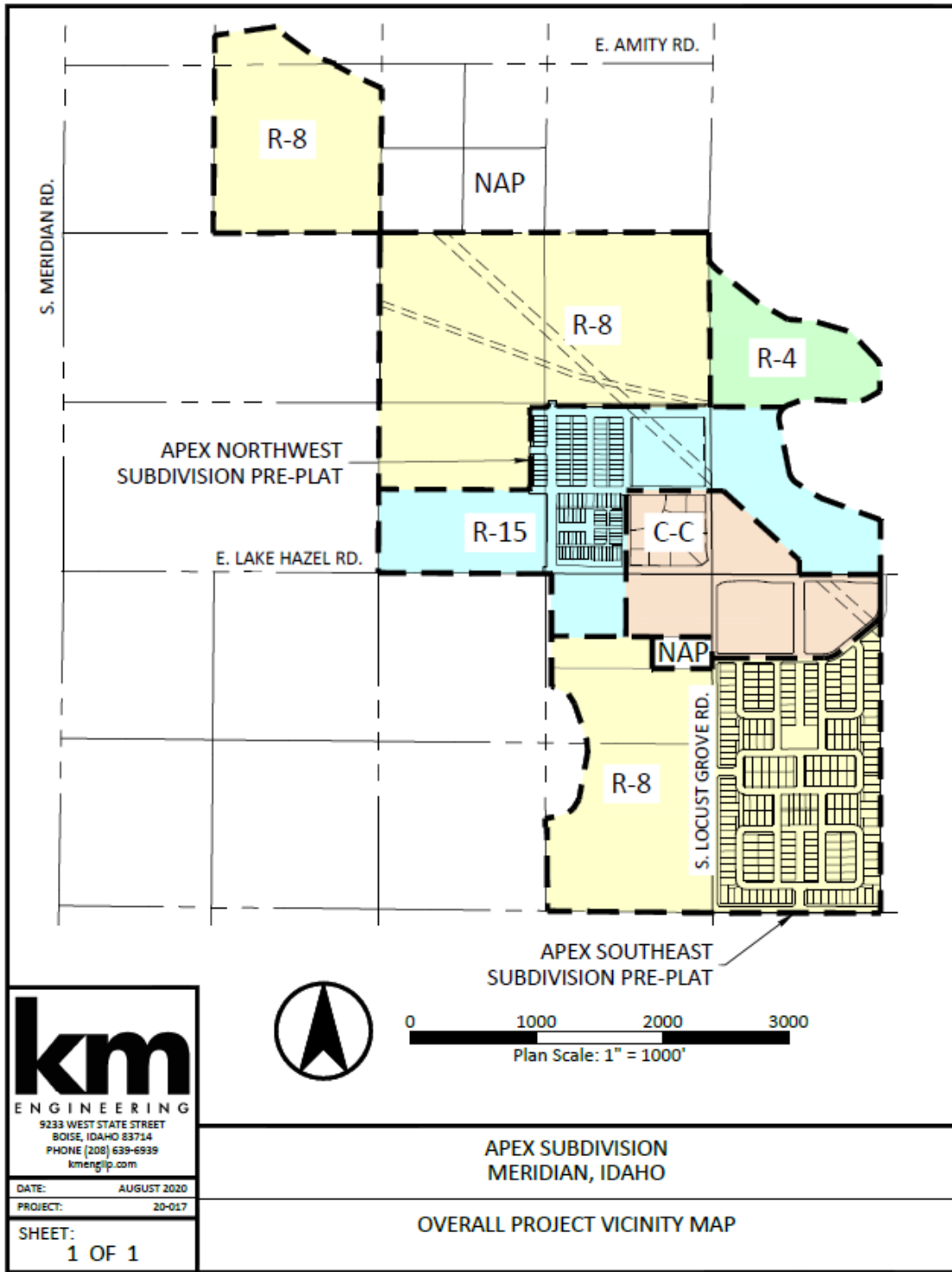
A. Master Plan (Revised)



Item #4.

~~**B. Annexation Legal Description & Exhibit Map**~~

C. Rezone Legal Description & Exhibit Map





April 2, 2020
Project No. 20-017

Exhibit A
Legal Description for
Rezone to R-8 - North
Apex Subdivision

A portion of the East 1/2 of the Northwest 1/4, a portion of the Southeast 1/4 and a portion of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center of said Section 31, thence following the northerly line of said Southeast 1/4 of Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following the easterly line of said Southeast 1/4, S00°32'22"E a distance of 1,419.94 feet;
Thence leaving said easterly line, N89°42'21"W a distance of 1,423.17 feet;
Thence S00°16'52"W a distance of 620.00 feet;
Thence N89°42'21"W a distance of 1,198.50 feet to the westerly line of said Southeast 1/4;
Thence following said westerly line, N00°16'52"E a distance of 682.44 feet to the Center-South 1/16 corner of said Section 31;
Thence leaving said westerly line, S89°52'08"E a distance of 62.50 feet;
Thence N00°16'52"E a distance of 895.00 feet;
Thence 199.42 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of 40°48'25", a chord bearing of N20°07'20"W and a chord distance of 195.23 feet;
Thence N40°31'33"W a distance of 241.33 feet;
Thence 198.79 feet along the arc of a circular curve to the left, said curve having a radius of 230.00 feet, a delta angle of 49°31'13", a chord bearing of N65°17'09"W and a chord distance of 192.66 feet to the southerly line of said East 1/2 of the Northwest 1/4 of Section 31;
Thence following said southerly line, S89°57'15"W a distance of 980.26 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of said East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet;
Thence S46°52'43"E a distance of 45.40 feet;
Thence S54°18'10"E a distance of 180.18 feet;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet;
Thence S70°02'36"E a distance of 107.80 feet;
Thence S19°57'24"W a distance of 12.00 feet;
Thence S70°02'36"E a distance of 14.45 feet;
Thence S61°58'05"E a distance of 207.13 feet;
Thence S65°32'50"E a distance of 188.57 feet to the easterly line of said East 1/2 of the Northwest 1/4;

Item #4.

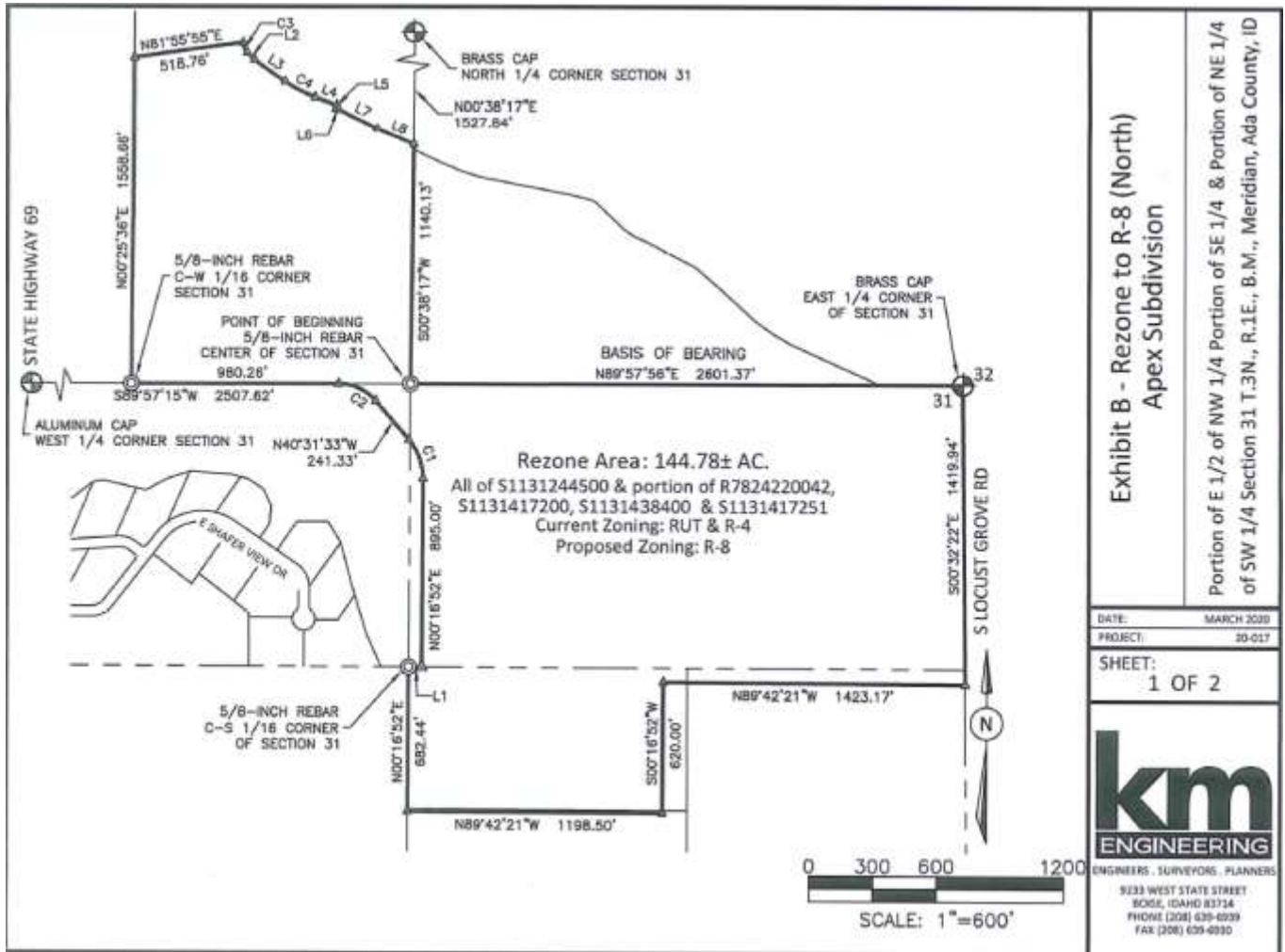
Thence following said easterly line, $S00^{\circ}38'17''W$ a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 144.78 acres, more or less.

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



4.2.2020





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

April 2, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to R-8 - South
Apex Subdivision**

A parcel of land situated in a portion of the West 1/2 of the Northwest 1/4 of Section 5 and a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 5 and 6, Township 2 North, Range 1 East and Sections 31 and 32, Township 3 North, Range 1 East which bears S89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the North 1/4 corner of said Section 6, thence following the easterly line of the Northeast 1/4 of said Section 6, S00°04'35"E a distance of 661.39 feet to the **POINT OF BEGINNING.**

Thence leaving said easterly line, N89°53'42"E a distance of 966.03 feet;
Thence N41°51'13"E a distance of 547.17 feet to the easterly line of said West 1/2 of the Northwest 1/4 of Section 5;
Thence following said easterly line, S00°01'43"E a distance of 2,421.96 feet to the Center-West 1/16 corner of said Section 5;
Thence leaving said easterly line and following the southerly line of said West 1/2 of the Northwest 1/4 of Section 5, N89°52'38"W a distance of 1,329.65 feet to a bras cap marking the West 1/4 corner of said Section 5 (East 1/4 corner of said Section 6);
Thence leaving said southerly line of the West 1/2 of the Northwest 1/4 of Section 5 and following the southerly line of said East 1/2 of the Northeast 1/4 of Section 6, N89°22'50"W a distance of 1,304.25 feet;
Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet;
Thence N00°20'23"W a distance of 549.25 feet;
Thence N87°34'26"W a distance of 13.49 feet to the westerly line of said East 1/2 of the Northeast 1/4 of Section 6;
Thence following said westerly line, N00°02'06"W a distance of 66.73 feet to the westerly right-of-way line of the Rawson Canal;
Thence leaving said westerly line and following said westerly right-of-way line the following courses:
1. N78°25'55"E a distance of 161.21 feet;
2. N54°55'20"E a distance of 74.17 feet;
3. N31°51'12"E a distance of 92.01 feet;
4. N10°25'10"E a distance of 381.33 feet;
5. N05°26'52"W a distance of 106.26 feet;
6. N18°56'20"W a distance of 287.65 feet;
7. N32°08'38"W a distance of 91.83 feet;
8. N61°32'57"W a distance of 104.61 feet;
9. N74°59'05"W a distance of 44.02 feet;

Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 396.78 feet;

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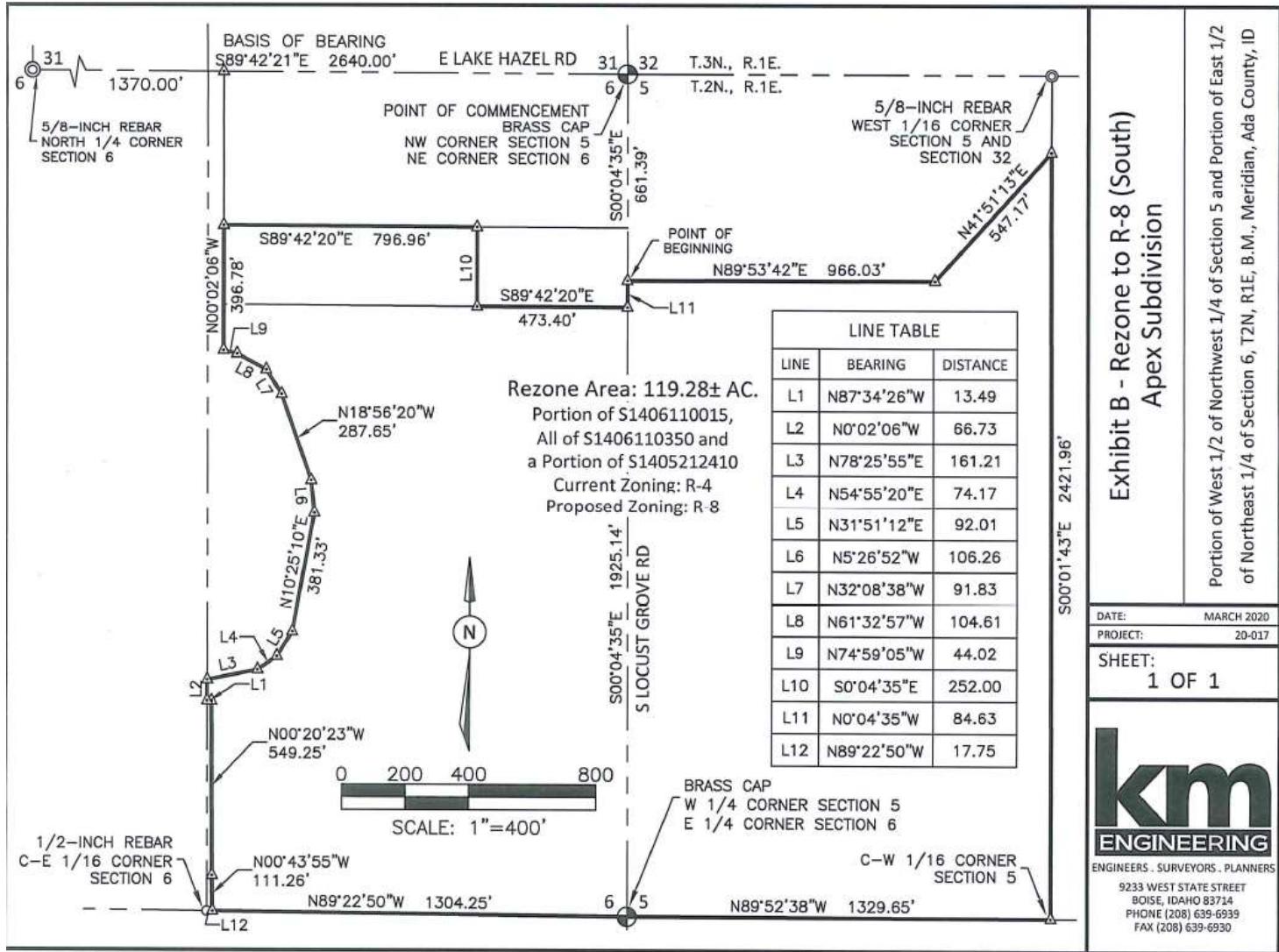
Thence S89°42'20"E a distance of 796.96 feet;
Thence S00°04'35"E a distance of 252.00 feet;
Thence S89°42'20"E a distance of 473.40 feet to the easterly line of said East 1/2 of the Northeast 1/4 of Section 6 (westerly line of said West 1/2 of the Northwest 1/4 of Section 5);
Thence following said easterly line (and said westerly line), N00°04'35"W a distance of 84.63 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 119.28 acres, more or less.

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



Item #4.





April 29, 2020
Project No. 20-017

Exhibit A
Legal Description for
Rezone to R-15
Apex Subdivision

A parcel of land situated in a portion of the South 1/2 of the Southeast 1/4 of Section 31 and a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the corner common to Section 31, Township 3 North, Range 1 East, and Section 6, Township 2 North, Range 1 East, which bears N89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the Southeast 1/4 corner of said Section 31;
Thence following the westerly line of the Southeast 1/4 of the Southeast 1/4 of Section 31, N00°16'52"E a distance of 660.00 feet;
Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;
Thence N00°16'52"E a distance of 620.00 feet;
Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;
Thence following said easterly boundary the following courses:
1. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and a chord distance of 63.56 feet to a 1/2-inch rebar;
2. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
3. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
4. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
5. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of said Southwest 1/4 of the Southwest 1/4 of Section 32;
Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;
Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;
Thence N00°06'18"W a distance of 124.99 feet;
Thence N47°51'44"W a distance of 797.36 feet;
Thence N89°42'21"W a distance of 775.42 feet;
Thence S00°16'52"W a distance of 1,154.01 feet;
Thence N89°42'20"W a distance of 587.77 feet;
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;
Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 76.93 acres, more or less.

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

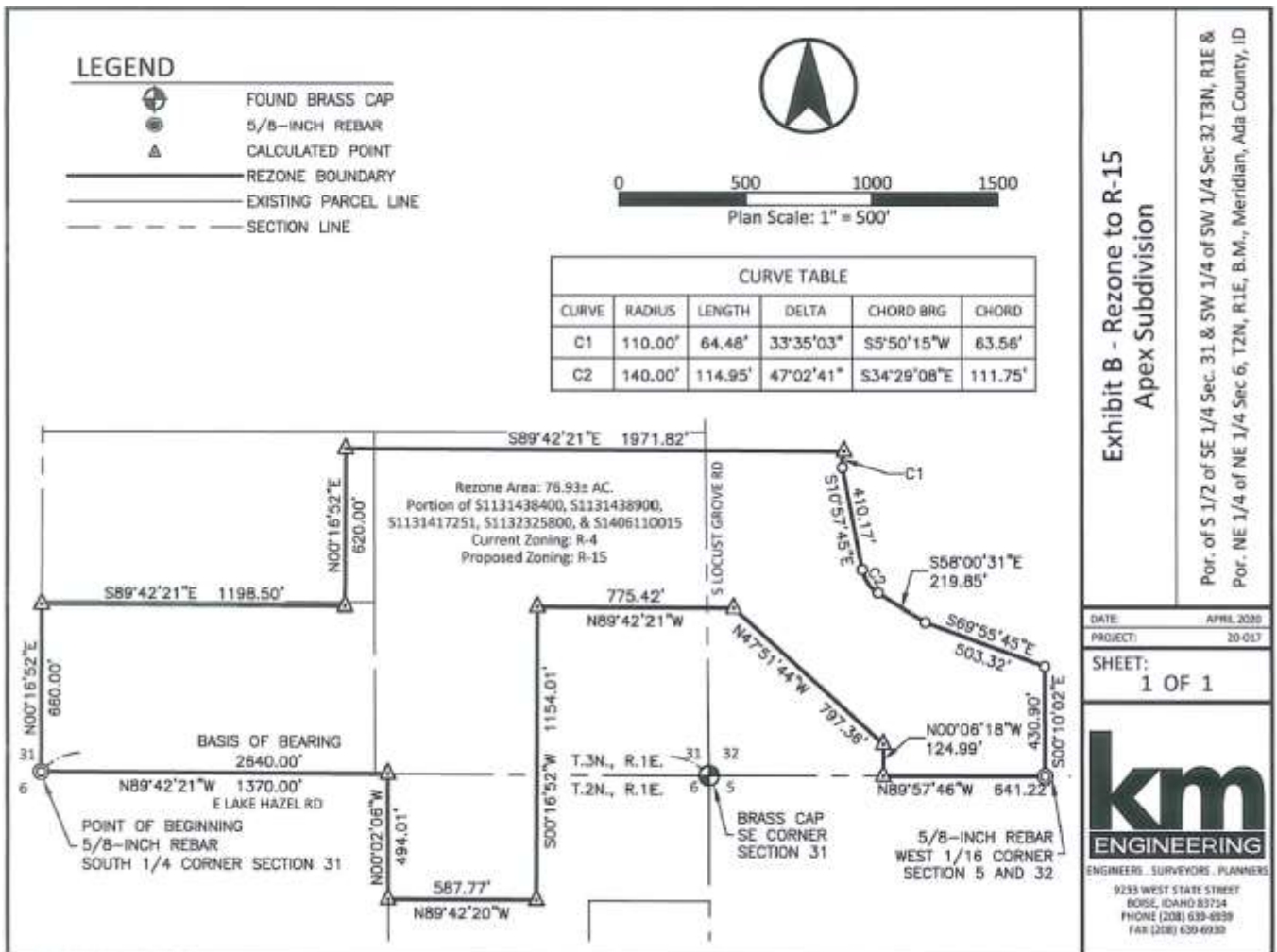


Exhibit B - Rezone to R-15
Apex Subdivision

Por. of S 1/2 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec 32 T3N, R1E & Por. NE 1/4 of NE 1/4 Sec 6, T2N, R1E, B.M., Meridian, Ada County, ID

DATE: APRIL 2020
PROJECT: 20-017

SHEET: 1 OF 1

km
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BOISE, IDAHO 83724
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FAX (208) 639-6930



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

April 29, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to C-C
Apex Subdivision**

A parcel of land situated in a portion of the Southeast 1/4 of the Southeast 1/4 of Section 31, a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northwest 1/4 of the Northwest 1/4 of Section 5, and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

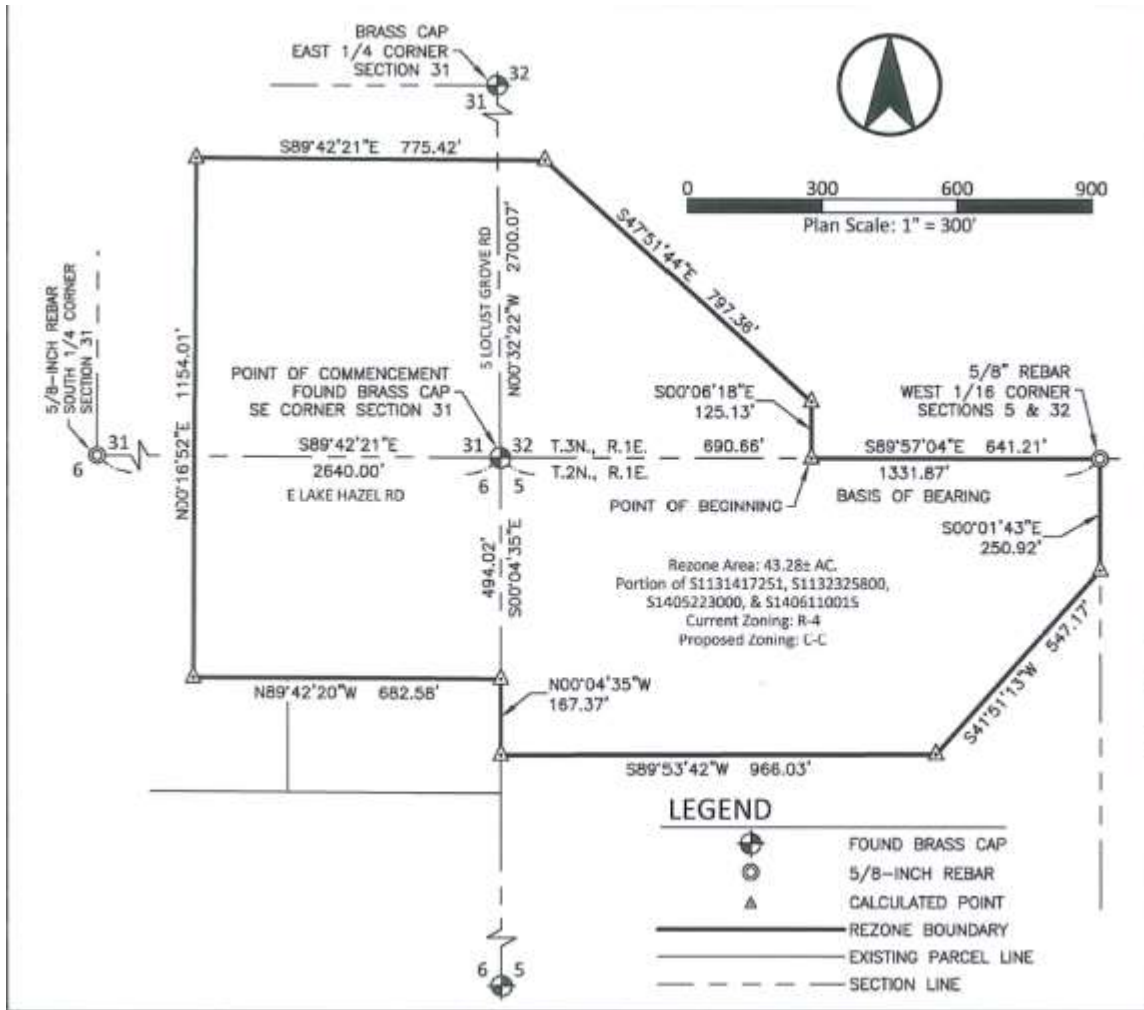
Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E a distance of 690.66 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly line, S89°57'04"E a distance of 641.21 feet to a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence leaving said northerly line and following the easterly line of the Northwest 1/4 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 250.92 feet to a point;
Thence leaving said easterly line, S41°51'13"W a distance of 547.17 feet to a point;
Thence S89°53'42"W a distance of 966.03 feet to a point on the westerly line of said Northwest 1/4;
Thence following said westerly line, N00°04'35"W a distance of 167.37 feet to a point;
Thence leaving said westerly line, N89°42'20"W a distance of 682.58 feet to a point;
Thence N00°16'52"E a distance of 1,154.01 feet to a point;
Thence S89°42'21"E a distance of 775.42 feet to a point;
Thence S47°51'44"E a distance of 797.36 feet to a point;
Thence S00°06'18"E a distance of 125.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.28 acres, more or less.

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





**Exhibit B - Rezone to C-C
 Apex Subdivision**

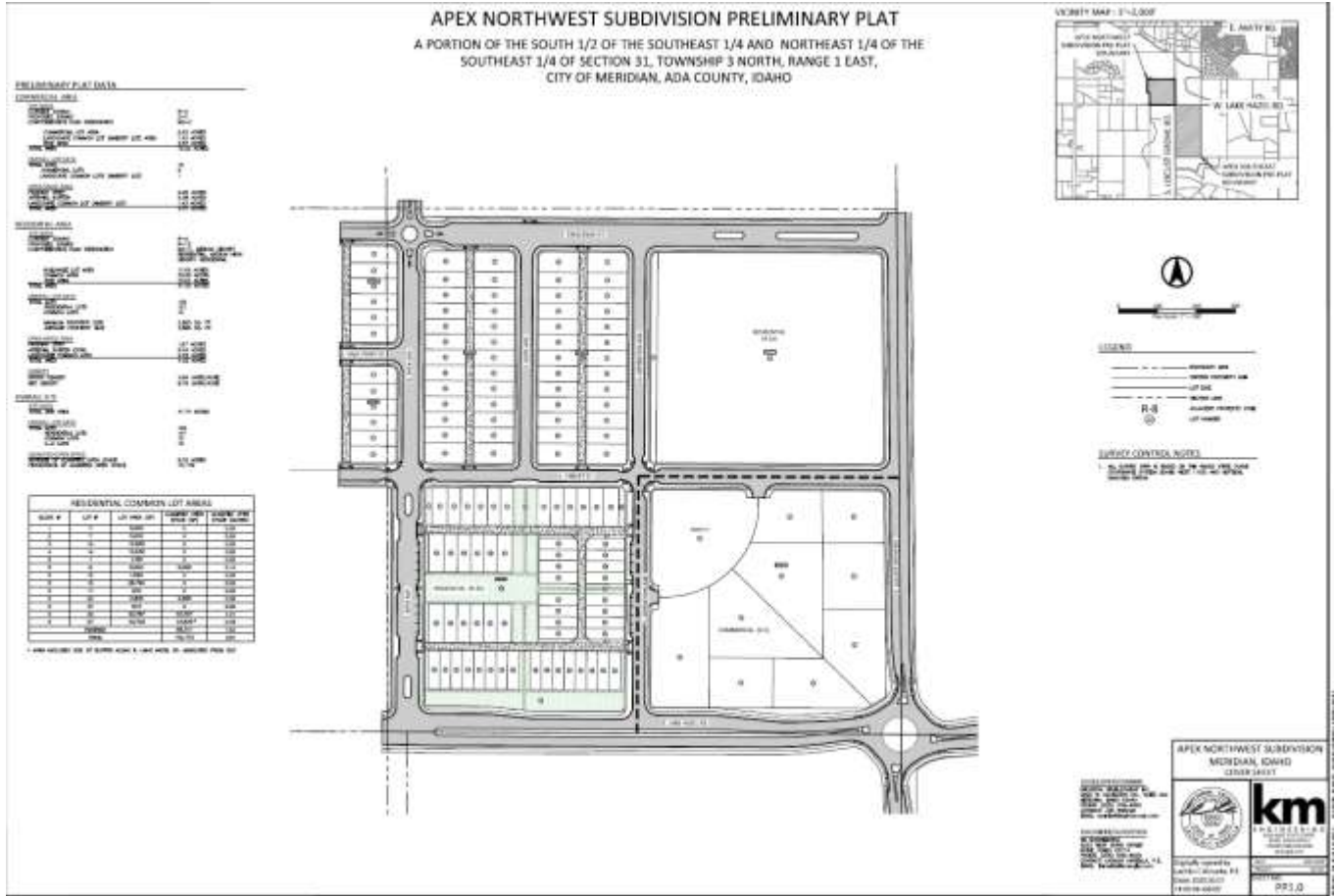
Por. of SE 1/4 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec. 32 T3N, R1E &
 Por. NW 1/4 of NW 1/4 of Sec. 5 & NE 1/4 of NE 1/4 Sec. 6, T2N, R1E
 B.M., Meridian, Ada County, ID

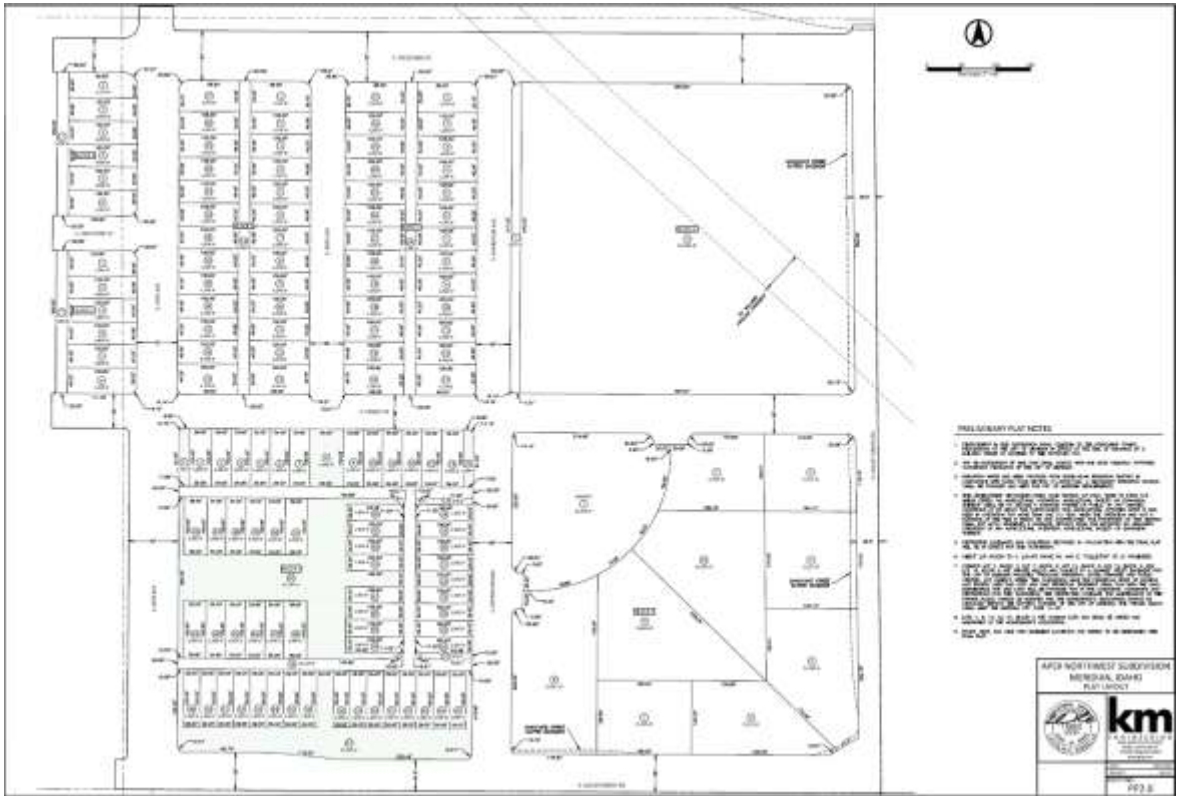
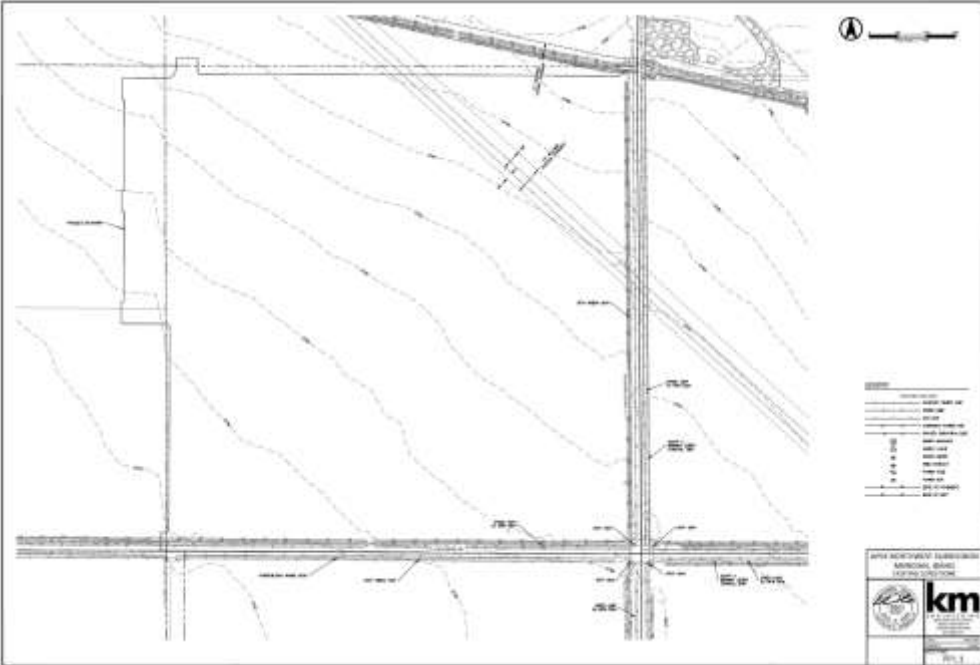
km ENGINEERING
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 9233 WEST STATE STREET
 BOISE, IDAHO 83734
 PHONE (208) 639-6939
 FAX (208) 635-6930

D. Preliminary Plat (date: 5/1/2020) & Phasing Plan



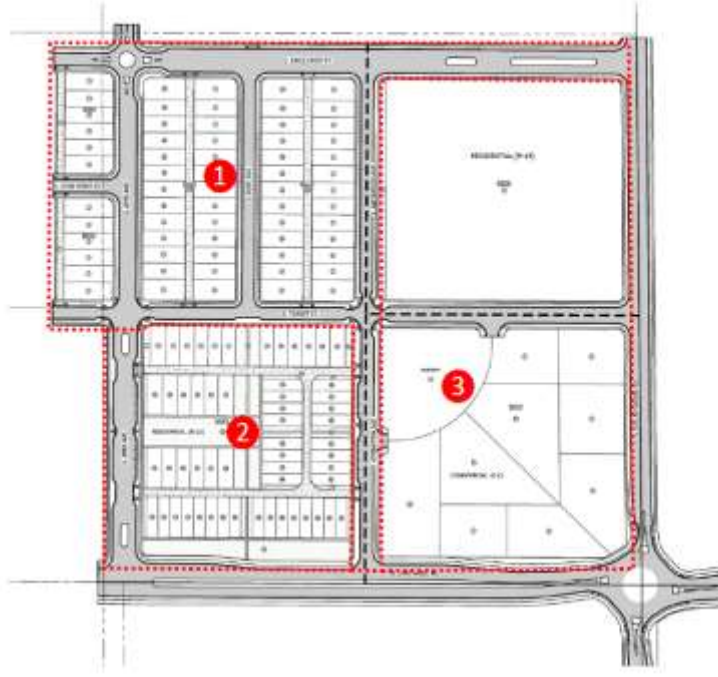
Northwest:





Phasing Plan:

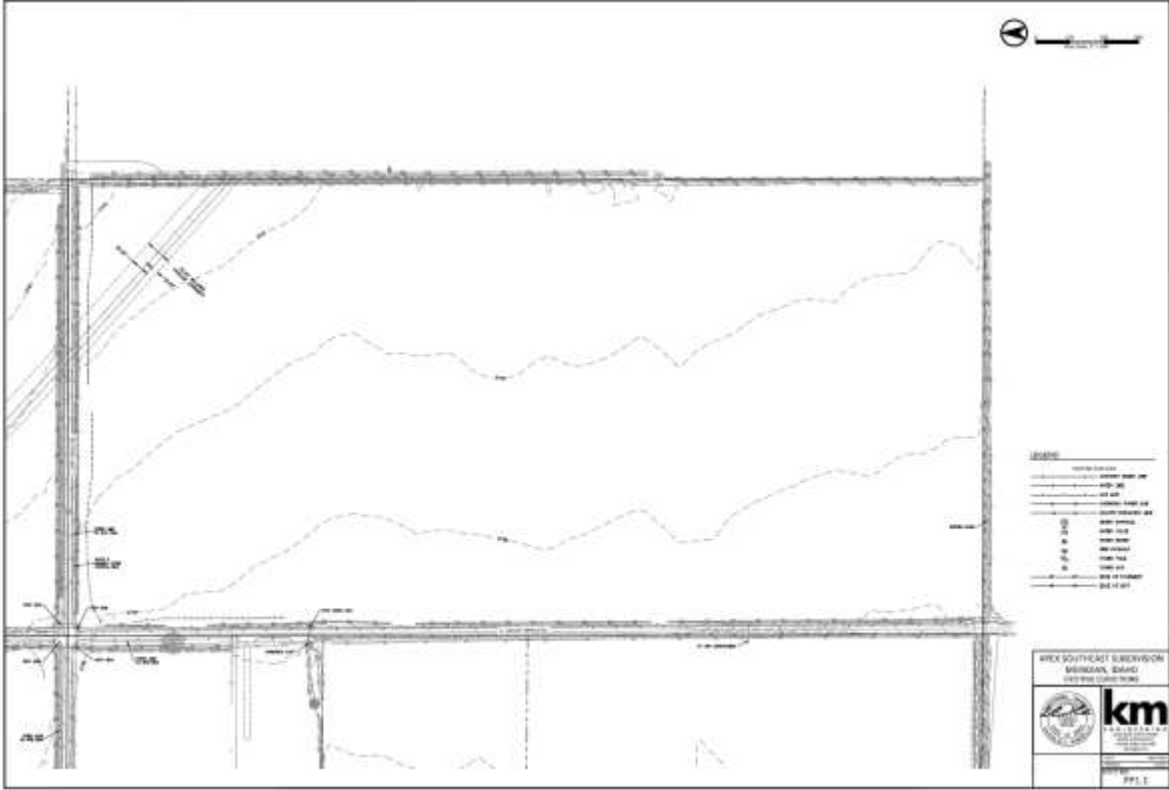
APEX Northwest Phasing
Conceptual / Subject to Change

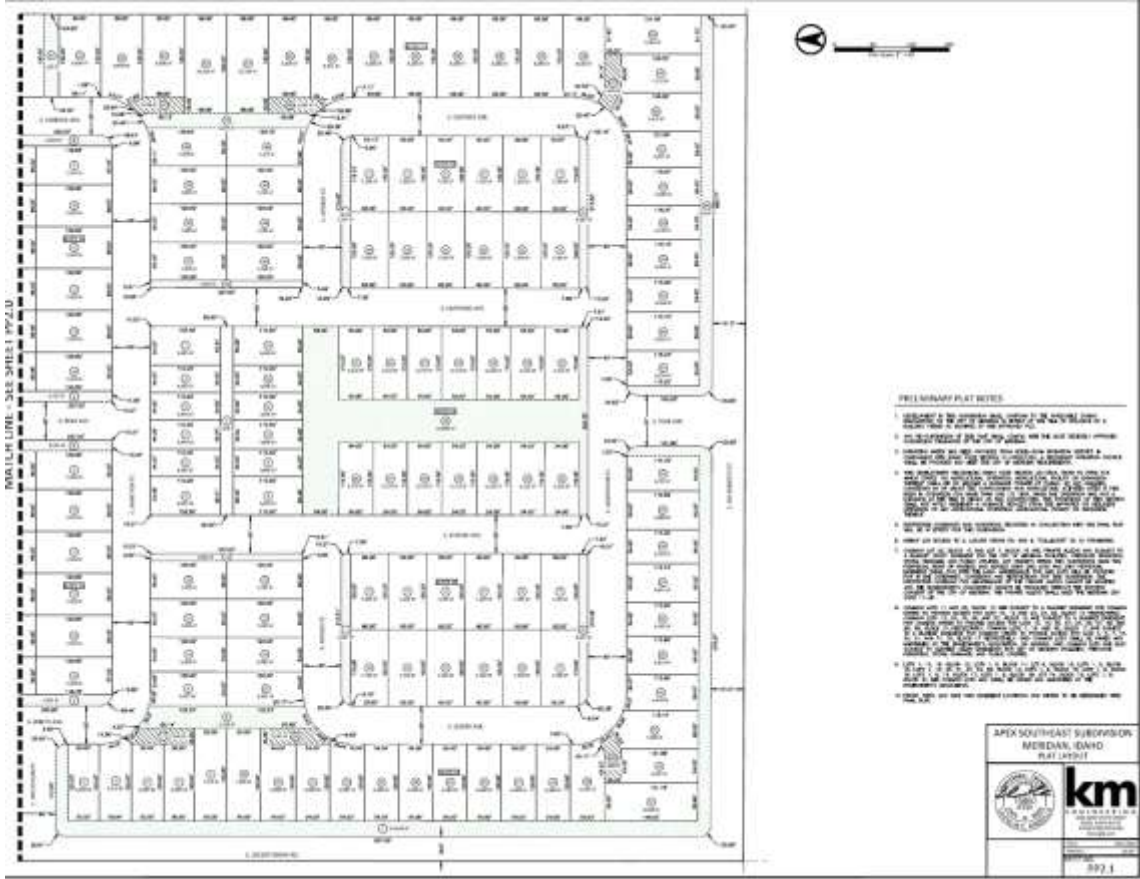


Southeast:

APEX SOUTHEAST SUBDIVISION PRELIMINARY PLAT
A PARCEL OF LAND SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 5,
TOWNSHIP 2 NORTH, RANGE 1 EAST, CITY OF MERIDIAN, ADA COUNTY, IDAHO

This block contains a detailed preliminary plat for the Apex Southeast Subdivision. On the left side, there is a table titled "RESIDENTIAL COMMON LOT AREAS" with columns for Lot #, Area, and other details. The central part of the block is a large site plan showing the subdivision layout with lots, streets, and utility lines. On the right side, there is a "PROPERTY MAP" showing the location of the site within a larger geographic context, a north arrow, and a legend. At the bottom right, there is a logo for "km" (Keller & Miller) and other project information.

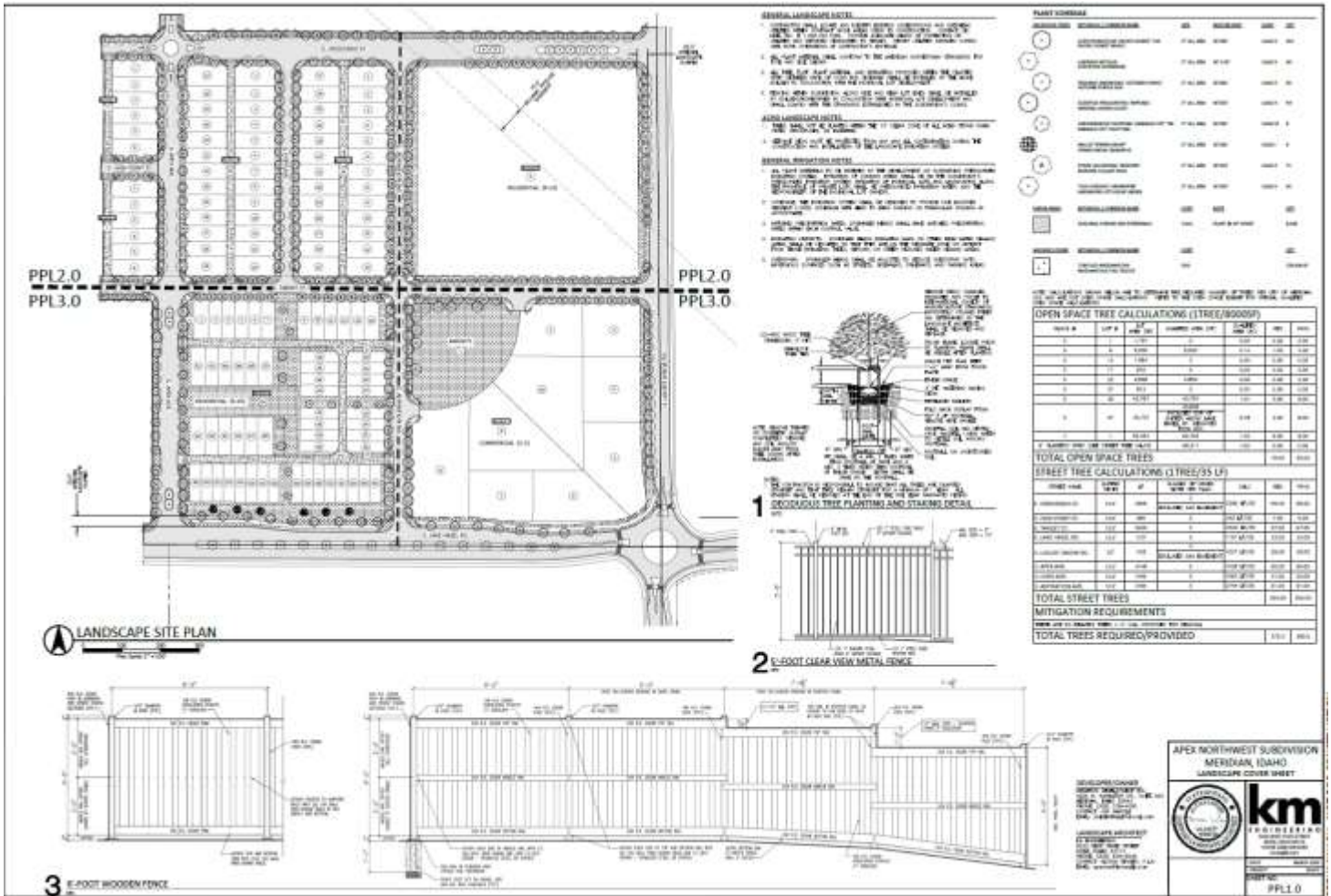


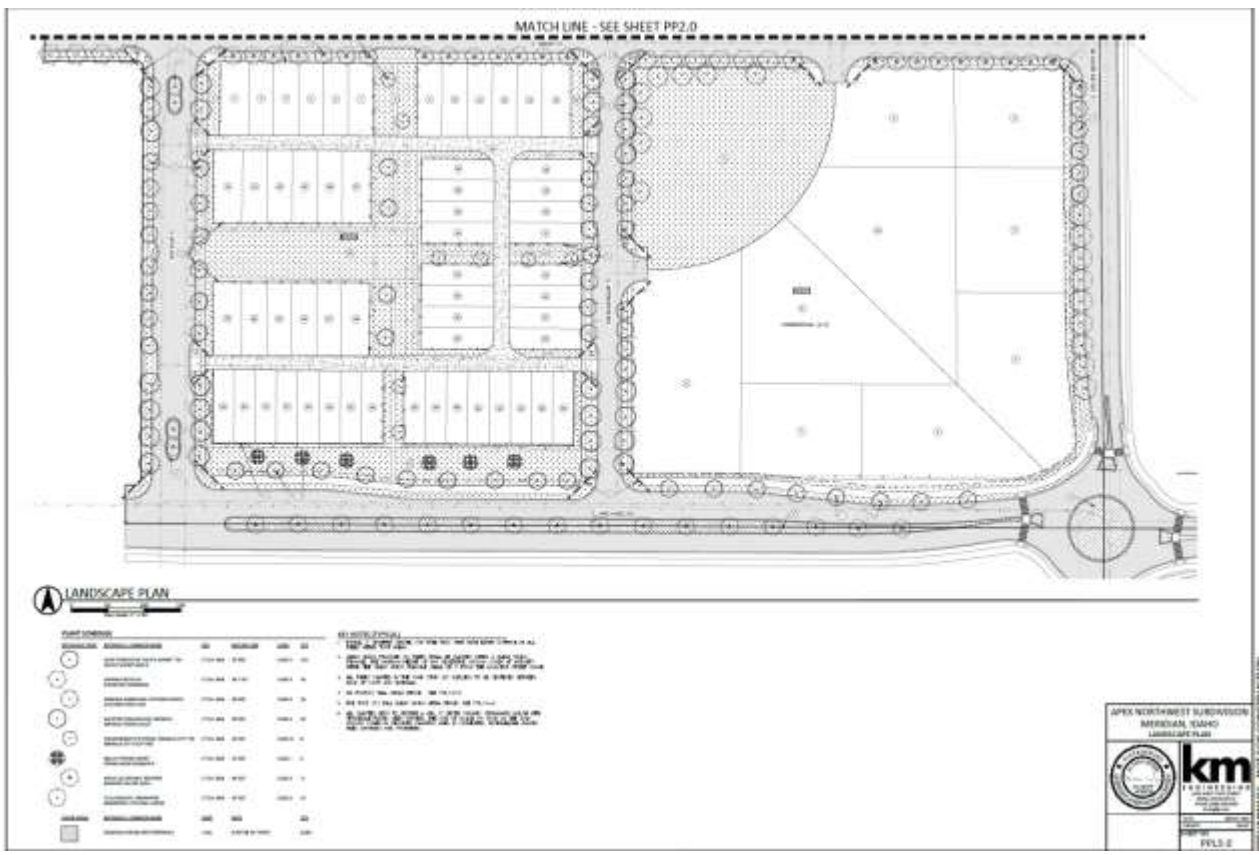
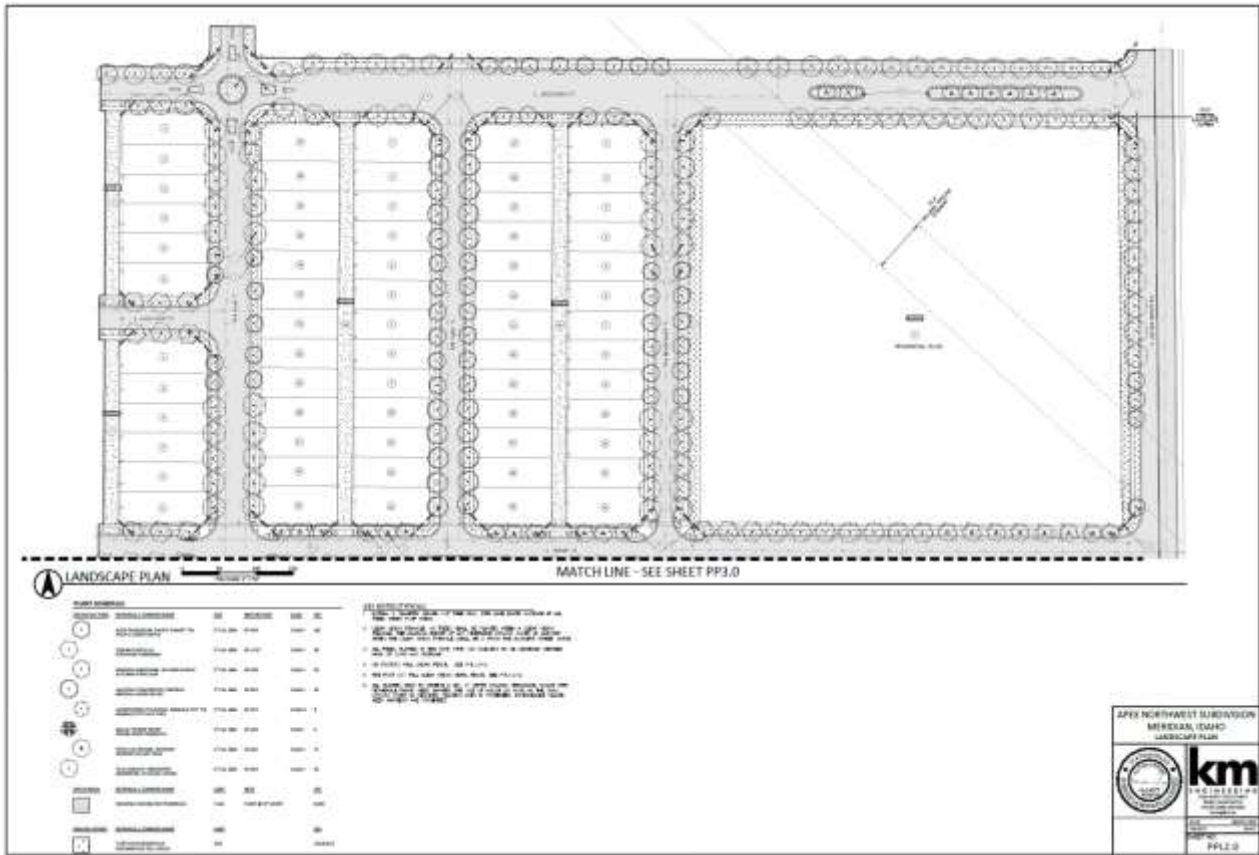


Phasing Plan:

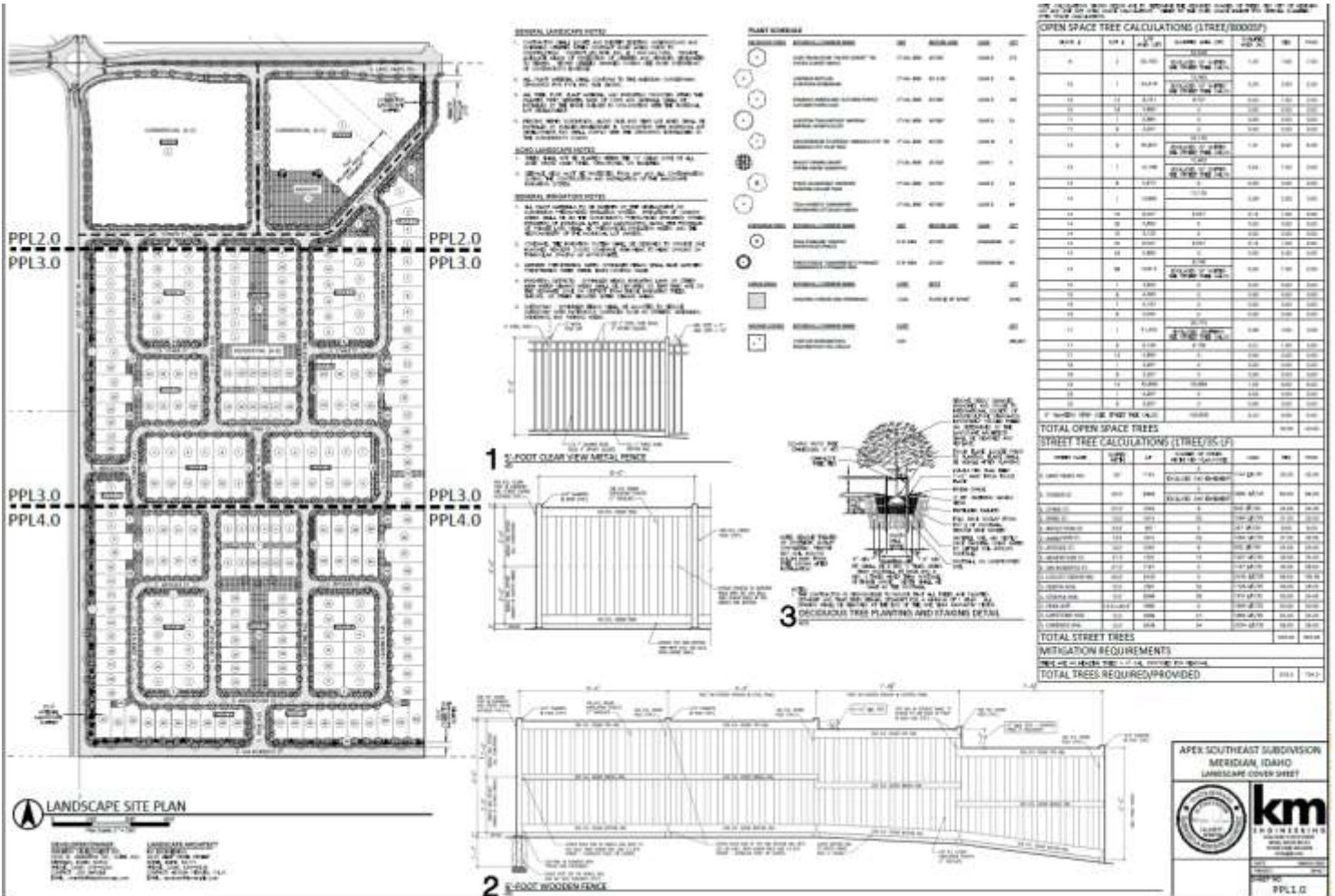


E. Landscape Plan (date: 4/30/2020)
Northwest:

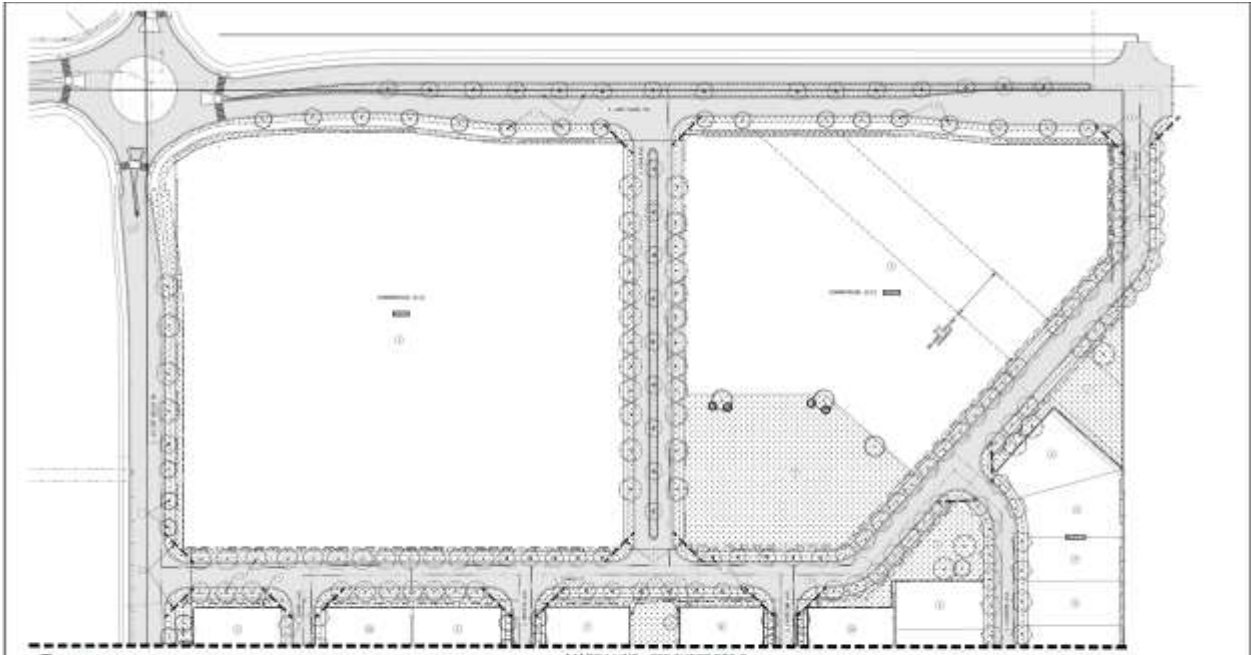




Southeast:



Item #4.



LANDSCAPE PLAN

MATCH LINE - SEE SHEET PP3.0

| TREES | | | | SHRUBS | | | | PLANTS | | | |
|----------|-------------|-----|---------|----------|-------------|-----|---------|----------|-------------|-----|---------|
| SYMBOL | COMMON NAME | HT. | SPACING | SYMBOL | COMMON NAME | HT. | SPACING | SYMBOL | COMMON NAME | HT. | SPACING |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |

AREA SOUTHEAST SUBDIVISION
MERIDIAN, IDAHO
LANDSCAPE PLAN

PP3.0



LANDSCAPE PLAN

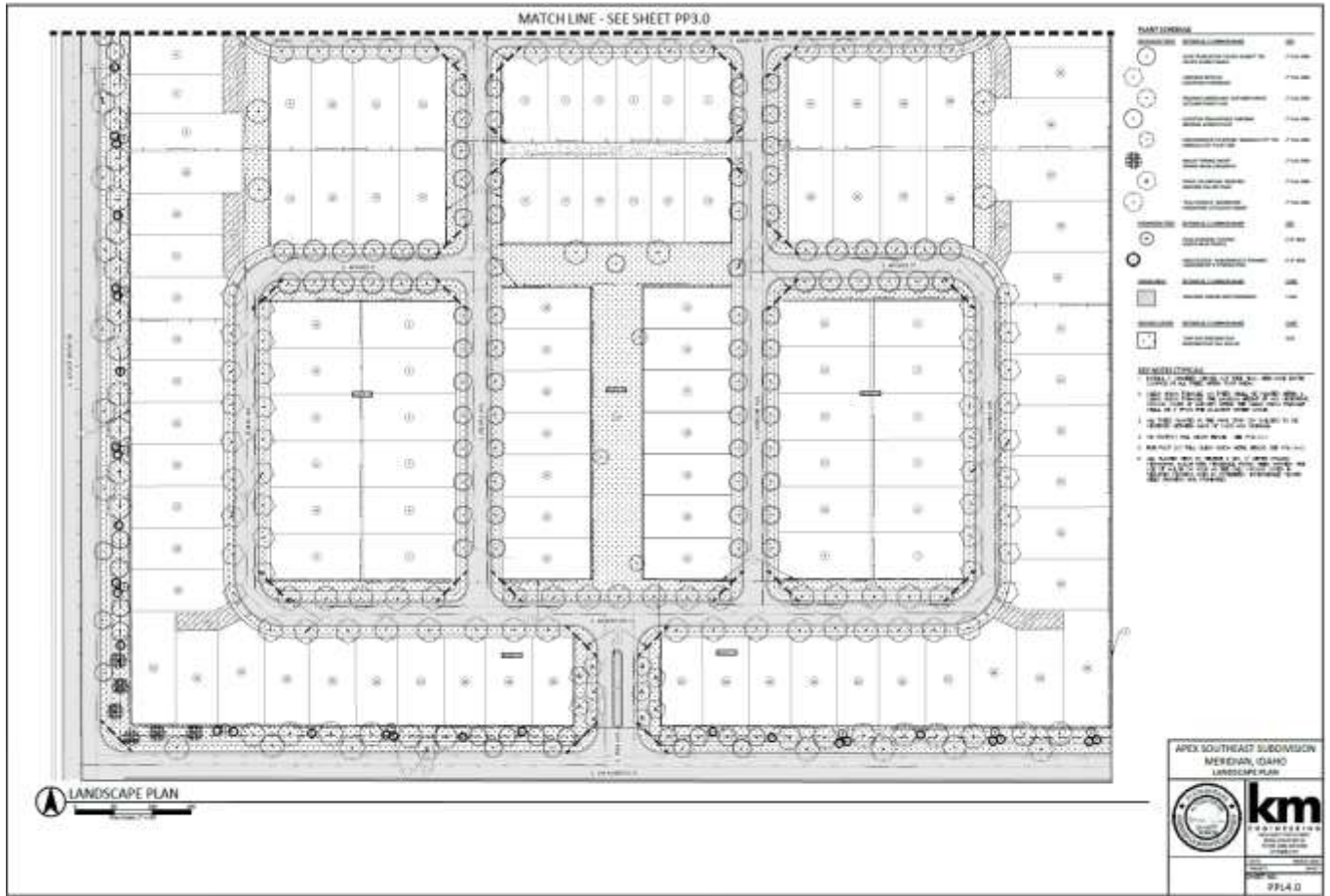
MATCH LINE - SEE SHEET PP4.0

| TREES | | | | SHRUBS | | | | PLANTS | | | |
|----------|-------------|-----|---------|----------|-------------|-----|---------|----------|-------------|-----|---------|
| SYMBOL | COMMON NAME | HT. | SPACING | SYMBOL | COMMON NAME | HT. | SPACING | SYMBOL | COMMON NAME | HT. | SPACING |
| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
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| (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... | (Symbol) | ... | ... | ... |
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AREA SOUTHEAST SUBDIVISION
MERIDIAN, IDAHO
LANDSCAPE PLAN

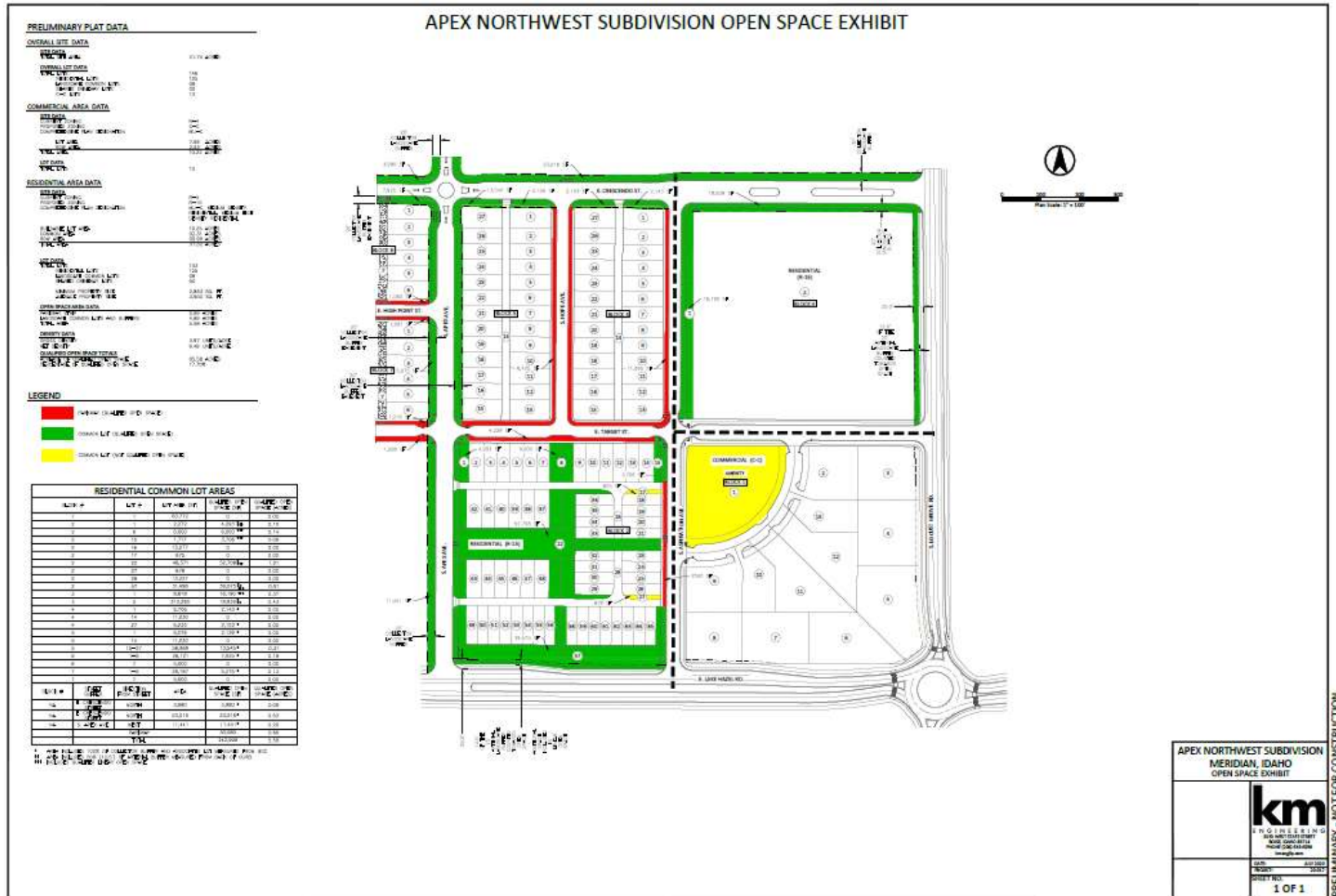
PP3.0

Item #4.



F. Qualified Open Space Exhibit (dated: ~~March~~ May 2020) - REVISED

Northwest:



G. Conceptual Building Elevations/Renderings

Residential:



Item #4.



Commercial:



Item #4.



H. Legal Description & Exhibit Map of Property Subject to New Development Agreement



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

August 18, 2020
Apex Subdivision
Project No. 20-017
Legal Description

Exhibit A
Legal Description for
Apex Subdivision

A parcel of land situated in a portion of the East 1/2 of the Northwest 1/4, all of the Southeast 1/4 of Section 31 and a portion of the West 1/2 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., all of West 1/2 of the Northwest 1/4 Section 5 and a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center 1/4 Section 31, Township 3 North, Range 1 East, B.M., thence following the southerly line of the East 1/2 of the Northwest 1/4 of said Section 31, S89°57'15"W a distance of 1,318.94 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of the East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet to a point;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet to a point;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet to a point;
Thence S46°52'43"E a distance of 45.40 feet to a point;
Thence S54°18'10"E a distance of 180.18 feet to a point;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet to a point;
Thence S70°02'36"E a distance of 107.80 feet to a point;
Thence S19°57'24"W a distance of 12.00 feet to a point;
Thence S70°02'36"E a distance of 14.45 feet to a point;
Thence S61°58'05"E a distance of 207.13 feet to a point;
Thence S65°32'50"E a distance of 188.57 feet to a point on the easterly line of the Southeast 1/4 of the Northwest 1/4 said Section 31;
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.744 acres, more or less.

TOGETHER WITH:

BEGINNING at a 5/8-inch rebar marking the Center 1/4 Section 31, Township 3 North, Range 1 East, B.M., thence following the northerly line of the Southeast 1/4 of said Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following easterly line of the Southeast 1/4 of said Section 31, S00°32'22"E a distance of 226.26 feet to a 5/8-inch rebar on the centerline of Farr Lateral;

ENGINEERS | SURVEYORS | PLANNERS

Thence leaving said easterly line and following the centerline of said Farr Lateral the following seven (7) courses:

1. S38°43'32"E a distance of 61.71 feet to a point;
2. S51°12'32"E a distance of 444.04 feet to a point;
3. S60°36'10"E a distance of 272.66 feet to a point;
4. S86°04'31"E a distance of 206.22 feet to a point;
5. S73°45'13"E a distance of 301.51 feet to a point;
6. S43°15'53"E a distance of 313.74 feet to a point;
7. S29°01'13"E a distance of 37.13 feet to a point on the easterly line of the West 1/2 of the Southwest 1/4 said Section 32;

Thence leaving said centerline and following the easterly line of the West 1/2 of the Southwest 1/4 of said Section 32, S00°08'25"E a distance of 206.12 feet to a 1/2-inch rebar on the easterly boundary of said Farr Lateral;

Thence leaving said easterly line and following the easterly boundary of said Farr Lateral the following twelve (12) courses:

1. 22.57 feet along the arc of a circular curve to the right, said curve having a radius of 144.67 feet, a delta angle of 08°56'24", a chord bearing of S56°50'40"W and a chord distance of 22.55 feet to a 1/2-inch rebar;
2. S61°18'54"W a distance of 91.61 feet to a 1/2-inch rebar;
3. 122.47 feet along the arc of a circular curve to the right, said curve having a radius of 220.00 feet, a delta angle of 31°53'39", a chord bearing of S77°15'42"W and a chord distance of 120.89 feet to a 1/2-inch rebar;
4. N86°47'31"W a distance of 362.95 feet to a 1/2-inch rebar;
5. S83°47'06"W a distance of 26.72 feet to a 1/2-inch rebar;
6. S69°57'44"W a distance of 128.97 feet to a 1/2-inch rebar;
7. 90.89 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 47°20'30", a chord bearing of S46°18'02"W and a chord distance of 88.33 feet to a point;
8. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and chord distance of 63.56 feet to a 1/2-inch rebar;
9. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
10. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
11. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
12. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of the West 1/2 of the southwest 1/4 of said Section 32;

Thence leaving said easterly boundary and following easterly line of the West 1/2 of the Southwest 1/4 of said Section 32, S00°10'02"E a distance of 431.17 feet to a 5/8-inch rebar common to Section 5, Township 2 North Range 1 East, B.M., and Section 32, Township 3 North Range 1 East, B.M.;

Thence leaving said easterly line and following the easterly line of the West 1/2 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 2,672.88 feet to the Center-West 1/16 corner of said Section 5;

Thence leaving said easterly line and following the southerly line of the West 1/2 of the Northwest 1/4 of said Section 5, N89°52'38"W a distance of 1,329.65 feet to a brass cap common to Sections 5 and 6;
 Thence leaving said southerly line and following the southerly line of the East 1/2 of the Northeast 1/4 of said Section 6, N89°22'50"W a distance of 1,304.25 feet to a point;
 Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet to a point;
 Thence N00°20'23"W a distance of 549.25 feet to a point;
 Thence N87°34'26"W a distance of 13.49 feet to the westerly line of the East 1/2 of the Northeast 1/4 of said Section 6;
 Thence following the westerly line of the East 1/2 of the Northeast 1/4 of said Section 6, N00°02'06"W a distance of 66.73 feet to a point on the westerly right-of-way line of the Rawson Canal;
 Thence leaving said westerly line and following the westerly right-of-way line of said Rawson Canal the following nine (9) courses:

1. N78°25'55"E a distance of 161.21 feet to a point;
2. N54°55'20"E a distance of 74.17 feet to a point;
3. N31°51'12"E a distance of 92.01 feet to a point;
4. N10°25'10"E a distance of 381.33 feet to a point;
5. N05°26'52"W a distance of 106.26 feet to a point;
6. N18°56'20"W a distance of 287.65 feet to a point;
7. N32°08'38"W a distance of 91.83 feet to a point;
8. N61°32'57"W a distance of 104.61 feet to a point;
9. N74°59'05"W a distance of 44.02 feet to a point;

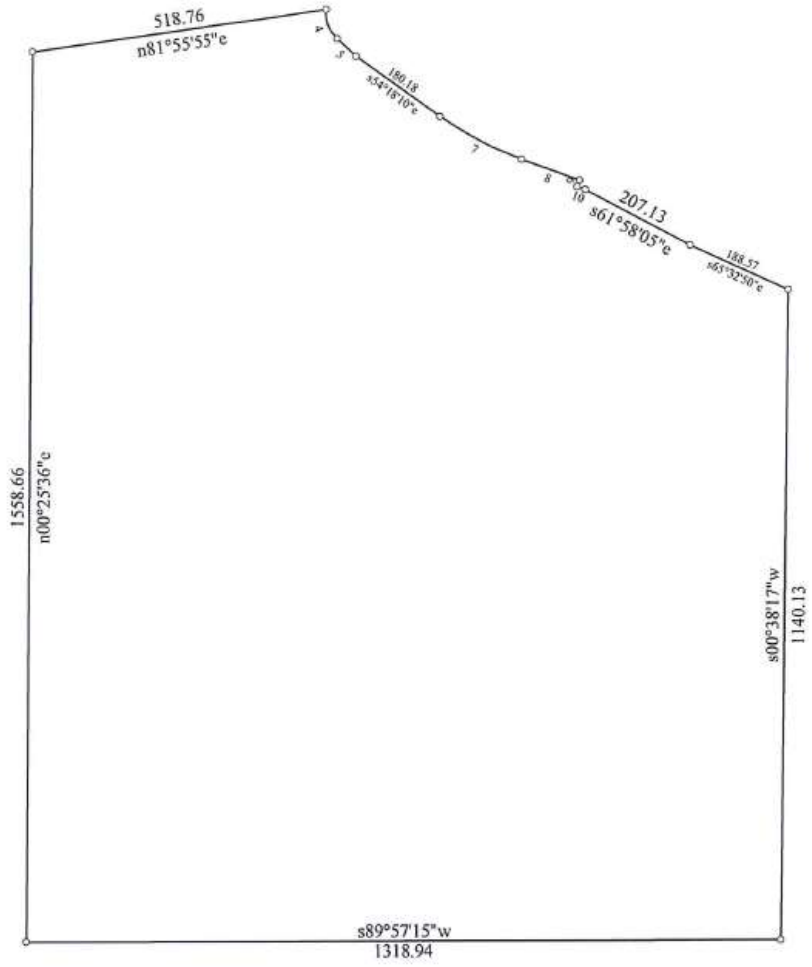
Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 890.79 feet to a point on the northerly line of the Northeast 1/4 of said Section 6;
 Thence following said northerly line, N89°42'21"W a distance of 1,370.00 feet to a 5/8-inch rebar common to Section 6, Township 2 North Range 1 East, B.M., and Section 31, Township 3 North Range 1 East, B.M.;
 Thence leaving said northerly line and following the westerly line of the Southeast 1/4 of said Section 31, N00°16'52"E a distance of 1,342.44 feet to a 5/8-inch rebar marking the Center-South 1/16 corner of said Section 31;
 Thence N00°16'52"E a distance of 1,342.44 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 366.194 acres, more or less.

Said description contains a total of 409.938 acres, more or less.

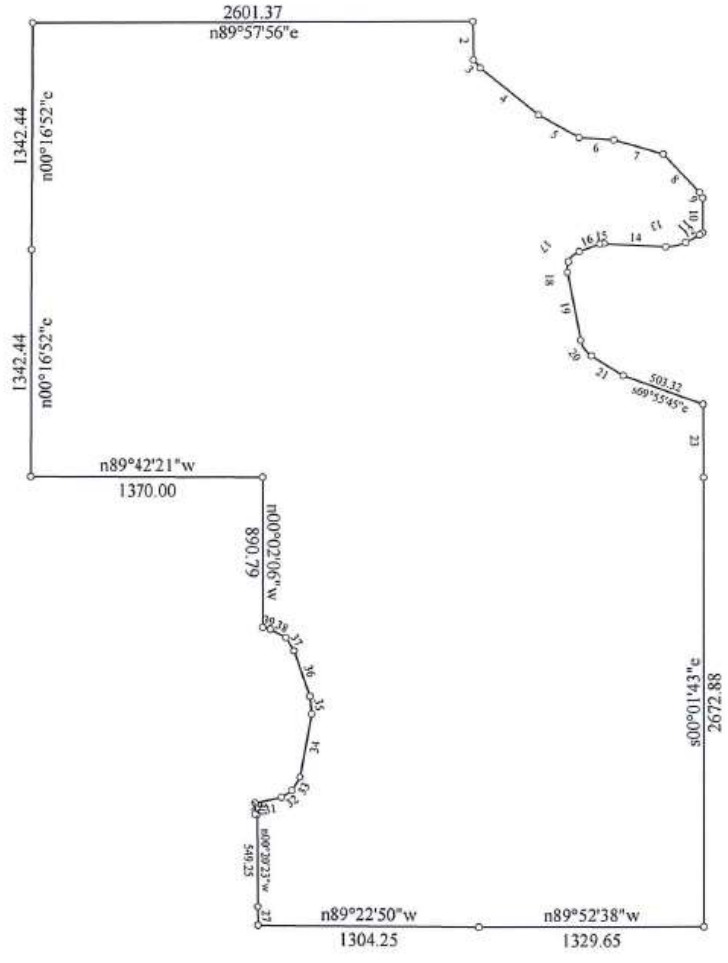


Item #4.



| | | |
|--|---|-----------------------|
| Title: Apex Subdivision | | Date: 08-17-2020 |
| Scale: 1 inch = 300 feet | File: 200817 Apex Subdivision Legal 20-017 | |
| Tract 1: 43.744 Acres: 1905504 Sq Feet: Closure = s57.2522w 0.01 Feet: Precision = 1/627918: Perimeter = 5510 Feet | | |
| 001=s89.5715w 1318.94 | 006=s54.1810e 180.18 | 011=s61.5805e 207.13 |
| 002=n00.2536e 1558.66 | 007: Lt, R=-588.00, Delta=15.4426 Bng=s62.1023e, Chd=-161.03 | 012=s65.3250e 188.57 |
| 003=n81.5555e 518.76 | 008=s70.0236e 107.80 | 013=s00.3817w 1140.13 |
| 004: Lt, R=58.00, Delta=55.3550 Bng=s20.4952e, Chd=54.10 | 009=s19.5724w 12.00 | |
| 005=s46.5243e 45.40 | 010=s70.0236e 14.45 | |

Item #4.



| | | |
|--|---|-----------------------|
| Title: Apex Subdivision | | Date: 08-18-2020 |
| Scale: 1 inch = 1000 feet | File:200817 Apex Subdivision Legal 20-017 | |
| Tract 1: 366.194 Acres: 15951396 Sq Feet: Closure = s50.3758e 0.02 Feet: Precision >1/999999; Perimeter = 19597 Feet | | |
| 001=n89.5756e 2601.37 | 016=s69.5744w 128.97 | 031=n78.2555e 161.21 |
| 002=s00.3222e 226.26 | 017: Lt, R=110.00, Delta=47.2030 Bng=s46.1802w, Chd=88.33 | 032=n54.5520e 74.17 |
| 003=s38.4332e 61.71 | 018: Lt, R=110.00, Delta=33.3503 Bng=s05.5015w, Chd=63.56 | 033=n31.5112e 92.01 |
| 004=s51.1232e 444.04 | 019=s10.5745e 410.17 | 034=n10.2510e 381.33 |
| 005=s60.3610e 272.66 | 020: Lt, R=140.00, Delta=47.0241 Bng=s34.2908e, Chd=111.75 | 035=n05.2652w 106.26 |
| 006=s86.0431e 206.22 | 021=s58.0031e 219.85 | 036=n18.5620w 287.65 |
| 007=s73.4513e 301.51 | 022=s69.5545e 503.32 | 037=n32.0838w 91.83 |
| 008=s43.1553e 313.74 | 023=s00.1002e 431.17 | 038=n61.3257w 104.61 |
| 009=s29.0113e 37.13 | 024=s00.0143e 2672.88 | 039=n74.5905w 44.02 |
| 010=s00.0825e 206.12 | 025=n89.5238w 1329.65 | 040=n00.0206w 890.79 |
| 011: Rt, R=144.67, Delta=08.5624 Bng=s56.5040w, Chd=22.55 | 026=n89.2250w 1304.25 | 041=n89.4221w 1370.00 |
| 012=s61.1854w 91.61 | 027=n00.4355w 111.26 | 042=n00.1652e 1342.44 |
| 013: Rt, R=220.00, Delta=31.5339 Bng=s77.1542w, Chd=120.89 | 028=n00.2023w 549.25 | 043=n00.1652e 1342.44 |
| 014=n86.4731w 362.95 | 029=n87.3426w 13.49 | |
| 015=s83.4706w 26.72 | 030=n00.0206w 66.73 | |

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).
 - e. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.
 - ~~i. The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

~~division is approved by Ada County, proof of such shall be submitted to the Planning Division with the subdivision application for the eastern portion of the property.~~

- j. Multi-use pathways shall be provided with development as required by the Park's Department in accord with the Pathways Master Plan.
 - k. The commercial (C-C zoned) portions of this development are allowed to obtain building permits prior to subdivision of the property.
2. The final plat submitted for Apex Northwest shall incorporate the following:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Crescendo St. and S. Apex Ave. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. The north/south alley in Block 5 does not comply with the standards listed in UDC 11-6C-3B.5 as the entire length of the alley is not visible from a public street as required; common driveways may be considered as an alternative to the alley provided they meet the standards listed in UDC 11-6C-3D, subject to alternative compliance approval.
 - c. Depict minimum 20-foot wide street buffers along E. Crescendo St. and S. Apex Ave., collector streets, in accord with UDC 11-3B-7C.2.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 3. The final plat submitted for Apex Southeast shall incorporate the following revisions:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Tower St. S. Vertex Way and E. Via Roberto St. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. Depict minimum 20-foot wide street buffers along E. Tower St., S. Vertex Way and E. Via Roberto St., collector streets, in accord with UDC 11-3B-7C.2.
 - c. Depict two (2) additional minimum 15-foot wide common lots for micro-path connections to Discovery Park at the east boundary in Block 14.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 4. The landscape plan submitted with the final plat application for Apex Northwest shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the

construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

- f. Depict a gazebo with tables and benches as an amenity in Lot 32, Block 5; include a detail of the gazebo.
5. The landscape plan submitted with the final plat application for Apex Southeast shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - f. Depict two (2) additional minimum 15-foot wide common lots with 5-foot wide micro-paths in Block 14 at the east boundary; depict landscaping on either side of the pathways in accord with the standards listed in UDC 11-3B-12C.
 - g. Depict the children's play equipment proposed in the central common area; include a detail of the play equipment.
 6. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6, 11-2A-7 and 11-2B-3 for the R-8, R-15 and C-C zoning districts respectively.
 7. Off-street parking is required to be provided for residential uses in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit; and for non-residential uses in accord with the standards listed in UDC 11-3C-6B.1.
 8. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
 9. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
 10. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included in a note on the face of the plat.

11. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses and structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired.
- ~~13. The qualified open space exhibits for the residentially zoned portions of Apex Northwest and Apex Southeast shall be revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B. If additional qualified open space is needed, the plat should be revised to comply.~~

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 The north-south sewer line in the landscaped area of Block 5 (Apex NW) needs to be moved east to the paved access road.
- 1.2 No sewer or water lines have been shown to the lots in Block 7 (Apex NW). Each lot will need to have services provided.
- 1.3 Public Work's preference is to see all water utilities in the public right-of-way (R-O-W), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions that meet both the developer's design constraints and Public Works' maintenance needs.
- 1.4 This development will need to be modeled at final plat to verify each phase meets minimum fire flow pressures
- 1.5 From the preliminary geotechnical investigation of groundwater elevation provided in the application, it appears that groundwater may not be a factor with the development of this subdivision. The initial investigative report is dated April 8, 2018, and additional data collection is recommended to confirm actual groundwater levels. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

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 for the residential portions of the development.
 - 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.
- 2.23The 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

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189722&dbid=0&repo=MeridianCity&cr=1>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189784&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190778&dbid=0&repo=MeridianCity>

E. PARK’S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191486&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191487&dbid=0&repo=MeridianCity>

F. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190290&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190975&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190977&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191226&dbid=0&repo=MeridianCity>

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192784&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192785&dbid=0&repo=MeridianCity>

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189951&dbid=0&repo=MeridianCity>

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190512&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190510&dbid=0&repo=MeridianCity>

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190604&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190605&dbid=0&repo=MeridianCity>

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190598&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;
The City Council finds the proposed zoning map amendment to ~~R-2~~, R-8, R-15 & C-C and proposed development is generally consistent with the Comprehensive Plan if the Applicant complies with the provisions in Section IX.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The City Council finds the proposed single-family attached and detached homes with front-loaded and alley-loaded options will contribute to the range of housing opportunities in the City; other residential types may be provided with future phases of development.
The City Council finds the commercial portion of the property will provide for the retail and service needs of the community in accord with the Comprehensive Plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The City Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.
5. The annexation (as applicable) is in the best interest of city.
~~*Staff finds the proposed annexation to the R-2 zoning district is consistent with the LDR FLUM designation in the Comprehensive Plan and thus is in the best interest of the City. Not applicable*~~

B. Preliminary Plat Findings:

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

- 1. The plat is in conformance with the Comprehensive Plan;**
The City Council finds that the proposed preliminary plats, with recommended conditions, are in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)
- 2. Public services are available or can be made available and are adequate to accommodate the proposed development;**
The City Council finds that public services will be provided to the subject properties proposed to be subdivided with development. (See Section IX 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, the City Council 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;

The City Council 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,

The City Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

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



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Apex Northwest (H-2020-0056) by Brighton, Murgoitio, et al., Located at the Northwest Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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



In the Matter of the Request for a Modification to the Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to Replace the Agreements with One New Agreement Based on the Proposed Development Plan; Rezone of 384.97 acres of Land from the R-4 to the R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) Zoning Districts; Preliminary Plat Consisting of 120 Residential Buildable Lots, 11 Commercial Buildable Lots and 14 Common Lots on 41.75 Acres of Land in the C-C and R-15 Zoning Districts; and Preliminary Plat Consisting of 237 Residential Buildable Lots, 2 Commercial Buildable Lots, 30 Common Lots and 10 Other (Shared Driveway) Lots on 81.63 Acres of Land in the C-C and R-8 Zoning Districts, by Brighton, Murgoitio, et al.

Case No(s). H-2020-0066; H-2020-0056; H-2020-0057

For the City Council Hearing Date of: August 11, 2020 (Findings on August 25, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.

- 6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of August 11, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for a modification to the existing Development Agreements, Rezone and Preliminary Plats is hereby approved per the provisions in the Staff Report for the hearing date of August 11, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of August 11, 2020

By action of the City Council at its regular meeting held on the _____ day of _____, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020

TO: Mayor & City Council

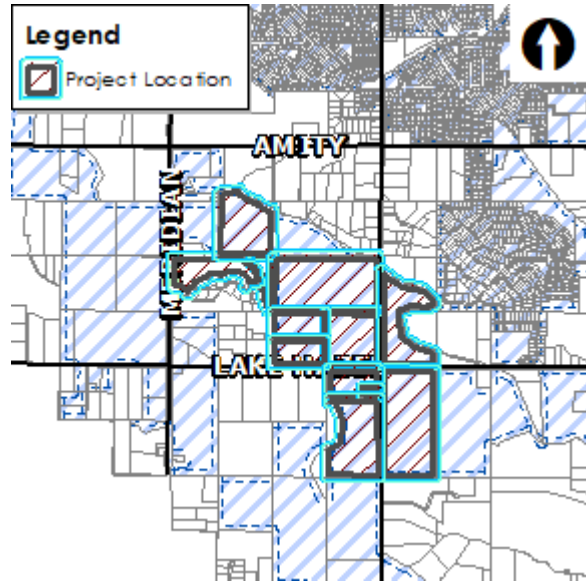
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbian Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.

PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E

PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

Modification to existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan; ~~Annexation of 40.09 acres of land with an R-2 zoning district;~~ and, Rezone of 384.97 acres of land from the R-4 to the R-2 (0.70 acre), R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

Apex Northwest (NW): Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

Apex Southeast (SE): Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Because right-of-way for E. Lake Hazel Rd. and S. Locust Grove Rd. separates the land proposed to be platted, two separate preliminary plat applications are required to subdivide the property.

II. SUMMARY OF REPORT

A. Project Summary

| Description | Details | Page |
|---|--|-------------|
| Acreage | 40.09 (AZ); 384.97 (RZ); 41.75 (PP - Northwest); 81.63 (PP - Southeast) | |
| Existing/Proposed Zoning | RUT in Ada County (existing); R-4 (Medium Low-Density Residential) | |
| Future Land Use Designation | Low Density Residential [LDR (3 or fewer units/acre) – 39+/- acres]; Medium Density Residential (MDR – 3 to 8 units/acre) (206/- acres); Medium High-Density Residential (21+/- acres); & Mixed Use – Community (MU-C) (120+/- acres) | |
| Existing Land Use(s) | Agricultural | |
| Proposed Land Use(s) | Single-family residential (SFR) attached/detached, commercial, office, 2 schools (elementary & charter) | |
| Lots (# and type; bldg./common) | NW: 120 residential buildable/11 commercial buildable/14 common SE: 237 residential buildable/2 commercial buildable/30 common/10 other NW & SE Combined: 357 SFR residential buildable; 13 commercial buildable; 44 common lots; and 10 other lots for shared driveways | |
| Phasing Plan (# of phases) | 3 (NW); 5 (SE) | |
| Number of Residential Units (type of units) | NW: 120 units (88 detached/32 attached) SE: 237 units (detached) NW & SE Combined: 325 detached & 88 attached | |
| Density (gross & net) | NW: 5.62 units/acre (gross); 11.21 units/acre (net) SE: 3.75 units/acre (gross); 6.17 units/acre (net) NW & SE (overall): 4.22 units/acre (gross); 7.27 units/acre (net) | |
| Open Space (acres, total [%]/buffer/qualified) | NW: 6.33 acres (15.17%) SE: 10.79 acres (13.22%) NW & SE Combined: 17.12 acres (or 13.88%) | |
| Amenities | NW: Community center with a clubhouse, community post office, café, library/business center; community amphitheater; additional common open space above the minimum required. SE: Community swimming pool, tot lot with play equipment, pathway access to the City’s Discovery Park, additional common open space above the minimum required. | |
| Physical Features (waterways, hazards, flood plain, hillside) | The Farr Lateral runs along the north and east boundaries of this site; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the site. | |
| Neighborhood meeting date; # of attendees: | 2/5/20; 29 attendees | |
| History (previous approvals) | ROS #7394; ROS #7783; H-2015-0019 – South Meridian AZ (DA’s: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; and Murgoitio Limited Partnership – Inst. #2016- 007074) | |

B. Community Metrics

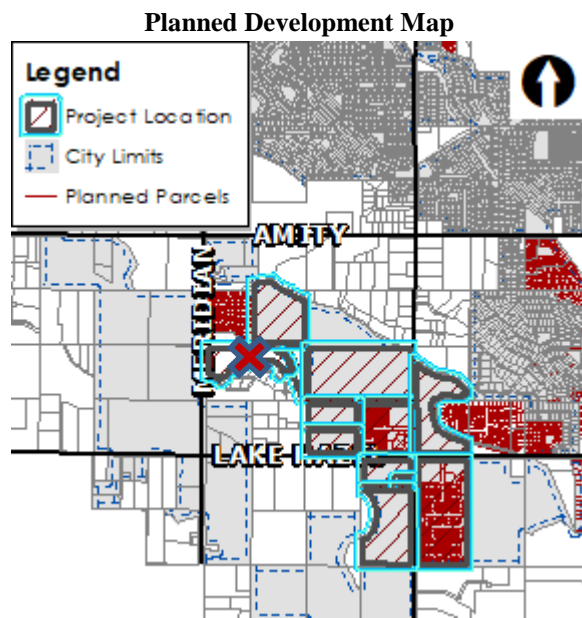
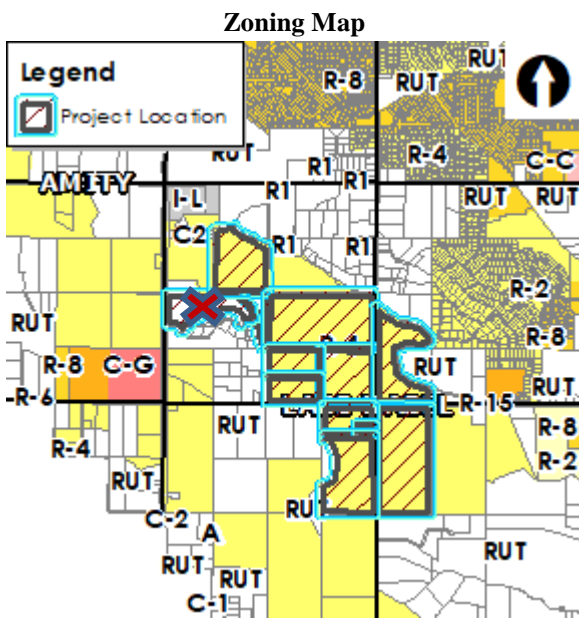
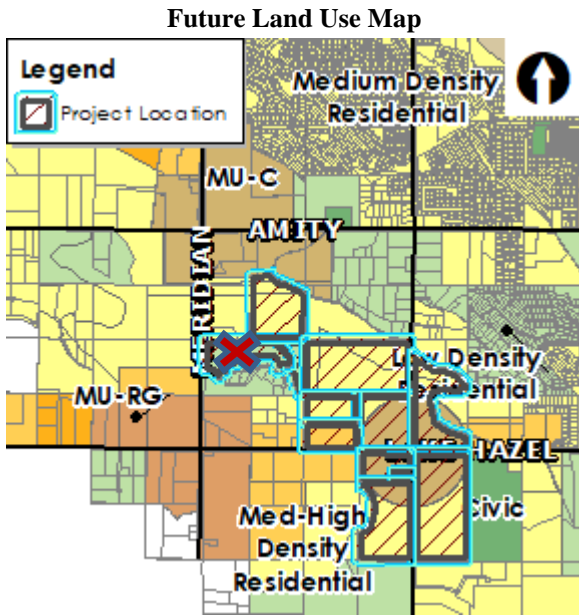
| Description | Details | Page |
|--|-------------------------------|-------------|
| Ada County Highway District | | |
| • Staff report (yes/no) | Yes (PP, draft); Yes (AZ, RZ) | |
| • Requires ACHD Commission Action (yes/no) | Yes (TBD) | |
| Traffic Impact Study (yes/no) | Yes | |

| Description | Details | Page |
|--|---|------|
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | NW: 2 accesses via S. Locust Grove Rd. & 2 accesses via E. Lake Hazel Rd., both existing arterial streets; and 2 collector streets are proposed SE: 2 accesses via E. Lake Hazel Rd. & 3 accesses via S. Locust Grove Rd., both existing arterial streets; and 3 collector streets are proposed | |
| Traffic Level of Service | Better than “D” (Acceptable level of service is “E”) – Lake Hazel, Locust Grove & Amity Roads | |
| Stub Street/Interconnectivity/Cross Access | Two stub streets are proposed to this site from Prevail Subdivision near the northwest corner of the rezone area; no other stub streets exist to this site. Stub streets are proposed to adjacent properties for interconnectivity as shown on the preliminary plats. | |
| Existing Road Network | There are no existing streets within the site, only S. Meridian Rd./SH-69, E. Lake Hazel Rd. and S. Locust Grove Rd. adjacent to the site | |
| Existing Arterial Sidewalks / Buffers | There are no existing sidewalks or buffers along Meridian Rd./SH-69, Lake Hazel, or Locust Grove Roads. | |
| Proposed Road Improvements | <p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road in 2023. Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road in 2021. Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Eagle Road to Cloverdale Road in 2024. Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Five Mile Road. The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023. The intersection of Locust Grove Road and Victory Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 4-lanes on the north and south legs and 2-lanes on the east and west legs in 2021. Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Locust Grove Road to Eagle Road between 2026 and 2030. Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Meridian Road (SH-69) to Locust Grove Road between 2026 and 2030. Amity Road is listed in the 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 CIP to be reconstructed as a single lane roundabout widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg with a westbound bypass right turn bypass lane between 2026 and 2030. The intersection of Lake Hazel Road and SH-69 is listed in the CIP to be widened to 7-lanes on the north, south, west and east legs and signalized between 2026 and 2030. The intersection of Locust Grove Road and Amity Road is listed in the CIP to be widened to 4-lanes on the north leg, 3-lanes on the south leg, 5-lanes on the west leg and 6-lanes on the east leg and signalized between 2026 and 2030. <p>Additional right-of-way is required to be dedicated for the future expansion of Lake Hazel & Locust Grove Roads with pavement widened to 17’ from centerline</p> | |
| Fire Service | | |
| • Distance to Fire Station | NW – 3.3 miles to Fire Station #4 SE – 3.1 miles to Fire Station #4 | |
| • Fire Response Time | NW & SE - only a small portion falls within 5 minute response time goal | |
| • Resource Reliability | NW & SE - 78% - does <i>not</i> meet target goal of 80% or greater | |
| • Risk Identification | NW & SE – 1 and 4, current resources would <i>not</i> be adequate to supply service to this project | |
| • Accessibility | NW & SE - Project meets all required access, road widths and turnarounds <i>if</i> phasing plan is followed | |

| Description | Details | Page | | | | | | | | | | | | | | | | | | | | |
|--|---|----------|---|----------|---|-----------------------------|-----|-----|-----|---------------------|-----|-----|-----|-----------------------|-----|------|-----|---------------------------|------|------|-----|--|
| <ul style="list-style-type: none"> Special/resource needs | NW & SE - Project will require an aerial device; response time is 9 minutes travel time (under ideal conditions) – can meet this need in the required timeframe if needed | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Water Supply | NW & SE - Requires 1,500 gallons per minute for 2 hours, may be less if buildings are fully sprinklered | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Other Resources | | | | | | | | | | | | | | | | | | | | | | |
| Police Service | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Police Station | 4.5 miles | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Police Response Time | Average response time in the City is just under 4 minutes – there isn’t enough public initiated call data to determine an average response time for this area (goal is 3-5 minutes) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Calls for Service | 71 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Accessibility | No concerns | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Specialty/resource needs | No additional resources are required at this time. | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Crimes | 10 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Crashes | 38 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Other | The MPD can provide service if this development is approved as they already serve this area. | | | | | | | | | | | | | | | | | | | | | |
| 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 <small>(Dist. to School)</small></th> </tr> </thead> <tbody> <tr> <td>Mary McPherson Elementary**</td> <td>555</td> <td>550</td> <td>2.0</td> </tr> <tr> <td>Siena Elementary***</td> <td>677</td> <td>800</td> <td>3.1</td> </tr> <tr> <td>Victory Middle School</td> <td>969</td> <td>1000</td> <td>4.2</td> </tr> <tr> <td>Mountain View High School</td> <td>2210</td> <td>2349</td> <td>3.3</td> </tr> </tbody> </table> <p>**During the 20/21 school year Mary McPherson's student capacity will increase to 675, due to the current classroom expansion underway. **</p> <p>***Enrollment at Hillsdale Elementary is currently capped. Students in this development that are in the Hillsdale Boundary will be attending Siena Elementary until a new school is built to eliminate overcrowding at Hillsdale.***</p> | | Enrollment | Capacity | Miles <small>(Dist. to School)</small> | Mary McPherson Elementary** | 555 | 550 | 2.0 | Siena Elementary*** | 677 | 800 | 3.1 | Victory Middle School | 969 | 1000 | 4.2 | Mountain View High School | 2210 | 2349 | 3.3 | |
| | Enrollment | Capacity | Miles <small>(Dist. to School)</small> | | | | | | | | | | | | | | | | | | | |
| Mary McPherson Elementary** | 555 | 550 | 2.0 | | | | | | | | | | | | | | | | | | | |
| Siena Elementary*** | 677 | 800 | 3.1 | | | | | | | | | | | | | | | | | | | |
| Victory Middle School | 969 | 1000 | 4.2 | | | | | | | | | | | | | | | | | | | |
| Mountain View High School | 2210 | 2349 | 3.3 | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> # of Students Anticipated from this Development | 286 | | | | | | | | | | | | | | | | | | | | | |
| Wastewater | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Sewer Services | Directly adjacent | | | | | | | | | | | | | | | | | | | | | |
| <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 | 13.95 | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan | Yes | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Impacts/Concerns | Flow has been committed | | | | | | | | | | | | | | | | | | | | | |
| Water | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Water Services | Directly adjacent | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Pressure Zone | 5 | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Estimated Project Water ERU's | See application | | | | | | | | | | | | | | | | | | | | | |

| | | |
|---|---|--|
| <ul style="list-style-type: none"> • Water Quality | None | |
| <ul style="list-style-type: none"> • Project Consistent with Water Master Plan | Yes | |
| <ul style="list-style-type: none"> • Impacts/Concerns | Public Work's preference is to see all water utilities in the public right-of-way (ROW), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions | |

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Brighton, Murgoitio, et al – 2929 W. Navigator #400, Meridian, ID 83642

B. Owner:

Same as Applicant

C. Representative:

Michael D. Wardle, Brighton Corporation – 2929 W. Navigator #400, Meridian, ID 83642

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|--|---|----------------------------------|
| Notification published in newspaper | 6/19/2020 | 7/24/2020 |
| Notification mailed to property owners within 300 feet | 6/16/2020 | 7/21/2020 |
| Applicant posted public hearing notice on site | 6/26/2020 | 7/29/2020 |
| Nextdoor posting | 6/16/2020 | 7/21/2020 |

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

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates approximately ~~39 acres of the site as Low Density Residential (LDR)~~, 206+/- acres as Medium Density Residential (MDR); 21+/- acres as Medium High-Density Residential (MHDR); and 120+/- acres as Mixed Use – Community (MU-C). A future school site and City Park is designated in the general area northwest of the Locust Grove/Lake Hazel intersection, north of the MU-C designated area. Another school site is designated on the east side of N. Locust Grove Rd., north of Lake Hazel Rd., just north of the subject rezone area.

~~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.~~

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 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 purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas

have a tendency to be larger than in Mixed Use – Neighborhood (MU-N) areas, but not as large as in Mixed Use – Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C in the Comprehensive Plan (see pg. 3-16). In reviewing development applications, the items noted on Pgs. 3-13, 3-15 and 3-16 will be considered (see analysis below).

Transportation: ACHD’s [Master Street Map \(MSM\)](#) depicts an east/west residential collector street at the half mile between Amity and Lake Hazel Roads; a north/south industrial collector at the half mile between Meridian and Locust Grove Roads north of the half mile between Amity and Lake Hazel Roads, which transitions to a residential collector to the south to Lake Hazel Rd.; a commercial collector around the MU-C designated area at the Locust Grove/Lake Hazel intersection (see dashed lines on map below), and a residential collector along the southern boundary of Apex Southeast. A dual lane roundabout is planned at the Locust Grove/Lake Hazel Rd. intersection. *Note: Because a residential collector seems to be more appropriate than an industrial collector street designation in this area, ACHD has included a change to the street classification in the MSM update currently in process.*

The proposed preliminary plats depict collector streets consistent with the MSM (i.e. E. Crescendo St. & S. Apex Ave. in Apex Northwest; and E. Tower St., S. Vertex Way and E. Via Roberto St. in Apex Southeast). The proposed Master Plan included in Section VIII.A, depicts conceptual street locations in the annexation/rezone area; **future preliminary plats should provide collector streets in accord with the MSM as required by ACHD.**



Proposed Development: The Applicant proposes to develop the 41.75 acre property at the northwest corner of Locust Grove and Lake Hazel Roads in the MDR & MU-C designated areas with 120 single-family residential units consisting of 32 attached units and 88 detached units, a future public elementary school, and neighborhood-scale commercial uses as allowed in the C-C zoning district. The 81.63 acre property located at the southeast corner of Locust Grove and Lake Hazel Roads in the MDR and MU-C designated areas is

proposed to develop with 237 single-family residential detached units, a charter school, and commercial uses as allowed in the C-C zoning district.

A City Park is not required to be provided with this development due to the proximity of Discovery Park at the project’s southeast boundary; however, the Park’s Dept. would be willing to discuss the potential for a partnership if desired by the Applicant.

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)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front and alley-loaded) are proposed in Apex Southeast.

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

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

- “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)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front- and alley-loaded) are proposed in Apex Southeast.

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

The proposed residential uses should be compatible with existing rural residential/agricultural uses in the area. The proposed design of the commercial and residential areas with streets separating the uses should minimize conflicts.

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

Internal pedestrian pathways are proposed through common areas for interconnectivity as well as to the City Park on the east side of Apex Southeast and to perimeter sidewalks. Segments of the City’s multi-use pathway system are required in accord with the Pathways Master Plan (see Park’s Dept. comments in Section IX.E). Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

- “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 through this development in accord with current City plans.

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

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed with the preliminary plats.

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

*Lake Hazel Rd. lies between the proposed preliminary plats and is classified as a residential mobility arterial that is planned to be a major transportation corridor. A City Park (Discovery Park) abuts the east side of the proposed Apex Southeast subdivision. All four corners of the Lake Hazel/Locust Grove intersection are designated for mixed use (MU-C) development. **Development in this area should be high quality and more densely populated at a minimum of 6 units/acre in the MU-C designated area. The gross density of Apex Southeast is only 3.75 units per acre while the density of Apex Northwest is 5.62 units per acre. Staff encourages a higher density due to the location of this site adjacent to a major transportation corridor and City Park. This could be attained through the inclusion of more dense housing types such as more single-family attached units, townhome units and/or multi-family apartments.***

- “Ensure development provides safe routes and access to schools, parks, and other community gathering places.” (2.02.01G)

Detached sidewalks and pathways are proposed throughout the proposed subdivisions for safe pedestrian access to the future school sites, the City Park and neighborhood commercial/office uses.

- “Where feasible, encourage large transmission and pipeline utility corridors to function as transitional buffers, parkland, pathways, and gathering spaces within and adjacent to their right of way.” (3.07.01E)

A 75-foot wide easement for the Williams Northwest Gas Pipeline crosses this site and is depicted on the Master Plan and preliminary plats as grassy open space area containing a multi-use pathway. No structures are allowed within this easement.

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

Collector streets are proposed on the preliminary plats in accord with the MSM; collector streets will be required to be provided with future preliminary plats in accord with the MSM as required by ACHD.

In reviewing development applications, the following items will be considered in all Mixed Use areas, per the Comprehensive Plan (pg. 3-13): *(Staff’s analysis in italics)*

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”
The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.
- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”
Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.
- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”
A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

is required as a provision of the rezone to ensure future development is consistent with the MU-C FLUM designation.

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”
*The Master Plan for Apex Northwest depicts a community center with a plaza and amphitheater in the commercial portion of the development. **The Master Plan for the commercial portion of Apex Southeast nearest the intersection doesn’t include a development plan – the future plan should include some form of common, usable area such as a plaza or green space as desired as should other future commercial/office areas in MU-C designated areas where future development is unknown at this time.***
- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”
There are no existing residential uses adjacent to proposed commercial development; therefore, transitional uses and buffering aren’t applicable.
- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”
A public school is planned in Apex Northwest and a charter school is planned in Apex Southeast per the Master Plan in accord with the FLUM which depicts two school sites in this general area. A community center and amphitheater is proposed in the commercial portion of Apex Northwest. A 27-acre City Park (Discovery Park) abuts the east side of Apex Southeast. A linear open space is planned where the Williams Northwest Gas Pipeline easement is located.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”
An outdoor amphitheater, community center with a plaza and charter school is proposed in this development in the MU-C designated area. Discovery Park, a 27-acre regional City park, exists to the east of Apex Southeast and includes picnic shelters, pathways, open play areas, play structures, a splash pad, an off-leash dog park and ballfields.
- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”
The public/quasi-public areas (i.e. community center and amphitheater) proposed in this development are centrally located within the mixed use designated area in Apex Northwest. Discovery Park abuts Apex Southeast and offers a wide variety of activities for area residents.
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”
The proposed mixed use developments will be directly accessible to adjacent neighborhoods within the section through extension of streets and internal pedestrian pathways.
- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”
Roadways are proposed as a transition between residential and commercial land uses in both of the proposed subdivisions; and alleys, roadways and common areas are proposed between residential housing types and densities as desired.

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

The subject property is not located in Old Town, therefore, this item is not applicable.

In reviewing development applications, the following items will be considered in MU-C areas, per the Comprehensive Plan (pgs. 3-15 thru 3-16):

- “Developments should comply with the general guidelines for development in all Mixed Use areas.”
See analysis above.
- “All developments should have a mix of at least three land use types.”
The proposed development has a mix of residential, commercial, office and civic uses as desired.
- “Residential uses should comprise a minimum of 20% of the development area at gross densities ranging from 6 to 15 units/acre.”
Residential uses should comprise a minimum of 20% of the overall MU-C designated area at a minimum density of 6 units/acre. Prior to development of the “future development” areas on the Master Plan, a conceptual development plan should be submitted to ensure compliance.
- “Non-residential buildings should be proportional to and blend in with adjacent residential buildings.”
The design, color, construction materials and height of non-residential buildings should be proportional to and blend with adjacent residential buildings as desired.
- “Vertically integrated structures are encouraged.”
No vertically integrated structures are proposed at this time but are encouraged to be included.
- “Unless a structure contains a mix of both residential and office, or residential and commercial land uses, a maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 60,000 square-foot building footprint. For the development of public school sites, the maximum building size does not apply.”
The building footprints shown on the Master Plan do not exceed 30,000 square feet; future development should be consistent with this guideline.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating areas at restaurants do not count towards this requirement.”
*A community center with a plaza area and amphitheater are proposed in Apex Northwest adjacent to service commercial and office uses; a charter school is proposed in Apex Southeast. **These types of spaces and places and uses should be provided in all of the MU-C designated areas in accord with this guideline.** Linear open space containing a multi-use pathway is proposed where the Williams Northwest Gas Pipeline easement is located.*
- Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for additional residential densities and/or an increase to the maximum building footprint.”
Although this is an option, the developer is not requesting an increase in density or in the maximum building footprint allowed.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

The Applicant proposes to modify the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) for this property in order to replace the agreements with one new agreement based on the proposed Master Plan (see Section VIII.A).

The existing Development Agreements (DA’s) were required with the South Meridian Annexation application in 2015. Because that application was initiated by the City, no development was proposed at that time. A “placeholder” zoning of R-4 was assigned to all of the properties with the requirement that any future development would require an amendment to the DA’s to approve any proposed development plan. Existing allowed uses in the County pertaining to the raising or maintaining of livestock and agricultural operations; an exemption to MCC 6-3-10, Firearms, Dischargeable Instruments; and existing agreements for the collection of solid waste were allowed to remain and continue until such time as the properties redeveloped in the future. With the proposed development, these uses are required to cease.

The existing DA’s require any property or easements needed by the City to provide any sewer or water infrastructure needed in furtherance of the agreement to be provided by the Owner at no cost to the City for the intent of providing for the advancement of sewer and water infrastructure for the benefit of the property, the City and adjacent properties for water mains, sewer mains and trunk lines. Because all of the water and sewer infrastructure commitments have been met and have been constructed, these provisions do not need to be carried over to the new DA.

Staff recommends the proposed Master Plan is included in the new DA along with the provisions for future development listed in Section IX.A.1 to ensure compliance with the MU-C FLUM designation.

~~B. Annexation & Zoning (AZ):~~

~~Annexation of Lot 4, Block 1 of Shafer View Estates Subdivision consisting of 40.09 acres of land is proposed with an R-2 zoning district consistent with the associated FLUM designation of LDR. This lot was previously deed restricted as part of a non-farm development in the County and was only allowed to be used as open space for a period of not less than 15 years from the recording date of the plat; because the plat was recorded in 2002, this restriction has since expired.~~

~~No development is proposed at this time. Annexation is requested because the easterly 10 acres of the lot is needed for sewer and access to the proposed development; the remainder of the property is not proposed to develop as part of this project. Future development is required to comply with the dimensional standards of the R-2 zoning district. The Developer plans to develop the property between the collector street and the adjoining Shafer View Subdivision with 1-acre lots as a transition and buffer to the existing neighborhood. **Prior to annexation of the property, a lot division should be approved by Ada County in order for the Applicant to only develop the eastern portion of the property.**~~

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

~~The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because the R-2 district only allows single family residential detached dwellings, parks, minor public utilities and certain wireless communication facilities as principal permitted uses, Staff does not feel it’s necessary to restrict development of the property through a DA as a provision of annexation.~~

C. Rezone (RZ):

A rezone of 384.97 acres of land from the R-4 to the ~~R-2 (0.70 acre)~~, R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts is proposed.

~~The 0.70 of an acre of land proposed to be rezoned to R-2 is located directly to the east of the annexation area on the west side of the future collector street depicted on the Master Plan. Because this property is designated MDR on the FLUM, the R-4 or R-8 zoning districts would typically be the best zoning choices. However, because this area will develop as part of the adjacent property to the west proposed to be annexed with R-2 zoning, Staff recommends the adjacent LDR designation is used for the area proposed to be rezoned as allowed in the Comprehensive Plan when deemed appropriate and approved as part of a public hearing with a land development application (see pg. 3-9). No development is proposed at this time. Future development is required to comply with the dimensional standards of the R-2 zoning district listed in UDC Table 11-2A-4 and the allowed uses listed in UDC Table 11-2A-2.~~

The areas proposed to be rezoned to R-8 consisting of a total of 264.06 acres are primarily designated on the FLUM as MDR but some of the area is within the MU-C designated area. The Master Plan does not depict a conceptual development plan for much of the R-8 zoned area except for that to the south of the C-C zoned area in Apex Southeast where single-family detached homes are proposed at a gross density of 3.75 units/acre. **Because this area is in close proximity to a major transportation/mobility corridor (E. Lake Hazel Rd.) and a City Park, a higher density in this area is encouraged.**

The 76.93 acre areas proposed to be rezoned to R-15 lie within areas designated as MDR, MHDR and MU-C on the FLUM. The Master Plan does not include a conceptual development plan for the portion in the MHDR designated area. **To ensure future development occurs consistent with the guidelines in the Comprehensive Plan for MHDR designated areas, Staff recommends a DA provision requiring future development to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place; an alternative housing type such as townhomes and/or multi-family is recommended. Connectivity with adjacent uses and area pathways, attractive landscaping and project identity should also be provided.** The majority of the remainder of the R-15 area is designated MU-C with a small portion designated MDR. Alley-loaded single-family attached and detached homes are depicted on the Master Plan in the MDR and MU-C designated areas included in the Apex Northwest plat at the northwest corner of Locust Grove/Lake Hazel Roads in accord with the Comprehensive Plan. A concept development plan is not proposed for the remainder of the area proposed to be zoned R-15 north of the commercial area in Apex Northwest, on the south side of Lake Hazel and on the east side of Locust Grove in the MU-C designated area. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan.** Future development should comply with the dimensional standards of the R-15 district listed in UDC Table 11-2A-7, the allowed uses for the R-15 district listed in UDC Table 11-2A-2, and the general guidelines for Mixed Use developments and specifically MU-C designated areas in the Comprehensive Plan.

The proposed rezone of 43.28 acres of land to the C-C zoning district is consistent with the associated FLUM designation of MU-C. The area at the northwest corner of Locust Grove and Lake Hazel Roads is proposed to develop with a mix of neighborhood-serving commercial and office uses including a community center and amphitheater; and the area on the south side of Lake Hazel, east of the Locust Grove/Lake Hazel intersection is proposed to develop with a charter school as depicted on the Master Plan. A conceptual development plan is not proposed for the MU-C designated areas at the southwest, southeast and northeast corners of the intersection. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan consistent with these guidelines.**

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such should be submitted to the Planning Division with a future subdivision application for the surrounding property.

~~Legal descriptions with associated exhibit maps of the areas proposed to be rezoned are included in Section VIII.B. Because the legal description and map for the R-2 zoned area includes 40.09 acres of land that is part of the annexation request, Staff has requested the Applicant revise the description to exclude that area; a revised legal description and exhibit map should be submitted prior to the City Council hearing.~~

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because a new DA is proposed to replace the existing DA's Staff recommends the above recommended DA provisions are included in that agreement.

D. Preliminary Plats:

Two separate preliminary plats, Apex Northwest and Apex Southeast, are proposed due to ACHD right-of-way (ROW) for Lake Hazel and Locust Grove Roads separating the properties. Because this overall project will be developed as a single integrated project and marketed as such, analysis of both projects is included in this report.

Apex Northwest consists of 120 single-family residential buildable lots for the development of 88 detached and 32 attached dwelling units, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts. The minimum lot size proposed is 2,863 square feet (s.f.) with an average lot size of 3,885 s.f. The gross density proposed is 5.62 units/acre with a net density of 11.21 units/acre. The subdivision is proposed to develop in 3 phases as shown on the Phasing Plan in Section VIII.D.

Apex Southeast consists of 237 single-family residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet (s.f.) with an average lot size of 7,058 s.f. The gross density proposed is 3.75 units/acre with a net density of 6.17 units/acre. The subdivision is proposed to develop in three (5) phases as shown on the phasing plan in Section VIII.D.

Overall, a total of 357 single-family residential buildable lots, 13 commercial buildable lots, 44 common lots and 10 other lots are proposed between the two subdivisions at a gross overall density of 4.22 units/acre and a net overall density of 7.27 units/acre.

Existing Structures/Site Improvements:

There are no existing structures within the boundaries of the proposed plats.

The Northwest Williams Gas Pipeline crosses the northeast corners of Apex Northwest (Lot 2, Block 6) and Southeast (Lot 1, Block 9 and Lot 1, Block 14) subdivisions as depicted on the preliminary plats. Development within this area should comply with the Williams Developers' Handbook. No structures should be located within the easement.

Proposed Use Analysis:

The proposed single-family detached and attached dwellings are listed as a principal permitted use in the R-8 and R-15 zoning districts; and an education institution is listed as a conditional use in the R-8 zoning district per UDC Table 11-2A-2, subject to the specific use standards listed in UDC 11-4-3-14. An education institution and professional service (i.e. office) is listed as a principal permitted use in the C-C

district, subject to the specific use standards listed in UDC 11-4-3-14; other allowed uses in the C-C district are listed in UDC Table 11-2B-2.

Dimensional Standards (UDC 11-2):

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

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, alleys, common driveways, easements and block face.

The proposed lots in Apex Northwest are consistent with the dimensional standards of the R-15 and C-C zoning districts. **However, one of the alleys is not designed so that the entire length is visible from a public street as required by UDC 11-6C-3B.5e; the plat should be revised to comply.** Common driveways that comply with the standards in UDC 11-6C-3D may be considered as an alternative.

The proposed lots in Apex Southeast are consistent with the dimensional standards of the C-C and R-8 zoning districts. Two (2) alleys and 10 common driveways are proposed in the residential portion of the development that are consistent with the standards in UDC 11-6C-3. Such alleys and common driveways should be constructed in accord with the standards listed in UDC 11-6C-3B.5 and 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

Access (UDC 11-3A-3)

Access is required to comply with the standards listed in UDC 11-3A-3.

Apex Northwest: Two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street, and two (2) public street accesses are proposed via S. Locust Grove Rd., an arterial street. Collector streets (E. Crescendo St. and S. Apex Ave.) are proposed in accord with the MSM.

Apex Southeast: Three (3) public street accesses are proposed via S. Locust Grove Rd., an arterial street, and two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street. Collector streets (E. Tower St., S. Vertex Way and E. Via Roberto St.) are proposed in accord with the MSM.

Alleys are proposed for access to alley-loaded homes in Apex Northwest and Apex Southeast. Common driveways are proposed for access to certain homes in Apex Southeast.

Cross-access easements should be provided between all commercial lots in the subdivisions as set forth in UDC 11-3A-3A.2.

Road Improvements: The Applicant has proposed to enter into a Cooperative Development Agreement (CDA) with ACHD to improve Lake Hazel Road abutting the site with (4) 11.5’ wide travel lanes, a 19’ wide center landscape median, vertical curb, gutter, 8’ wide planter strips and 10’ wide detached concrete sidewalks within 109’ to 120. 5’ of right-of-way (ROW) with the first phase of development. The Applicant has proposed to construct dedicated right-turn lanes on Lake Hazel Rd. at Aspiration Ave., Apex Ave., Peak Ave. and Vertex Way. Locust Grove Rd. abutting the site is proposed to be improved with (3) 12’ wide travel lanes with 6.5’ wide bike lanes, vertical curb, gutter, 8’ wide planter strips and 5’ wide

detached concrete sidewalks within 77' of ROW. The specific conditions of approval pertaining to the CDA are included in the ACHD report in Section IX.H.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. Parking for non-residential uses is required per the standards listed in UDC 11-3C-6B.1.

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

The Pathways Master Plan (PMP) depicts segments of the City's multi-use pathway system in the linear area where the Williams gas pipeline is located and along the east boundary of the rezone area.

Pathways should be provided with development in accord with the PMP per the conditions from the Park's Dept. in Section IX.E. **All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan. Landscaping shall be provided along either side of the pathway in accord with the standards listed in UDC 11-3B-12C. Public pedestrian easements (14-foot wide) should be provided prior to signature by the City Engineer on final plat phases in which pathways are located.**

Staff recommends two (2) additional micro-path connections are provided in Apex Southeast at the east boundary to Discovery Park.

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

The UDC (11-3A-17) requires, at a minimum, detached sidewalks to be provided along arterial and collector streets and attached sidewalk to be provided along local streets.

Detached sidewalks are proposed along all internal local and collector streets and along the arterial streets in accord with the standards listed in UDC 11-3A-17.

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

Eight-foot wide parkways are proposed adjacent to all streets with detached sidewalks; all parkways are required to be constructed in accord with the standards listed in UDC 11-3A-17.

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

A 25-foot wide street buffer is required adjacent to S. Locust Grove Rd. and E. Lake Hazel Rd., both arterial streets; and a 20-foot wide street buffer is required adjacent to E. Crescendo St., S. Apex Ave., E. Tower St., S. Vertex Way and E. Via Roberto St., all collector streets, landscaped per the standards listed in [UDC 11-3B-7C](#). *Alternative Compliance may be requested to UDC 11-3B-7C.2a for street buffers along collector streets to be located in a dedicated buffer rather than in a common lot.*

Parkways are required to be landscaped in accord with the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#).

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

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

Mitigation is required for any existing trees proposed to be removed from the site as set forth in UDC 11-3B-10.C.5.

If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

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

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required to be provided with development of land in residential districts.

Based on the residential portion of the Apex Northwest plat (31.52 acres) zoned R-15, a minimum of 3.15 acres of *qualified* open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that appears to meet the minimum standards, it includes areas in the C-C zoning district that do not qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B in order to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of 6.32 acres of qualified open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that appears to comply with the minimum standards, it includes areas in the C-C zoning district that do not qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

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

A minimum of one (1) qualified site amenity is required for each 20 acres of land to be developed in residential districts as set forth in UDC 11-3G-3.

Based on the area of the residential portion of Apex Northwest (31.52 acres), a minimum of one (1) qualified site amenity is required to be provided. A gazebo is proposed as an amenity in Lot 32, Block 5 as an amenity; **Staff recommends tables and benches are also provided as required for a "picnic area" amenity.** A community center and amphitheater are also proposed as public amenities in the adjacent commercial portion of the development and a swimming pool is depicted on the Master Plan off-site on the adjacent property to the north; however, these do not qualify as amenities for the residential portion of the development proposed to be platted with this application.

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of three (3) qualified site amenities are required to be provided. **A swimming pool and children's play equipment are proposed in a central common area and pedestrian pathways (multi-use pathway along E. Lake Hazel Rd. and internal pathways) are proposed as amenities in this development in accord with UDC standards. A detail of the children's play equipment should be submitted with the final plat application.**

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

There are no waterways within the boundary of the preliminary plats.

The Farr Lateral runs along the north and east boundaries; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the annexation and/or rezone areas.

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

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

Six-foot tall wood picket fencing is proposed along end caps at the ends of residential lots adjacent to common areas; and 5-foot tall clear vision metal fencing is proposed adjacent to internal common areas.

Storm Drainage:

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

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from Boise Project Board of Control.

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

The Applicant submitted several perspective building elevations for the proposed single-family homes and for the commercial structures planned to be constructed in this development which are included in Section VIII.G. Homes depicted are a mix of 1- and 2-story units, attached and detached, with building materials consisting of a variety of siding styles and stucco with stone/brick veneer accents. Final design is required to comply with the design standards in the Architectural Standards Manual, single-family detached dwellings are exempt from design review standards.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and non-residential/commercial structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

Staff recommends approval of the proposed MDA, AZ, RZ and PP applications with the requirement of a new Development Agreement with the provisions noted in Section IX.A per the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on July 9, 2020. At the public hearing, the Commission moved to recommend approval of the subject MDA, RZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Wardle
- b. In opposition: None
- c. Commenting: Stacia Morgan; Annette Alonzo representing the Southern Rim Coalition
- d. Written testimony: Julie Edwards
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Rd. between Meridian Rd. & Locust Grove Rd. (not against higher density around

- commercial areas); would like to see the zoning of the “future development” areas remain R-4 rather than be rezoned to R-8; belief that farm land and open space should be preserved as much as possible; concern that current school system does not have the capacity to accommodate all of the students from this development; would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to re-evaluate how we want to use our dwindling remaining open spaces & farmland.
- b. Concern pertaining to capacity of area schools and ability to accommodate more students from this development;
 - c. Would like pathways provided to Black Rock Subdivision for connectivity.
3. Key issue(s) of discussion by Commission:
- a. Concern pertaining to capacity of area schools and impact of the proposed development on such;
 - b. Supportive of proposed development, community amenities and associated improvements to Locust Grove and Lake Hazel Roads;
4. Commission change(s) to Staff recommendation:
- a. If revised qualified open space exhibit depicts qualified area less than 10% that the amphitheater in the commercial area be allowed to count toward the requirement through an alternative compliance request to UDC 11-3A-3.
5. Outstanding issue(s) for City Council:
- a. None

Note: The annexation request was pulled from the Commission agenda at the request of the property owner so that it could be re-noticed with a change in zoning from R-2 to R-4. Therefore, it is not moving forward to Council with the MDA, RZ & PP applications.

- C. The Meridian City Council heard these items on August 11, 2020. At the public hearing, the Council moved to approve the subject MDA, RZ and PP requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: Jon Wardle and David Turnbull, Brighton Corporation
 - b. In opposition: None
 - c. Commenting: Chris Loveland, Marcella White, Julie Edwards
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Joe Bongiorno
 - 2. Key issue(s) of public testimony:
 - a. Not in favor of the proposed rezone from the R-4 district and density and lot sizes of the proposed development – preference for larger estate lots (1+ acre) and open space.
 - 3. Key issue(s) of discussion by City Council:
 - a. Phasing of the preliminary plats;
 - b. The uniqueness of the development with community amenities;
 - c. Development is proactive in addressing traffic/infrastructure concerns up front; and,
 - d. Concern about education issue and overcrowding of area schools.
 - 4. City Council change(s) to Commission recommendation:
 - a. None

VIII. EXHIBITS

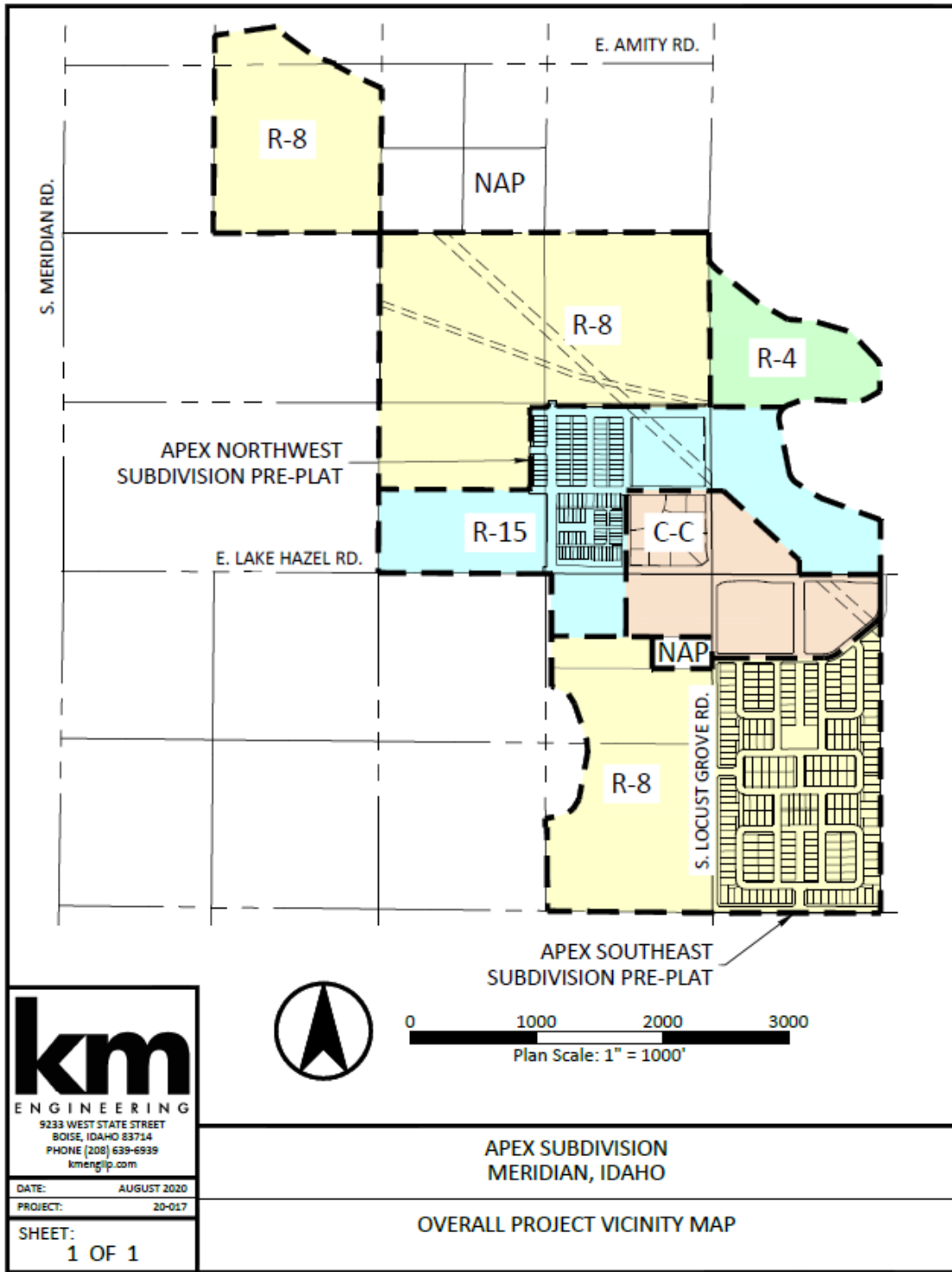
A. Master Plan (Revised)



Item #5.

~~**B. Annexation Legal Description & Exhibit Map**~~

C. Rezone Legal Description & Exhibit Map





April 2, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to R-8 - North
Apex Subdivision**

A portion of the East 1/2 of the Northwest 1/4, a portion of the Southeast 1/4 and a portion of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center of said Section 31, thence following the northerly line of said Southeast 1/4 of Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following the easterly line of said Southeast 1/4, S00°32'22"E a distance of 1,419.94 feet;
Thence leaving said easterly line, N89°42'21"W a distance of 1,423.17 feet;
Thence S00°16'52"W a distance of 620.00 feet;
Thence N89°42'21"W a distance of 1,198.50 feet to the westerly line of said Southeast 1/4;
Thence following said westerly line, N00°16'52"E a distance of 682.44 feet to the Center-South 1/16 corner of said Section 31;
Thence leaving said westerly line, S89°52'08"E a distance of 62.50 feet;
Thence N00°16'52"E a distance of 895.00 feet;
Thence 199.42 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of 40°48'25", a chord bearing of N20°07'20"W and a chord distance of 195.23 feet;
Thence N40°31'33"W a distance of 241.33 feet;
Thence 198.79 feet along the arc of a circular curve to the left, said curve having a radius of 230.00 feet, a delta angle of 49°31'13", a chord bearing of N65°17'09"W and a chord distance of 192.66 feet to the southerly line of said East 1/2 of the Northwest 1/4 of Section 31;
Thence following said southerly line, S89°57'15"W a distance of 980.26 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of said East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet;
Thence S46°52'43"E a distance of 45.40 feet;
Thence S54°18'10"E a distance of 180.18 feet;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet;
Thence S70°02'36"E a distance of 107.80 feet;
Thence S19°57'24"W a distance of 12.00 feet;
Thence S70°02'36"E a distance of 14.45 feet;
Thence S61°58'05"E a distance of 207.13 feet;
Thence S65°32'50"E a distance of 188.57 feet to the easterly line of said East 1/2 of the Northwest 1/4;

Item #5.

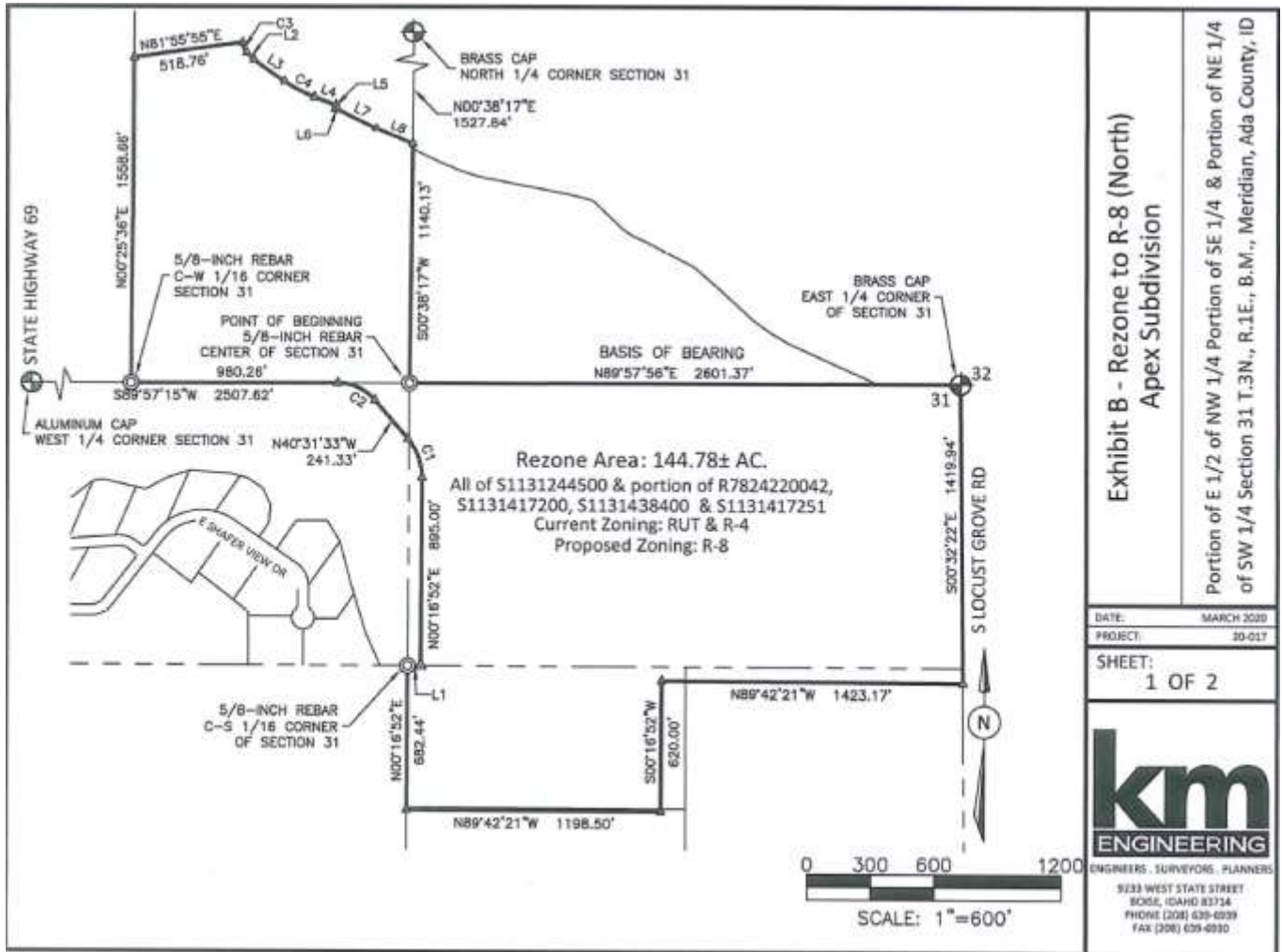
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 144.78 acres, more or less.

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



4.2.2020





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

April 2, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to R-8 - South
Apex Subdivision**

A parcel of land situated in a portion of the West 1/2 of the Northwest 1/4 of Section 5 and a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 5 and 6, Township 2 North, Range 1 East and Sections 31 and 32, Township 3 North, Range 1 East which bears S89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the North 1/4 corner of said Section 6, thence following the easterly line of the Northeast 1/4 of said Section 6, S00°04'35"E a distance of 661.39 feet to the **POINT OF BEGINNING.**

Thence leaving said easterly line, N89°53'42"E a distance of 966.03 feet;
Thence N41°51'13"E a distance of 547.17 feet to the easterly line of said West 1/2 of the Northwest 1/4 of Section 5;

Thence following said easterly line, S00°01'43"E a distance of 2,421.96 feet to the Center-West 1/16 corner of said Section 5;

Thence leaving said easterly line and following the southerly line of said West 1/2 of the Northwest 1/4 of Section 5, N89°52'38"W a distance of 1,329.65 feet to a bras cap marking the West 1/4 corner of said Section 5 (East 1/4 corner of said Section 6);

Thence leaving said southerly line of the West 1/2 of the Northwest 1/4 of Section 5 and following the southerly line of said East 1/2 of the Northeast 1/4 of Section 6, N89°22'50"W a distance of 1,304.25 feet;

Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet;

Thence N00°20'23"W a distance of 549.25 feet;

Thence N87°34'26"W a distance of 13.49 feet to the westerly line of said East 1/2 of the Northeast 1/4 of Section 6;

Thence following said westerly line, N00°02'06"W a distance of 66.73 feet to the westerly right-of-way line of the Rawson Canal;

Thence leaving said westerly line and following said westerly right-of-way line the following courses:

1. N78°25'55"E a distance of 161.21 feet;
2. N54°55'20"E a distance of 74.17 feet;
3. N31°51'12"E a distance of 92.01 feet;
4. N10°25'10"E a distance of 381.33 feet;
5. N05°26'52"W a distance of 106.26 feet;
6. N18°56'20"W a distance of 287.65 feet;
7. N32°08'38"W a distance of 91.83 feet;
8. N61°32'57"W a distance of 104.61 feet;
9. N74°59'05"W a distance of 44.02 feet;

Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 396.78 feet;

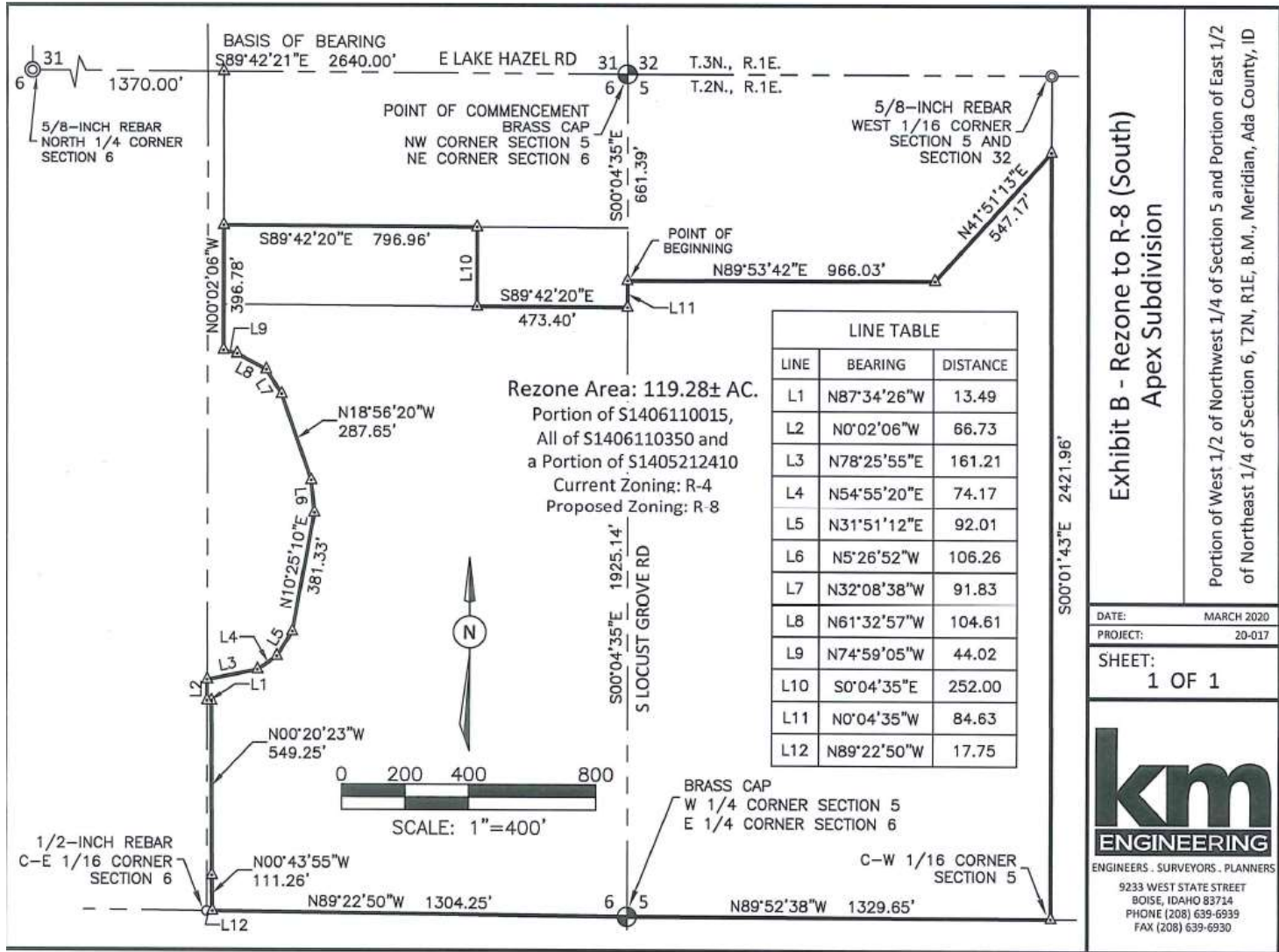
Thence S89°42'20"E a distance of 796.96 feet;
Thence S00°04'35"E a distance of 252.00 feet;
Thence S89°42'20"E a distance of 473.40 feet to the easterly line of said East 1/2 of the Northeast 1/4 of Section 6 (westerly line of said West 1/2 of the Northwest 1/4 of Section 5);
Thence following said easterly line (and said westerly line), N00°04'35"W a distance of 84.63 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 119.28 acres, more or less.

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



Item #5.



**Exhibit B - Rezone to R-8 (South)
 Apex Subdivision**

Portion of West 1/2 of Northwest 1/4 of Section 5 and Portion of East 1/2 of Northeast 1/4 of Section 6, T2N, R1E, B.M., Meridian, Ada County, ID

DATE: MARCH 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

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 FAX (208) 639-6930



April 29, 2020
Project No. 20-017

Exhibit A
Legal Description for
Rezone to R-15
Apex Subdivision

A parcel of land situated in a portion of the South 1/2 of the Southeast 1/4 of Section 31 and a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the corner common to Section 31, Township 3 North, Range 1 East, and Section 6, Township 2 North, Range 1 East, which bears N89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the Southeast 1/4 corner of said Section 31;
Thence following the westerly line of the Southeast 1/4 of the Southeast 1/4 of Section 31, N00°16'52"E a distance of 660.00 feet;
Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;
Thence N00°16'52"E a distance of 620.00 feet;
Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;
Thence following said easterly boundary the following courses:

1. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and a chord distance of 63.56 feet to a 1/2-inch rebar;
2. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
3. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
4. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
5. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of said Southwest 1/4 of the Southwest 1/4 of Section 32;

Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;
Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;
Thence N00°06'18"W a distance of 124.99 feet;
Thence N47°51'44"W a distance of 797.36 feet;
Thence N89°42'21"W a distance of 775.42 feet;
Thence S00°16'52"W a distance of 1,154.01 feet;
Thence N89°42'20"W a distance of 587.77 feet;
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;
Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 76.93 acres, more or less.

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

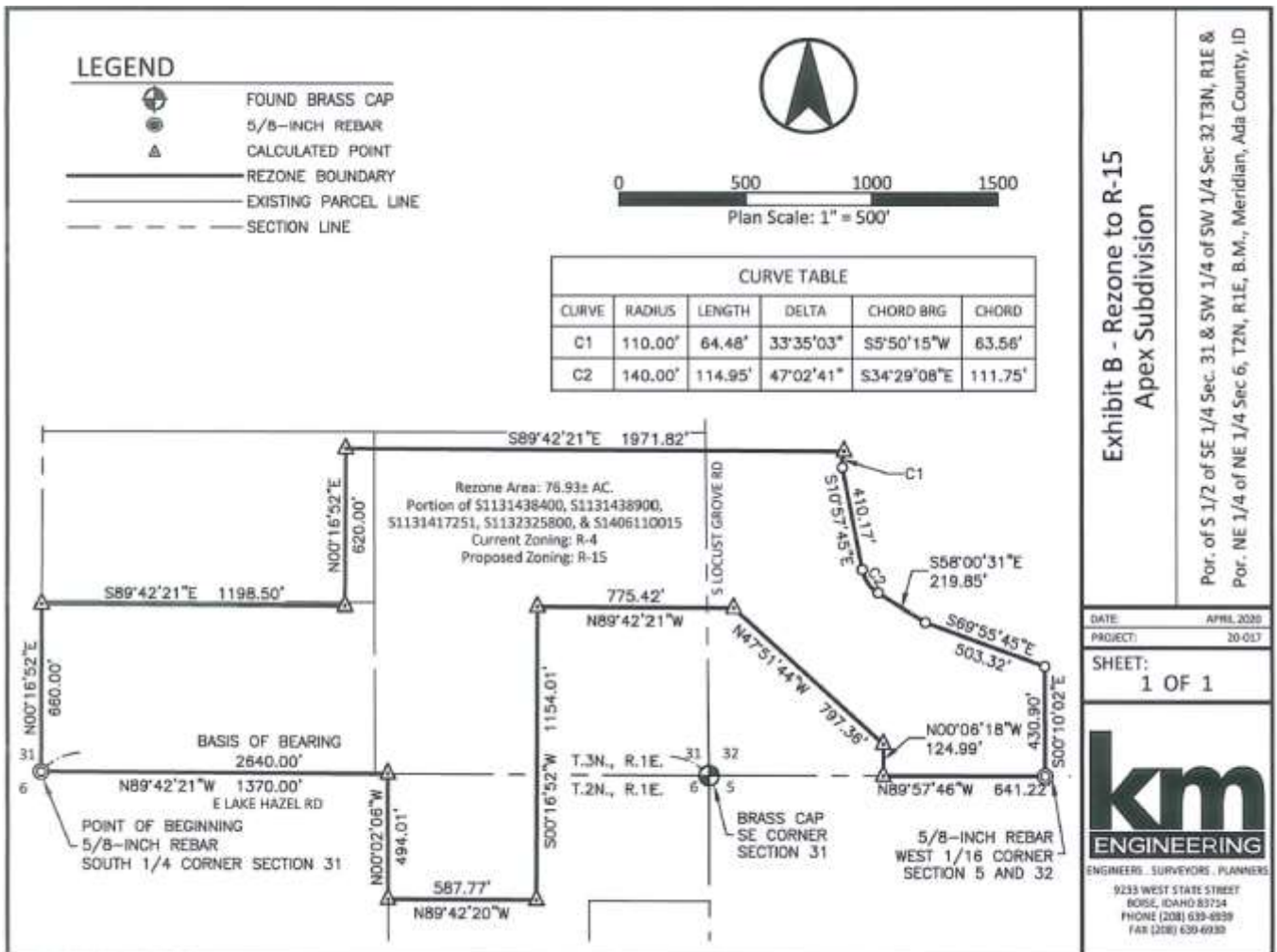


Exhibit B - Rezone to R-15
Apex Subdivision

Por. of S 1/2 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec 32 T3N, R1E & Por. NE 1/4 of NE 1/4 Sec 6, T2N, R1E, B.M., Meridian, Ada County, ID

DATE: APRIL 2020
PROJECT: 20-017

SHEET: 1 OF 1

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BOISE, IDAHO 83724
PHONE (208) 639-6939
FAX (208) 639-6930



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

April 29, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to C-C
Apex Subdivision**

A parcel of land situated in a portion of the Southeast 1/4 of the Southeast 1/4 of Section 31, a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northwest 1/4 of the Northwest 1/4 of Section 5, and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

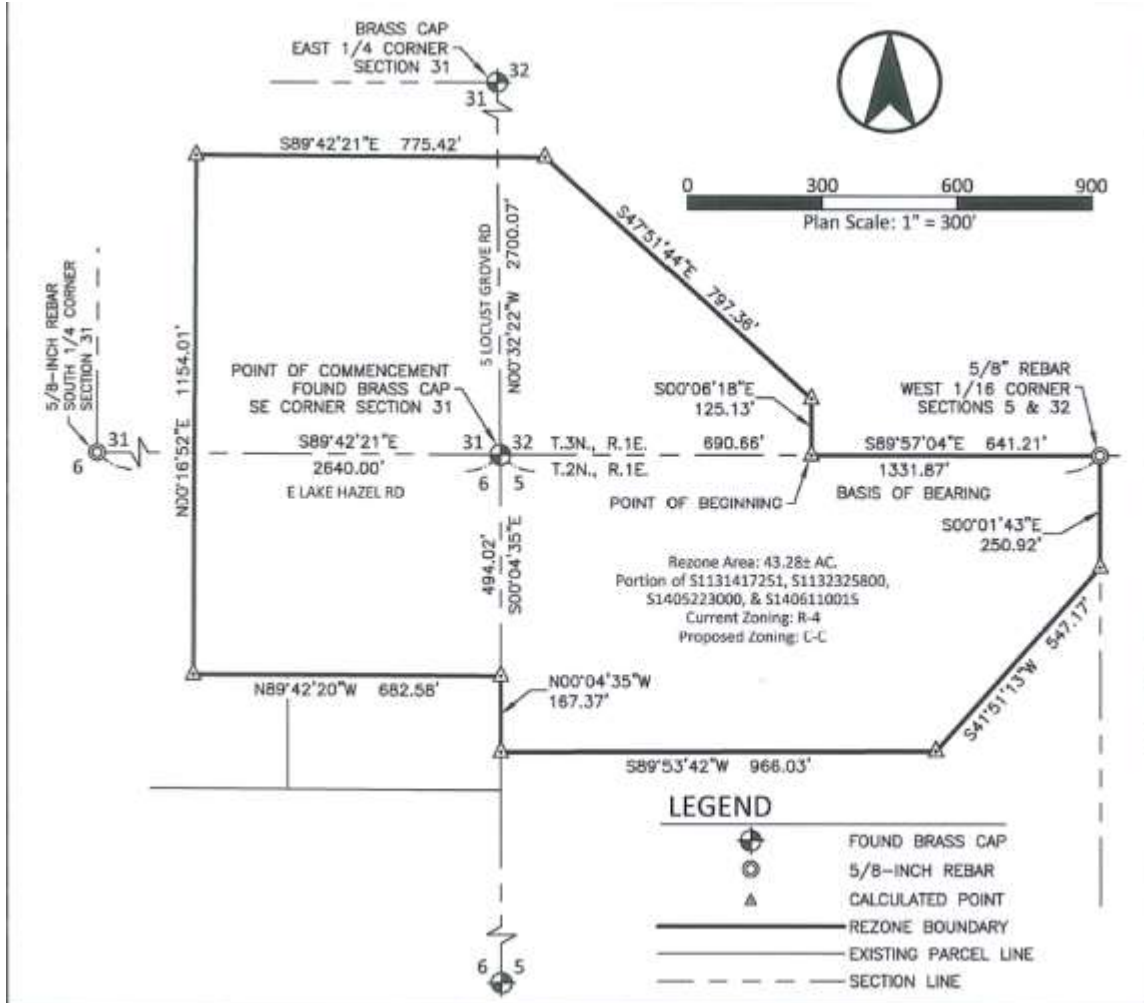
Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E a distance of 690.66 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly line, S89°57'04"E a distance of 641.21 feet to a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence leaving said northerly line and following the easterly line of the Northwest 1/4 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 250.92 feet to a point;
Thence leaving said easterly line, S41°51'13"W a distance of 547.17 feet to a point;
Thence S89°53'42"W a distance of 966.03 feet to a point on the westerly line of said Northwest 1/4;
Thence following said westerly line, N00°04'35"W a distance of 167.37 feet to a point;
Thence leaving said westerly line, N89°42'20"W a distance of 682.58 feet to a point;
Thence N00°16'52"E a distance of 1,154.01 feet to a point;
Thence S89°42'21"E a distance of 775.42 feet to a point;
Thence S47°51'44"E a distance of 797.36 feet to a point;
Thence S00°06'18"E a distance of 125.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.28 acres, more or less.

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





**Exhibit B - Rezone to C-C
 Apex Subdivision**

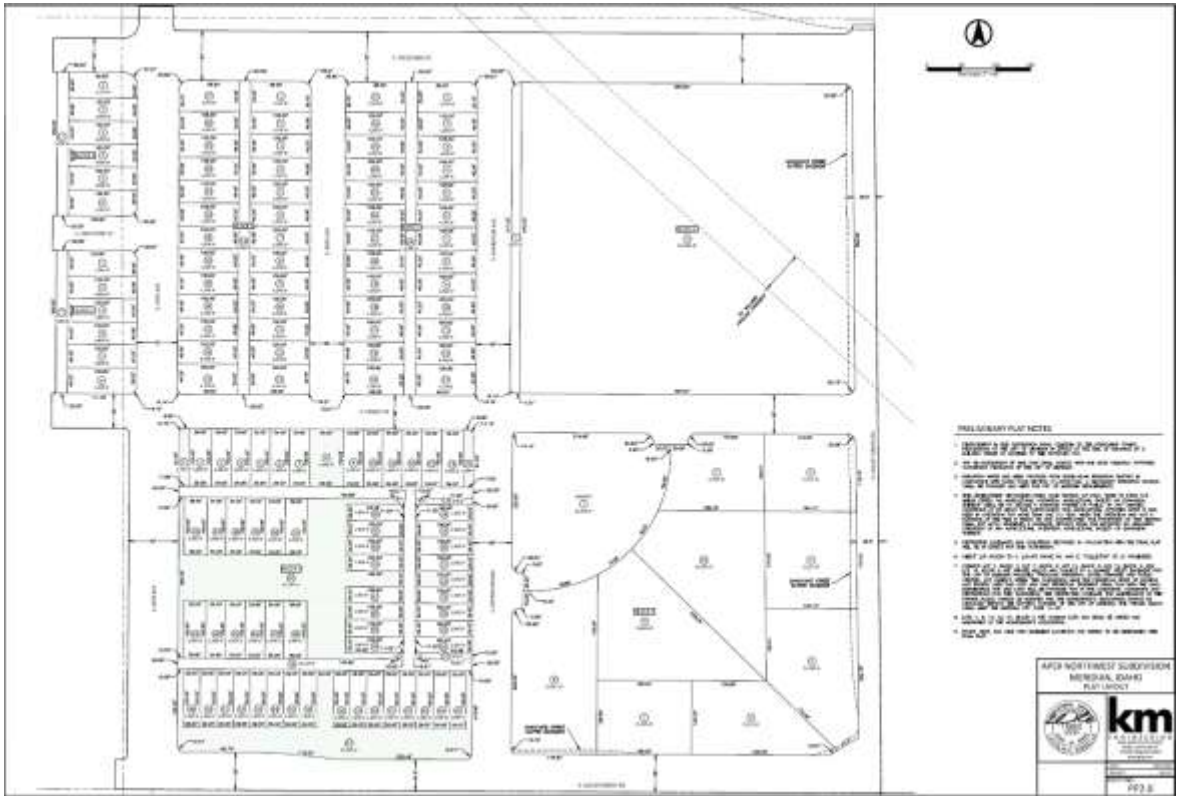
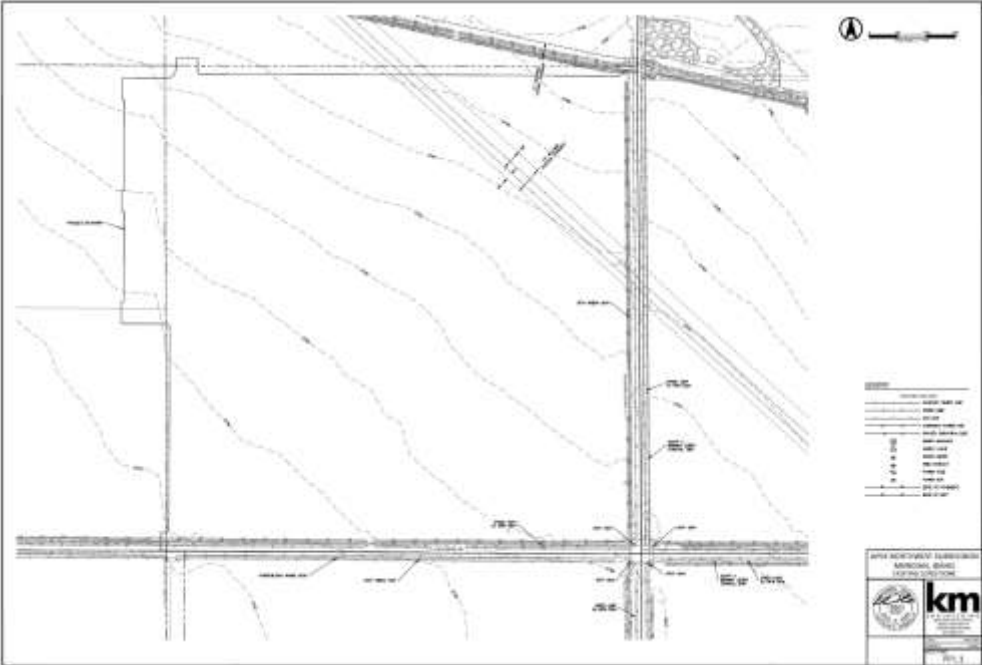
Por. of SE 1/4 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec. 32 T3N, R1E &
 Por. NW 1/4 of NW 1/4 of Sec. 5 & NE 1/4 of NE 1/4 Sec. 6, T2N, R1E
 B.M., Meridian, Ada County, ID

DATE: APRIL 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

km
ENGINEERING
 ENGINEERS · SURVEYORS · PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83734
 PHONE (208) 639-6939
 FAX (208) 635-6930

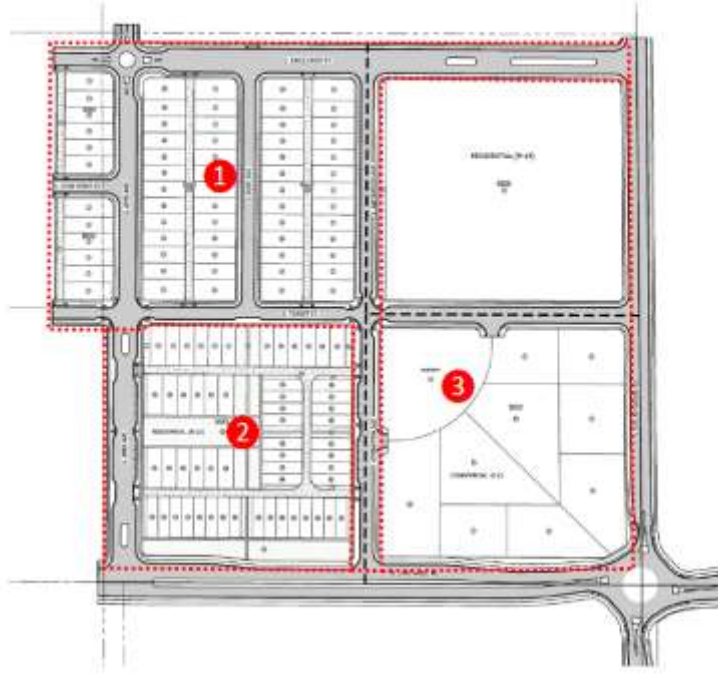
D. Preliminary Plat (date: 5/1/2020) & Phasing Plan





Phasing Plan:

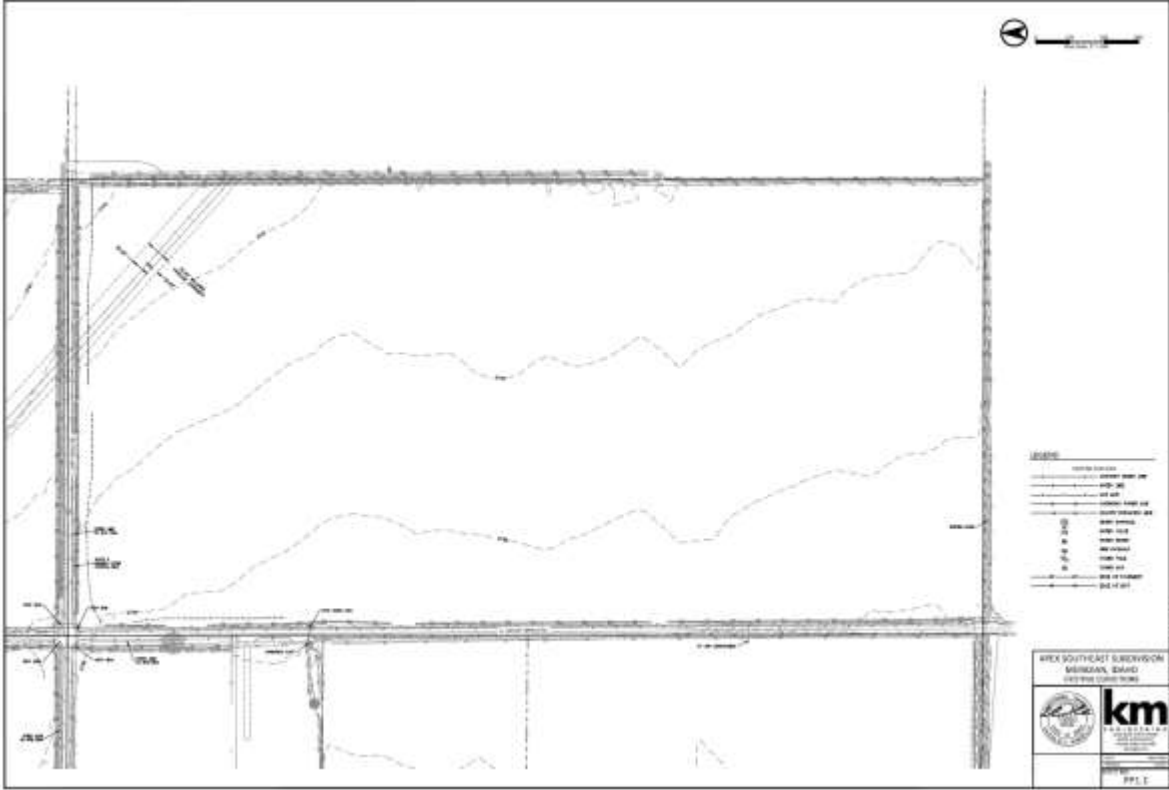
APEX Northwest Phasing
Conceptual / Subject to Change

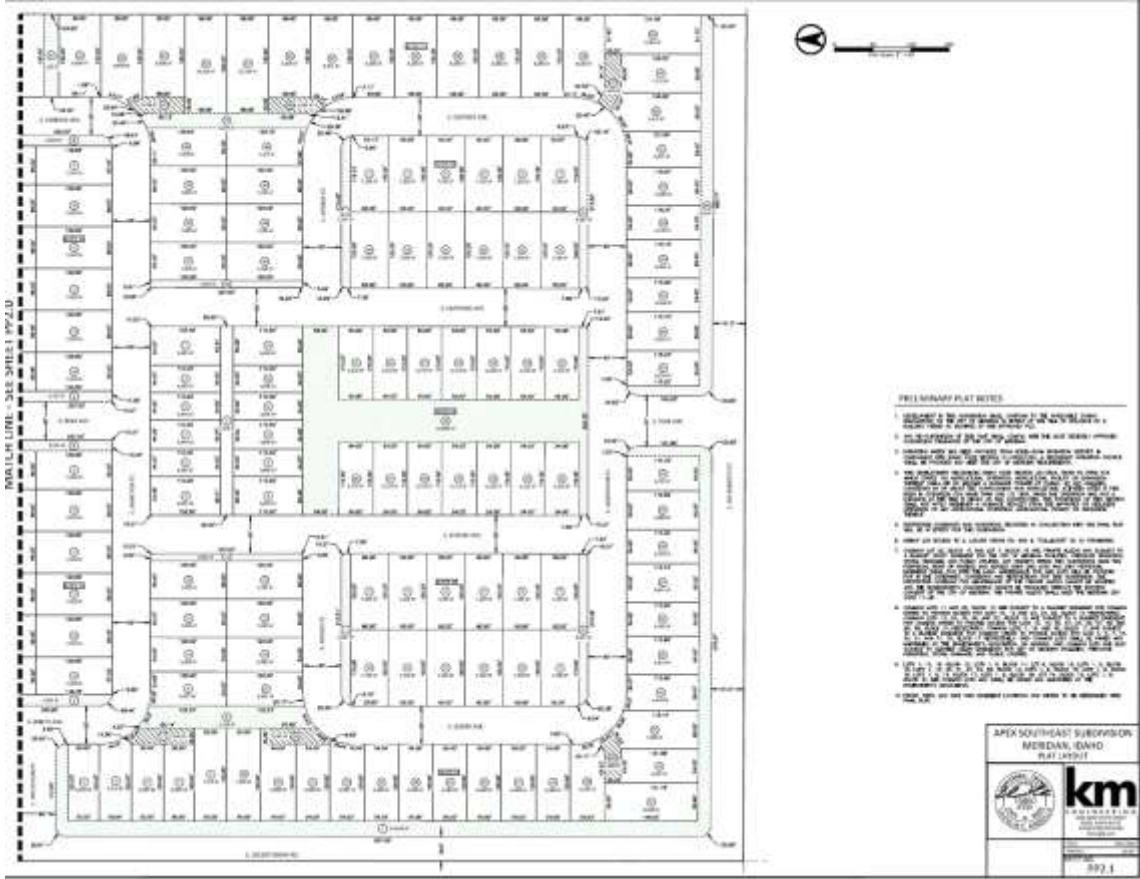


Southeast:

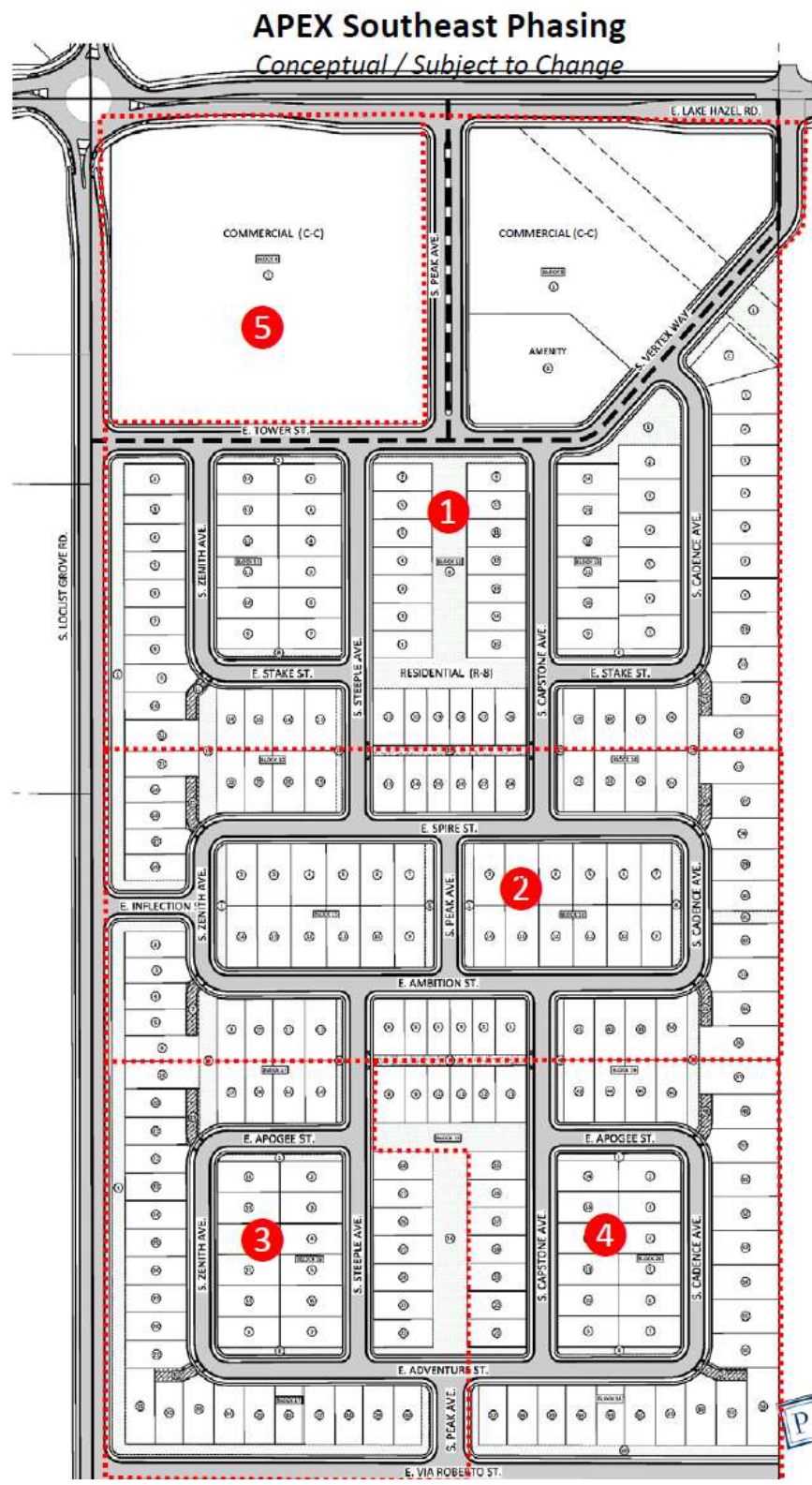
APEX SOUTHEAST SUBDIVISION PRELIMINARY PLAT
A PARCEL OF LAND SITUATED IN THE WEST 1/2 OF THE NORTHWEST 1/4 OF SECTION 5,
TOWNSHIP 2 NORTH, RANGE 1 EAST, CITY OF MERIDIAN, ADA COUNTY, IDAHO

This block contains a detailed preliminary plat for the Apex Southeast Subdivision. On the left side, there is a table titled "RESIDENTIAL COMMON LOT AREAS" with columns for Lot #, Area, and other details. The central part of the block is a large site plan showing the subdivision layout with lots, streets, and utility lines. On the right side, there is a "PROPERTY MAP" showing the location of the site within a larger geographic context, a north arrow, and a legend. At the bottom right, there are logos for the engineering firm "km" and other project-related information.

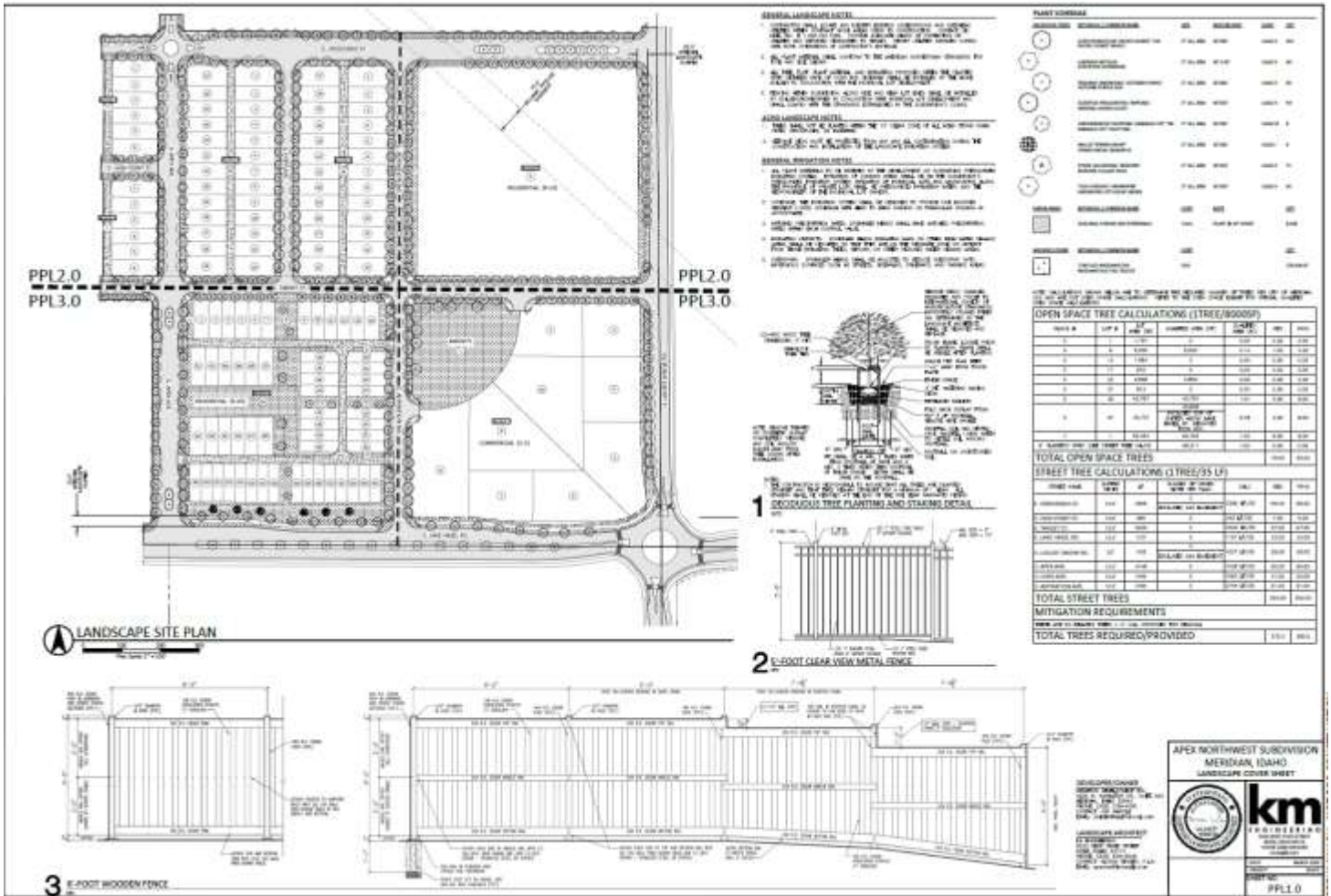




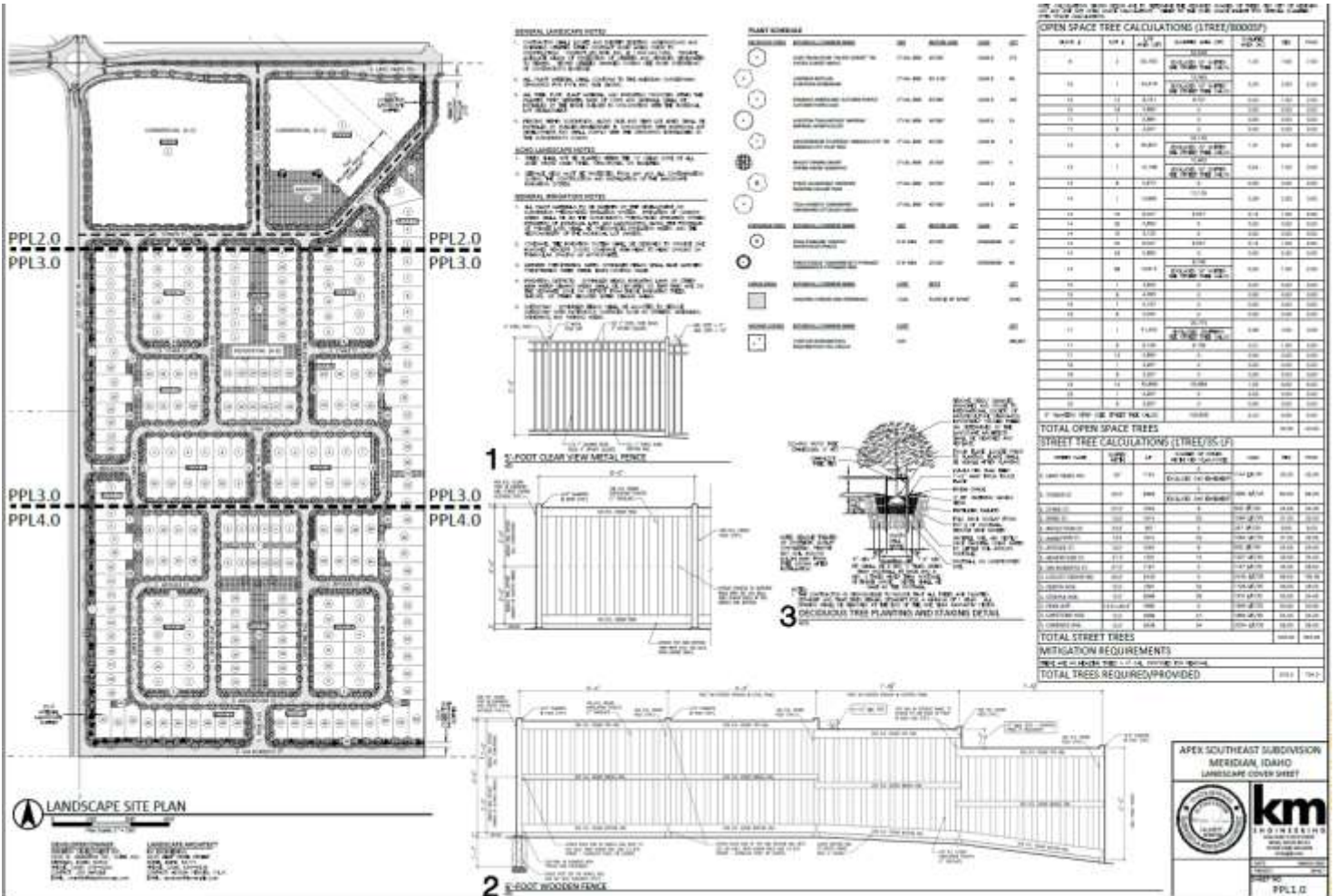
Phasing Plan:



E. Landscape Plan (date: 4/30/2020)
Northwest:

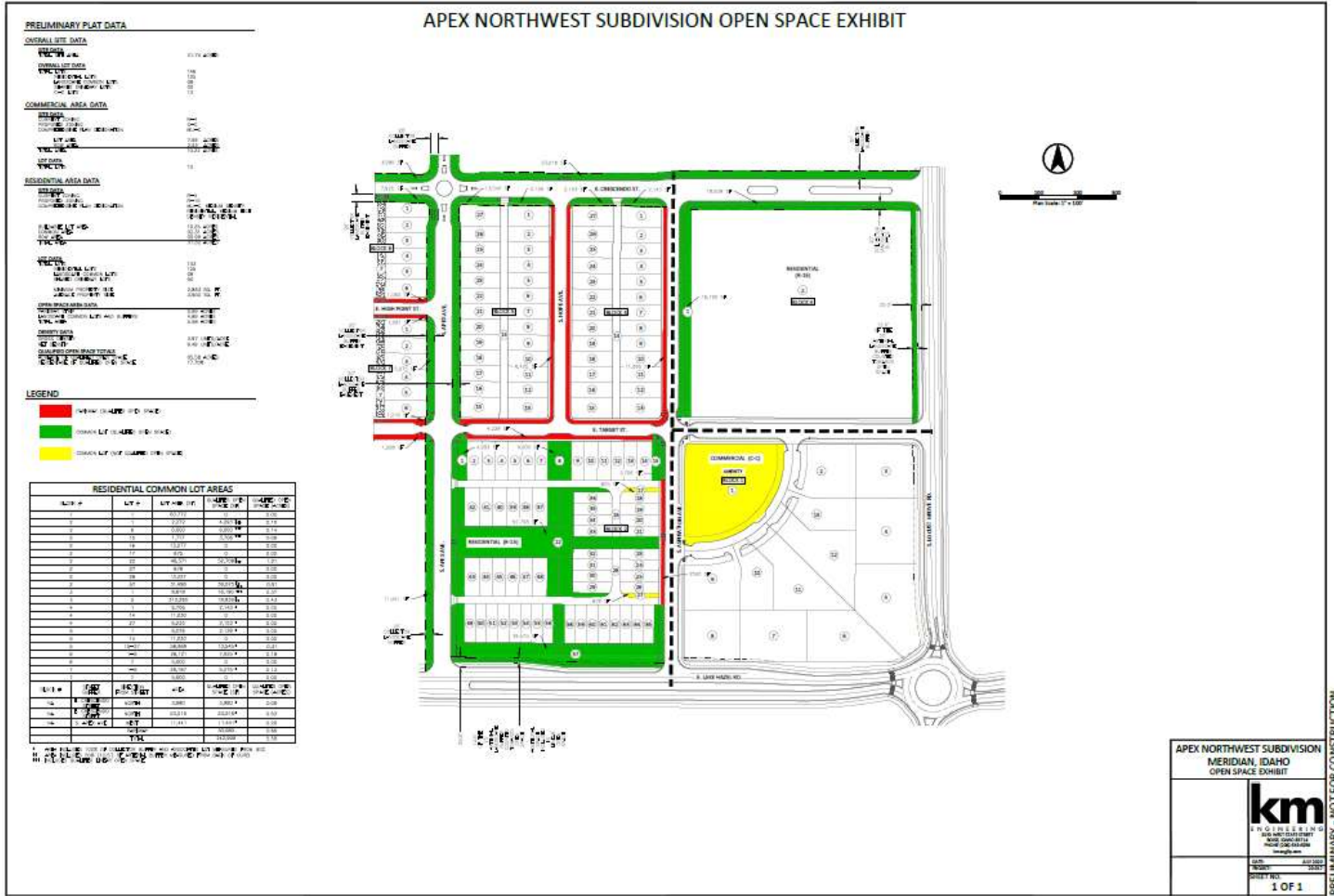


Southeast:



F. Qualified Open Space Exhibit (dated: ~~March~~ May 2020) - REVISED

Northwest:



G. Conceptual Building Elevations/Renderings

Residential:



Item #5.



Commercial:





H. Legal Description & Exhibit Map of Property Subject to New Development Agreement



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

August 18, 2020
Apex Subdivision
Project No. 20-017
Legal Description

**Exhibit A
Legal Description for
Apex Subdivision**

A parcel of land situated in a portion of the East 1/2 of the Northwest 1/4, all of the Southeast 1/4 of Section 31 and a portion of the West 1/2 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., all of West 1/2 of the Northwest 1/4 Section 5 and a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center 1/4 Section 31, Township 3 North, Range 1 East, B.M., thence following the southerly line of the East 1/2 of the Northwest 1/4 of said Section 31, S89°57'15"W a distance of 1,318.94 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of the East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet to a point;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet to a point;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet to a point;
Thence S46°52'43"E a distance of 45.40 feet to a point;
Thence S54°18'10"E a distance of 180.18 feet to a point;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet to a point;
Thence S70°02'36"E a distance of 107.80 feet to a point;
Thence S19°57'24"W a distance of 12.00 feet to a point;
Thence S70°02'36"E a distance of 14.45 feet to a point;
Thence S61°58'05"E a distance of 207.13 feet to a point;
Thence S65°32'50"E a distance of 188.57 feet to a point on the easterly line of the Southeast 1/4 of the Northwest 1/4 said Section 31;
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.744 acres, more or less.

TOGETHER WITH:

BEGINNING at a 5/8-inch rebar marking the Center 1/4 Section 31, Township 3 North, Range 1 East, B.M., thence following the northerly line of the Southeast 1/4 of said Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following easterly line of the Southeast 1/4 of said Section 31, S00°32'22"E a distance of 226.26 feet to a 5/8-inch rebar on the centerline of Farr Lateral;

ENGINEERS | SURVEYORS | PLANNERS

Thence leaving said easterly line and following the centerline of said Farr Lateral the following seven (7) courses:

1. S38°43'32"E a distance of 61.71 feet to a point;
2. S51°12'32"E a distance of 444.04 feet to a point;
3. S60°36'10"E a distance of 272.66 feet to a point;
4. S86°04'31"E a distance of 206.22 feet to a point;
5. S73°45'13"E a distance of 301.51 feet to a point;
6. S43°15'53"E a distance of 313.74 feet to a point;
7. S29°01'13"E a distance of 37.13 feet to a point on the easterly line of the West 1/2 of the Southwest 1/4 said Section 32;

Thence leaving said centerline and following the easterly line of the West 1/2 of the Southwest 1/4 of said Section 32, S00°08'25"E a distance of 206.12 feet to a 1/2-inch rebar on the easterly boundary of said Farr Lateral;

Thence leaving said easterly line and following the easterly boundary of said Farr Lateral the following twelve (12) courses:

1. 22.57 feet along the arc of a circular curve to the right, said curve having a radius of 144.67 feet, a delta angle of 08°56'24", a chord bearing of S56°50'40"W and a chord distance of 22.55 feet to a 1/2-inch rebar;
2. S61°18'54"W a distance of 91.61 feet to a 1/2-inch rebar;
3. 122.47 feet along the arc of a circular curve to the right, said curve having a radius of 220.00 feet, a delta angle of 31°53'39", a chord bearing of S77°15'42"W and a chord distance of 120.89 feet to a 1/2-inch rebar;
4. N86°47'31"W a distance of 362.95 feet to a 1/2-inch rebar;
5. S83°47'06"W a distance of 26.72 feet to a 1/2-inch rebar;
6. S69°57'44"W a distance of 128.97 feet to a 1/2-inch rebar;
7. 90.89 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 47°20'30", a chord bearing of S46°18'02"W and a chord distance of 88.33 feet to a point;
8. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and chord distance of 63.56 feet to a 1/2-inch rebar;
9. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
10. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
11. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
12. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of the West 1/2 of the southwest 1/4 of said Section 32;

Thence leaving said easterly boundary and following easterly line of the West 1/2 of the Southwest 1/4 of said Section 32, S00°10'02"E a distance of 431.17 feet to a 5/8-inch rebar common to Section 5, Township 2 North Range 1 East, B.M., and Section 32, Township 3 North Range 1 East, B.M.;

Thence leaving said easterly line and following the easterly line of the West 1/2 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 2,672.88 feet to the Center-West 1/16 corner of said Section 5;

Thence leaving said easterly line and following the southerly line of the West 1/2 of the Northwest 1/4 of said Section 5, N89°52'38"W a distance of 1,329.65 feet to a brass cap common to Sections 5 and 6;
 Thence leaving said southerly line and following the southerly line of the East 1/2 of the Northeast 1/4 of said Section 6, N89°22'50"W a distance of 1,304.25 feet to a point;
 Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet to a point;
 Thence N00°20'23"W a distance of 549.25 feet to a point;
 Thence N87°34'26"W a distance of 13.49 feet to the westerly line of the East 1/2 of the Northeast 1/4 of said Section 6;
 Thence following the westerly line of the East 1/2 of the Northeast 1/4 of said Section 6, N00°02'06"W a distance of 66.73 feet to a point on the westerly right-of-way line of the Rawson Canal;
 Thence leaving said westerly line and following the westerly right-of-way line of said Rawson Canal the following nine (9) courses:

1. N78°25'55"E a distance of 161.21 feet to a point;
2. N54°55'20"E a distance of 74.17 feet to a point;
3. N31°51'12"E a distance of 92.01 feet to a point;
4. N10°25'10"E a distance of 381.33 feet to a point;
5. N05°26'52"W a distance of 106.26 feet to a point;
6. N18°56'20"W a distance of 287.65 feet to a point;
7. N32°08'38"W a distance of 91.83 feet to a point;
8. N61°32'57"W a distance of 104.61 feet to a point;
9. N74°59'05"W a distance of 44.02 feet to a point;

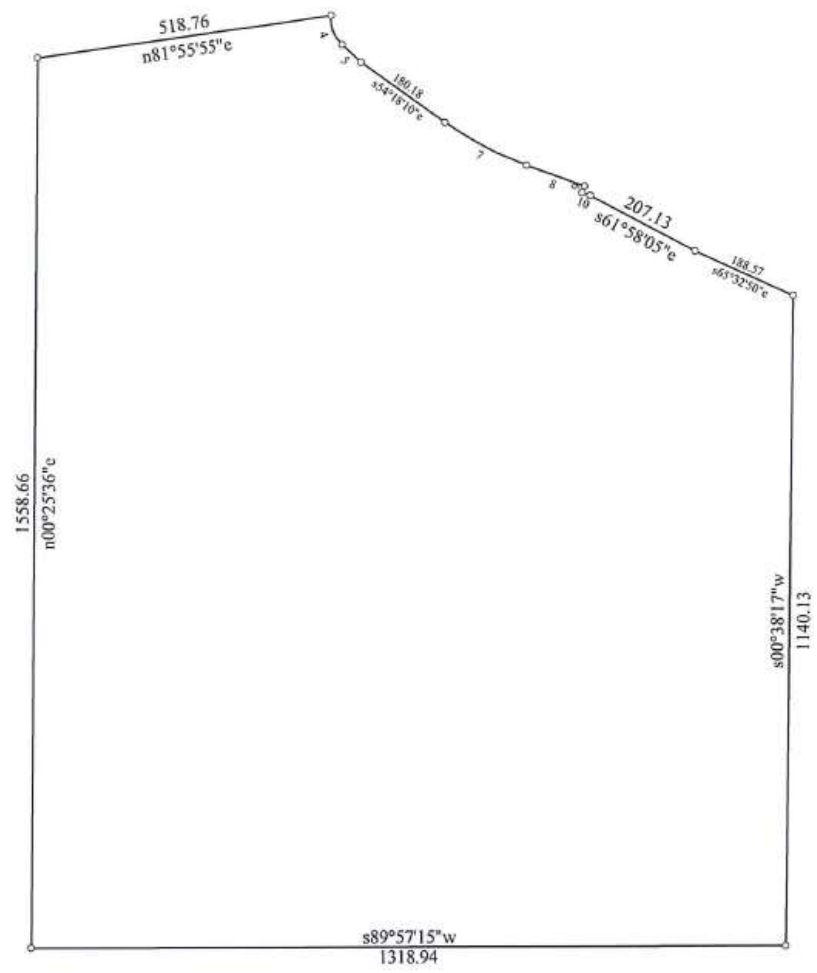
Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 890.79 feet to a point on the northerly line of the Northeast 1/4 of said Section 6;
 Thence following said northerly line, N89°42'21"W a distance of 1,370.00 feet to a 5/8-inch rebar common to Section 6, Township 2 North Range 1 East, B.M., and Section 31, Township 3 North Range 1 East, B.M.;
 Thence leaving said northerly line and following the westerly line of the Southeast 1/4 of said Section 31, N00°16'52"E a distance of 1,342.44 feet to a 5/8-inch rebar marking the Center-South 1/16 corner of said Section 31;
 Thence N00°16'52"E a distance of 1,342.44 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 366.194 acres, more or less.

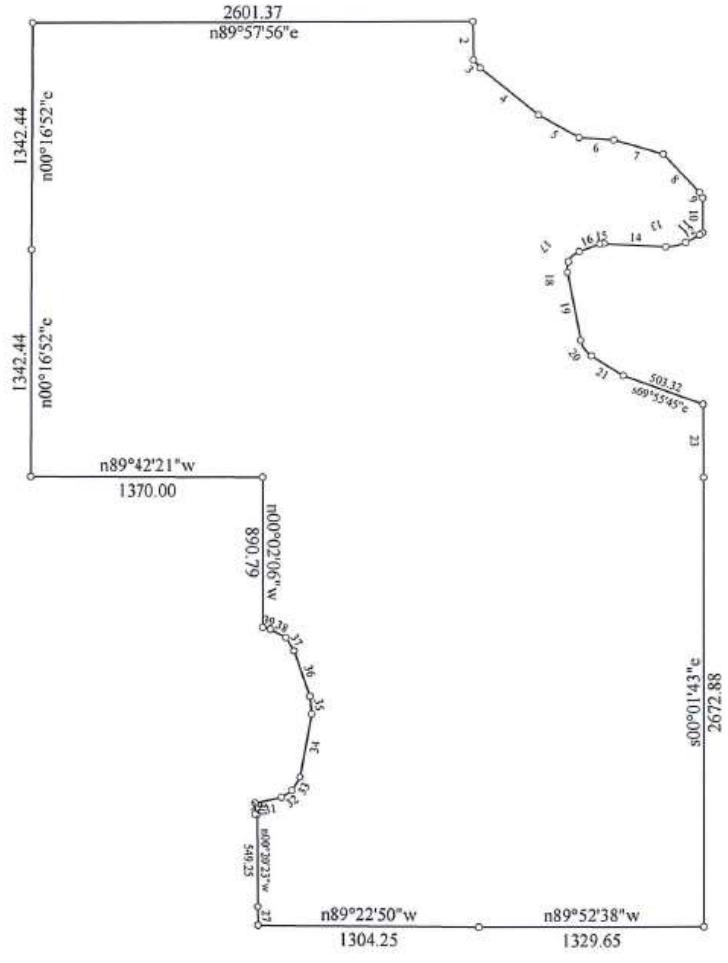
Said description contains a total of 409.938 acres, more or less.



Item #5.



| | | |
|--|---|-----------------------|
| Title: Apex Subdivision | | Date: 08-17-2020 |
| Scale: 1 inch = 300 feet | File: 200817 Apex Subdivision Legal 20-017 | |
| Tract 1: 43.744 Acres: 1905504 Sq Feet: Closure = s57.2522w 0.01 Feet: Precision = 1/627918: Perimeter = 5510 Feet | | |
| 001=s89.5715w 1318.94 | 006=s54.1810e 180.18 | 011=s61.5805e 207.13 |
| 002=n00.2536e 1558.66 | 007: Lt, R=-588.00, Delta=15.4426 Bng=s62.1023e, Chd=-161.03 | 012=s65.3250e 188.57 |
| 003=n81.5555e 518.76 | 008=s70.0236e 107.80 | 013=s00.3817w 1140.13 |
| 004: Lt, R=58.00, Delta=55.3550 Bng=s20.4952e, Chd=54.10 | 009=s19.5724w 12.00 | |
| 005=s46.5243e 45.40 | 010=s70.0236e 14.45 | |



| | | |
|--|---|-----------------------|
| Title: Apex Subdivision | | Date: 08-18-2020 |
| Scale: 1 inch = 1000 feet | File:200817 Apex Subdivision Legal 20-017 | |
| Tract 1: 366.194 Acres: 15951396 Sq Feet: Closure = s50.3758e 0.02 Feet: Precision >1/999999; Perimeter = 19597 Feet | | |
| 001=n89.5756e 2601.37 | 016=s69.5744w 128.97 | 031=n78.2555e 161.21 |
| 002=s00.3222e 226.26 | 017: Lt, R=110.00, Delta=47.2030 Bng=s46.1802w, Chd=88.33 | 032=n54.5520e 74.17 |
| 003=s38.4332e 61.71 | 018: Lt, R=110.00, Delta=33.3503 Bng=s05.5015w, Chd=63.56 | 033=n31.5112e 92.01 |
| 004=s51.1232e 444.04 | 019=s10.5745e 410.17 | 034=n10.2510e 381.33 |
| 005=s60.3610e 272.66 | 020: Lt, R=140.00, Delta=47.0241 Bng=s34.2908e, Chd=111.75 | 035=n05.2652w 106.26 |
| 006=s86.0431e 206.22 | 021=s58.0031e 219.85 | 036=n18.5620w 287.65 |
| 007=s73.4513e 301.51 | 022=s69.5545e 503.32 | 037=n32.0838w 91.83 |
| 008=s43.1553e 313.74 | 023=s00.1002e 431.17 | 038=n61.3257w 104.61 |
| 009=s29.0113e 37.13 | 024=s00.0143e 2672.88 | 039=n74.5905w 44.02 |
| 010=s00.0825e 206.12 | 025=n89.5238w 1329.65 | 040=n00.0206w 890.79 |
| 011: Rt, R=144.67, Delta=08.5624 Bng=s56.5040w, Chd=22.55 | 026=n89.2250w 1304.25 | 041=n89.4221w 1370.00 |
| 012=s61.1854w 91.61 | 027=n00.4355w 111.26 | 042=n00.1652e 1342.44 |
| 013: Rt, R=220.00, Delta=31.5339 Bng=s77.1542w, Chd=120.89 | 028=n00.2023w 549.25 | 043=n00.1652e 1342.44 |
| 014=n86.4731w 362.95 | 029=n87.3426w 13.49 | |
| 015=s83.4706w 26.72 | 030=n00.0206w 66.73 | |

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).
 - e. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.
 - ~~i. The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

~~division is approved by Ada County, proof of such shall be submitted to the Planning Division with the subdivision application for the eastern portion of the property.~~

- j. Multi-use pathways shall be provided with development as required by the Park's Department in accord with the Pathways Master Plan.
 - k. The commercial (C-C zoned) portions of this development are allowed to obtain building permits prior to subdivision of the property.
2. The final plat submitted for Apex Northwest shall incorporate the following:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Crescendo St. and S. Apex Ave. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. The north/south alley in Block 5 does not comply with the standards listed in UDC 11-6C-3B.5 as the entire length of the alley is not visible from a public street as required; common driveways may be considered as an alternative to the alley provided they meet the standards listed in UDC 11-6C-3D, subject to alternative compliance approval.
 - c. Depict minimum 20-foot wide street buffers along E. Crescendo St. and S. Apex Ave., collector streets, in accord with UDC 11-3B-7C.2.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 3. The final plat submitted for Apex Southeast shall incorporate the following revisions:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Tower St. S. Vertex Way and E. Via Roberto St. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. Depict minimum 20-foot wide street buffers along E. Tower St., S. Vertex Way and E. Via Roberto St., collector streets, in accord with UDC 11-3B-7C.2.
 - c. Depict two (2) additional minimum 15-foot wide common lots for micro-path connections to Discovery Park at the east boundary in Block 14.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 4. The landscape plan submitted with the final plat application for Apex Northwest shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the

construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

- f. Depict a gazebo with tables and benches as an amenity in Lot 32, Block 5; include a detail of the gazebo.
5. The landscape plan submitted with the final plat application for Apex Southeast shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - f. Depict two (2) additional minimum 15-foot wide common lots with 5-foot wide micro-paths in Block 14 at the east boundary; depict landscaping on either side of the pathways in accord with the standards listed in UDC 11-3B-12C.
 - g. Depict the children's play equipment proposed in the central common area; include a detail of the play equipment.
 6. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6, 11-2A-7 and 11-2B-3 for the R-8, R-15 and C-C zoning districts respectively.
 7. Off-street parking is required to be provided for residential uses in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit; and for non-residential uses in accord with the standards listed in UDC 11-3C-6B.1.
 8. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
 9. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
 10. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included in a note on the face of the plat.

11. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses and structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired.
- ~~13. The qualified open space exhibits for the residentially zoned portions of Apex Northwest and Apex Southeast shall be revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B. If additional qualified open space is needed, the plat should be revised to comply.~~

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 The north-south sewer line in the landscaped area of Block 5 (Apex NW) needs to be moved east to the paved access road.
- 1.2 No sewer or water lines have been shown to the lots in Block 7 (Apex NW). Each lot will need to have services provided.
- 1.3 Public Work's preference is to see all water utilities in the public right-of-way (R-O-W), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions that meet both the developer's design constraints and Public Works' maintenance needs.
- 1.4 This development will need to be modeled at final plat to verify each phase meets minimum fire flow pressures
- 1.5 From the preliminary geotechnical investigation of groundwater elevation provided in the application, it appears that groundwater may not be a factor with the development of this subdivision. The initial investigative report is dated April 8, 2018, and additional data collection is recommended to confirm actual groundwater levels. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

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 for the residential portions of the development.
 - 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

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189722&dbid=0&repo=MeridianCity&cr=1>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189784&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190778&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191486&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191487&dbid=0&repo=MeridianCity>

F. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190290&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190975&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190977&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191226&dbid=0&repo=MeridianCity>

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192784&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192785&dbid=0&repo=MeridianCity>

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189951&dbid=0&repo=MeridianCity>

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190512&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190510&dbid=0&repo=MeridianCity>

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190604&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190605&dbid=0&repo=MeridianCity>

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190598&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;
The City Council finds the proposed zoning map amendment to ~~R-2~~, R-8, R-15 & C-C and proposed development is generally consistent with the Comprehensive Plan if the Applicant complies with the provisions in Section IX.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The City Council finds the proposed single-family attached and detached homes with front-loaded and alley-loaded options will contribute to the range of housing opportunities in the City; other residential types may be provided with future phases of development.
The City Council finds the commercial portion of the property will provide for the retail and service needs of the community in accord with the Comprehensive Plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The City Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.
5. The annexation (as applicable) is in the best interest of city.
~~*Staff finds the proposed annexation to the R-2 zoning district is consistent with the LDR FLUM designation in the Comprehensive Plan and thus is in the best interest of the City. Not applicable*~~

B. Preliminary Plat Findings:

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

- 1. The plat is in conformance with the Comprehensive Plan;**
The City Council finds that the proposed preliminary plats, with recommended conditions, are in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)
- 2. Public services are available or can be made available and are adequate to accommodate the proposed development;**
The City Council finds that public services will be provided to the subject properties proposed to be subdivided with development. (See Section IX 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, the City Council 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;

The City Council 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,

The City Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

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



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Apex Southeast (H-2020-0057) by Brighton, Murgoitio, et al., Located at the Southeast Corner of S. Locust Grove Rd. and E. Lake Hazel Rd.

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



In the Matter of the Request for a Modification to the Existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to Replace the Agreements with One New Agreement Based on the Proposed Development Plan; Rezone of 384.97 acres of Land from the R-4 to the R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) Zoning Districts; Preliminary Plat Consisting of 120 Residential Buildable Lots, 11 Commercial Buildable Lots and 14 Common Lots on 41.75 Acres of Land in the C-C and R-15 Zoning Districts; and Preliminary Plat Consisting of 237 Residential Buildable Lots, 2 Commercial Buildable Lots, 30 Common Lots and 10 Other (Shared Driveway) Lots on 81.63 Acres of Land in the C-C and R-8 Zoning Districts, by Brighton, Murgoitio, et al.

Case No(s). H-2020-0066; H-2020-0056; H-2020-0057

For the City Council Hearing Date of: August 11, 2020 (Findings on August 25, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.

- 6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of August 11, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for a modification to the existing Development Agreements, Rezone and Preliminary Plats is hereby approved per the provisions in the Staff Report for the hearing date of August 11, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of August 11, 2020

By action of the City Council at its regular meeting held on the _____ day of _____, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020

TO: Mayor & City Council

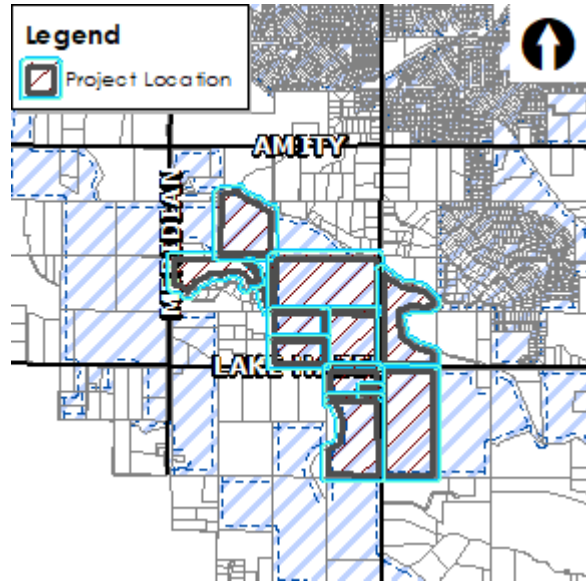
FROM: Sonya Allen, Associate Planner
208-884-5533

SUBJECT: H-2020-0066 Apex – MDA, AZ, RZ
H-2020-0056 Apex Northwest – PP
H-2020-0057 Apex Southeast – PP
(to be marketed as “Pinnacle”)

LOCATION: MDA, AZ, RZ: generally located east of S. Meridian Rd. and north of E. Columbia Rd., in Sections 31 (S. ½ and NW ¼) and 32 (SW ¼), Township 3N., Range 1.E; and Sections 5 (NW ¼) and 6 (NE ¼), T.2N., R.1E.

PP (NW): NWC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the SE ¼ of Section 31, T.3N., R.1E

PP (SE): SEC of S. Locust Grove Rd. & E. Lake Hazel Rd., in the NW ¼ of Section 5, T.2N., R.1E.



I. PROJECT DESCRIPTION

Modification to existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) to replace the agreements with one new agreement based on the proposed development plan; ~~Annexation of 40.09 acres of land with an R-2 zoning district;~~ and, Rezone of 384.97 acres of land from the R-4 to the R-2 (0.70 acre), R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts.

Apex Northwest (NW): Preliminary Plat consisting of 120 residential buildable lots, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts.

Apex Southeast (SE): Preliminary Plat consisting of 237 residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts.

Because right-of-way for E. Lake Hazel Rd. and S. Locust Grove Rd. separates the land proposed to be platted, two separate preliminary plat applications are required to subdivide the property.

II. SUMMARY OF REPORT

A. Project Summary

| Description | Details | Page |
|---|--|-------------|
| Acreage | 40.09 (AZ); 384.97 (RZ); 41.75 (PP - Northwest); 81.63 (PP - Southeast) | |
| Existing/Proposed Zoning | RUT in Ada County (existing); R-4 (Medium Low-Density Residential) | |
| Future Land Use Designation | Low Density Residential [LDR (3 or fewer units/acre) – 39+/- acres]; Medium Density Residential (MDR – 3 to 8 units/acre) (206/- acres); Medium High-Density Residential (21+/- acres); & Mixed Use – Community (MU-C) (120+/- acres) | |
| Existing Land Use(s) | Agricultural | |
| Proposed Land Use(s) | Single-family residential (SFR) attached/detached, commercial, office, 2 schools (elementary & charter) | |
| Lots (# and type; bldg./common) | NW: 120 residential buildable/11 commercial buildable/14 common SE: 237 residential buildable/2 commercial buildable/30 common/10 other NW & SE Combined: 357 SFR residential buildable; 13 commercial buildable; 44 common lots; and 10 other lots for shared driveways | |
| Phasing Plan (# of phases) | 3 (NW); 5 (SE) | |
| Number of Residential Units (type of units) | NW: 120 units (88 detached/32 attached) SE: 237 units (detached) NW & SE Combined: 325 detached & 88 attached | |
| Density (gross & net) | NW: 5.62 units/acre (gross); 11.21 units/acre (net) SE: 3.75 units/acre (gross); 6.17 units/acre (net) NW & SE (overall): 4.22 units/acre (gross); 7.27 units/acre (net) | |
| Open Space (acres, total [%]/buffer/qualified) | NW: 6.33 acres (15.17%) SE: 10.79 acres (13.22%) NW & SE Combined: 17.12 acres (or 13.88%) | |
| Amenities | NW: Community center with a clubhouse, community post office, café, library/business center; community amphitheater; additional common open space above the minimum required. SE: Community swimming pool, tot lot with play equipment, pathway access to the City’s Discovery Park, additional common open space above the minimum required. | |
| Physical Features (waterways, hazards, flood plain, hillside) | The Farr Lateral runs along the north and east boundaries of this site; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the site. | |
| Neighborhood meeting date; # of attendees: | 2/5/20; 29 attendees | |
| History (previous approvals) | ROS #7394; ROS #7783; H-2015-0019 – South Meridian AZ (DA’s: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; and Murgoitio Limited Partnership – Inst. #2016- 007074) | |

B. Community Metrics

| Description | Details | Page |
|--|-------------------------------|-------------|
| Ada County Highway District | | |
| • Staff report (yes/no) | Yes (PP, draft); Yes (AZ, RZ) | |
| • Requires ACHD Commission Action (yes/no) | Yes (TBD) | |
| Traffic Impact Study (yes/no) | Yes | |

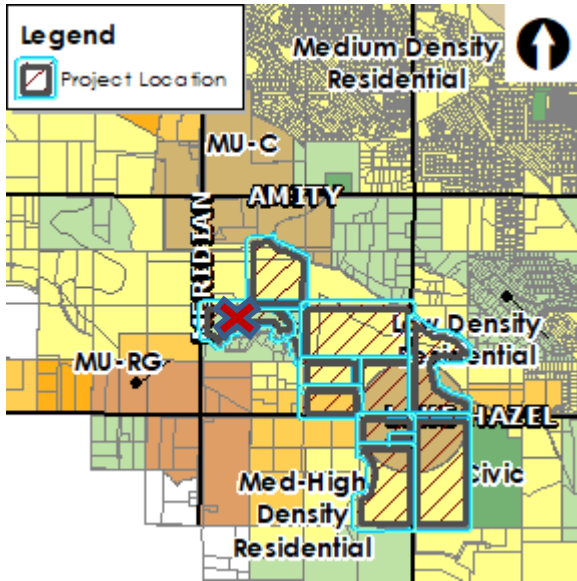
| Description | Details | Page |
|--|---|------|
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | NW: 2 accesses via S. Locust Grove Rd. & 2 accesses via E. Lake Hazel Rd., both existing arterial streets; and 2 collector streets are proposed SE: 2 accesses via E. Lake Hazel Rd. & 3 accesses via S. Locust Grove Rd., both existing arterial streets; and 3 collector streets are proposed | |
| Traffic Level of Service | Better than “D” (Acceptable level of service is “E”) – Lake Hazel, Locust Grove & Amity Roads | |
| Stub Street/Interconnectivity/Cross Access | Two stub streets are proposed to this site from Prevail Subdivision near the northwest corner of the rezone area; no other stub streets exist to this site. Stub streets are proposed to adjacent properties for interconnectivity as shown on the preliminary plats. | |
| Existing Road Network | There are no existing streets within the site, only S. Meridian Rd./SH-69, E. Lake Hazel Rd. and S. Locust Grove Rd. adjacent to the site | |
| Existing Arterial Sidewalks / Buffers | There are no existing sidewalks or buffers along Meridian Rd./SH-69, Lake Hazel, or Locust Grove Roads. | |
| Proposed Road Improvements | <p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Lake Hazel Road to Amity Road in 2023. • Eagle Road is scheduled in the IFYWP to be widened to 5-lanes from Amity Road to Victory Road in 2021. • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Eagle Road to Cloverdale Road in 2024. • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Five Mile Road. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 5-lanes on the north leg, 4-lanes on the south leg, 3-lanes on the west leg and 4-lanes on the east leg and signalized in 2023. • The intersection of Locust Grove Road and Victory Road is scheduled in the IFYWP to be constructed as a multi-lane roundabout with 4-lanes on the north and south legs and 2-lanes on the east and west legs in 2021. • Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Locust Grove Road to Eagle Road between 2026 and 2030. • Lake Hazel Road is listed in the CIP to be widened to 3-lanes from Meridian Road (SH-69) to Locust Grove Road between 2026 and 2030. • Amity Road is listed in the 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 CIP to be reconstructed as a single lane roundabout widened to 3-lanes on the north leg, 2-lanes on the south, 2-lanes east, and 3-lanes on the west leg with a westbound bypass right turn bypass lane between 2026 and 2030. • The intersection of Lake Hazel Road and SH-69 is listed in the CIP to be widened to 7-lanes on the north, south, west and east legs and signalized between 2026 and 2030. • The intersection of Locust Grove Road and Amity Road is listed in the CIP to be widened to 4-lanes on the north leg, 3-lanes on the south leg, 5-lanes on the west leg and 6-lanes on the east leg and signalized between 2026 and 2030. <p>Additional right-of-way is required to be dedicated for the future expansion of Lake Hazel & Locust Grove Roads with pavement widened to 17’ from centerline</p> | |
| Fire Service | | |
| • Distance to Fire Station | NW – 3.3 miles to Fire Station #4 SE – 3.1 miles to Fire Station #4 | |
| • Fire Response Time | NW & SE - only a small portion falls within 5 minute response time goal | |
| • Resource Reliability | NW & SE - 78% - does <i>not</i> meet target goal of 80% or greater | |
| • Risk Identification | NW & SE – 1 and 4, current resources would <i>not</i> be adequate to supply service to this project | |
| • Accessibility | NW & SE - Project meets all required access, road widths and turnarounds <i>if</i> phasing plan is followed | |

| Description | Details | Page | | | | | | | | | | | | | | | | | | | | |
|--|---|----------|---|----------|---|-----------------------------|-----|-----|-----|---------------------|-----|-----|-----|-----------------------|-----|------|-----|---------------------------|------|------|-----|--|
| <ul style="list-style-type: none"> Special/resource needs | NW & SE - Project will require an aerial device; response time is 9 minutes travel time (under ideal conditions) – can meet this need in the required timeframe if needed | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Water Supply | NW & SE - Requires 1,500 gallons per minute for 2 hours, may be less if buildings are fully sprinklered | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Other Resources | | | | | | | | | | | | | | | | | | | | | | |
| Police Service | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Police Station | 4.5 miles | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Police Response Time | Average response time in the City is just under 4 minutes – there isn’t enough public initiated call data to determine an average response time for this area (goal is 3-5 minutes) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Calls for Service | 71 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Accessibility | No concerns | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Specialty/resource needs | No additional resources are required at this time. | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Crimes | 10 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Crashes | 38 (within a mile of site between 3/15/2019-3/14/2020) | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Other | The MPD can provide service if this development is approved as they already serve this area. | | | | | | | | | | | | | | | | | | | | | |
| 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 <small>(Dist. to School)</small></th> </tr> </thead> <tbody> <tr> <td>Mary McPherson Elementary**</td> <td>555</td> <td>550</td> <td>2.0</td> </tr> <tr> <td>Siena Elementary***</td> <td>677</td> <td>800</td> <td>3.1</td> </tr> <tr> <td>Victory Middle School</td> <td>969</td> <td>1000</td> <td>4.2</td> </tr> <tr> <td>Mountain View High School</td> <td>2210</td> <td>2349</td> <td>3.3</td> </tr> </tbody> </table> <p>**During the 20/21 school year Mary McPherson's student capacity will increase to 675, due to the current classroom expansion underway. **</p> <p>***Enrollment at Hillsdale Elementary is currently capped. Students in this development that are in the Hillsdale Boundary will be attending Siena Elementary until a new school is built to eliminate overcrowding at Hillsdale.***</p> | | Enrollment | Capacity | Miles <small>(Dist. to School)</small> | Mary McPherson Elementary** | 555 | 550 | 2.0 | Siena Elementary*** | 677 | 800 | 3.1 | Victory Middle School | 969 | 1000 | 4.2 | Mountain View High School | 2210 | 2349 | 3.3 | |
| | Enrollment | Capacity | Miles <small>(Dist. to School)</small> | | | | | | | | | | | | | | | | | | | |
| Mary McPherson Elementary** | 555 | 550 | 2.0 | | | | | | | | | | | | | | | | | | | |
| Siena Elementary*** | 677 | 800 | 3.1 | | | | | | | | | | | | | | | | | | | |
| Victory Middle School | 969 | 1000 | 4.2 | | | | | | | | | | | | | | | | | | | |
| Mountain View High School | 2210 | 2349 | 3.3 | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> # of Students Anticipated from this Development | 286 | | | | | | | | | | | | | | | | | | | | | |
| Wastewater | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Sewer Services | Directly adjacent | | | | | | | | | | | | | | | | | | | | | |
| <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 | 13.95 | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan | Yes | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Impacts/Concerns | Flow has been committed | | | | | | | | | | | | | | | | | | | | | |
| Water | | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Distance to Water Services | Directly adjacent | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Pressure Zone | 5 | | | | | | | | | | | | | | | | | | | | | |
| <ul style="list-style-type: none"> Estimated Project Water ERU's | See application | | | | | | | | | | | | | | | | | | | | | |

| | | |
|---|---|--|
| <ul style="list-style-type: none"> • Water Quality | None | |
| <ul style="list-style-type: none"> • Project Consistent with Water Master Plan | Yes | |
| <ul style="list-style-type: none"> • Impacts/Concerns | Public Work's preference is to see all water utilities in the public right-of-way (ROW), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions | |

C. Project Area Maps

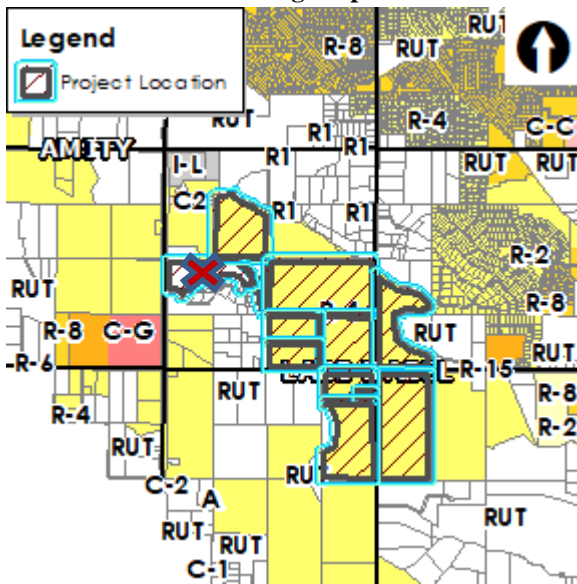
Future Land Use Map



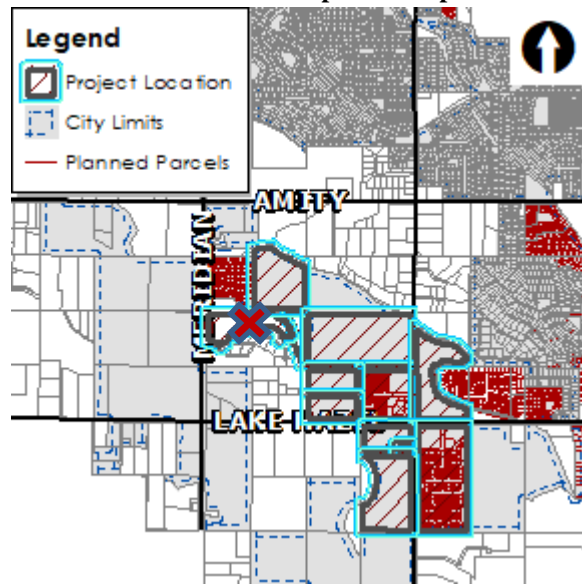
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Brighton, Murgoitio, et al – 2929 W. Navigator #400, Meridian, ID 83642

B. Owner:

Same as Applicant

C. Representative:

Michael D. Wardle, Brighton Corporation – 2929 W. Navigator #400, Meridian, ID 83642

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|--|--------------------------------|---------------------------|
| Notification published in newspaper | 6/19/2020 | 7/24/2020 |
| Notification mailed to property owners within 300 feet | 6/16/2020 | 7/21/2020 |
| Applicant posted public hearing notice on site | 6/26/2020 | 7/29/2020 |
| Nextdoor posting | 6/16/2020 | 7/21/2020 |

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

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates approximately ~~39 acres of the site as Low Density Residential (LDR)~~, 206+/- acres as Medium Density Residential (MDR); 21+/- acres as Medium High-Density Residential (MHDR); and 120+/- acres as Mixed Use – Community (MU-C). A future school site and City Park is designated in the general area northwest of the Locust Grove/Lake Hazel intersection, north of the MU-C designated area. Another school site is designated on the east side of N. Locust Grove Rd., north of Lake Hazel Rd., just north of the subject rezone area.

~~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.~~

The MDR designation allows for dwelling units at gross densities of 3 to 8 dwelling units per acre.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 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 purpose of the MU-C designation is to allocate areas where community-serving uses and dwellings are seamlessly integrated into the urban fabric. The intent is to integrate a variety of uses, including residential, and to avoid mainly single-use and strip commercial type buildings. Non-residential buildings in these areas

have a tendency to be larger than in Mixed Use – Neighborhood (MU-N) areas, but not as large as in Mixed Use – Regional (MU-R) areas. Goods and services in these areas tend to be of the variety that people will mainly travel by car to, but also walk or bike to (up to 3 or 4 miles). Employment opportunities for those living in and around the neighborhood are encouraged. Developments are encouraged to be designed according to the conceptual MU-C plan depicted in Figure 3C in the Comprehensive Plan (see pg. 3-16). In reviewing development applications, the items noted on Pgs. 3-13, 3-15 and 3-16 will be considered (see analysis below).

Transportation: ACHD’s [Master Street Map \(MSM\)](#) depicts an east/west residential collector street at the half mile between Amity and Lake Hazel Roads; a north/south industrial collector at the half mile between Meridian and Locust Grove Roads north of the half mile between Amity and Lake Hazel Roads, which transitions to a residential collector to the south to Lake Hazel Rd.; a commercial collector around the MU-C designated area at the Locust Grove/Lake Hazel intersection (see dashed lines on map below), and a residential collector along the southern boundary of Apex Southeast. A dual lane roundabout is planned at the Locust Grove/Lake Hazel Rd. intersection. *Note: Because a residential collector seems to be more appropriate than an industrial collector street designation in this area, ACHD has included a change to the street classification in the MSM update currently in process.*

The proposed preliminary plats depict collector streets consistent with the MSM (i.e. E. Crescendo St. & S. Apex Ave. in Apex Northwest; and E. Tower St., S. Vertex Way and E. Via Roberto St. in Apex Southeast). The proposed Master Plan included in Section VIII.A, depicts conceptual street locations in the annexation/rezone area; **future preliminary plats should provide collector streets in accord with the MSM as required by ACHD.**



Proposed Development: The Applicant proposes to develop the 41.75 acre property at the northwest corner of Locust Grove and Lake Hazel Roads in the MDR & MU-C designated areas with 120 single-family residential units consisting of 32 attached units and 88 detached units, a future public elementary school, and neighborhood-scale commercial uses as allowed in the C-C zoning district. The 81.63 acre property located at the southeast corner of Locust Grove and Lake Hazel Roads in the MDR and MU-C designated areas is

proposed to develop with 237 single-family residential detached units, a charter school, and commercial uses as allowed in the C-C zoning district.

A City Park is not required to be provided with this development due to the proximity of Discovery Park at the project’s southeast boundary; however, the Park’s Dept. would be willing to discuss the potential for a partnership if desired by the Applicant.

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)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front and alley-loaded) are proposed in Apex Southeast.

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

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

- “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)

A mix of single-family attached and detached units (alley-loaded) are proposed in Apex Northwest; only single-family detached units (front- and alley-loaded) are proposed in Apex Southeast.

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

The proposed residential uses should be compatible with existing rural residential/agricultural uses in the area. The proposed design of the commercial and residential areas with streets separating the uses should minimize conflicts.

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

Internal pedestrian pathways are proposed through common areas for interconnectivity as well as to the City Park on the east side of Apex Southeast and to perimeter sidewalks. Segments of the City’s multi-use pathway system are required in accord with the Pathways Master Plan (see Park’s Dept. comments in Section IX.E). Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

- “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 through this development in accord with current City plans.

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

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed with the preliminary plats.

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

*Lake Hazel Rd. lies between the proposed preliminary plats and is classified as a residential mobility arterial that is planned to be a major transportation corridor. A City Park (Discovery Park) abuts the east side of the proposed Apex Southeast subdivision. All four corners of the Lake Hazel/Locust Grove intersection are designated for mixed use (MU-C) development. **Development in this area should be high quality and more densely populated at a minimum of 6 units/acre in the MU-C designated area. The gross density of Apex Southeast is only 3.75 units per acre while the density of Apex Northwest is 5.62 units per acre. Staff encourages a higher density due to the location of this site adjacent to a major transportation corridor and City Park. This could be attained through the inclusion of more dense housing types such as more single-family attached units, townhome units and/or multi-family apartments.***

- “Ensure development provides safe routes and access to schools, parks, and other community gathering places.” (2.02.01G)

Detached sidewalks and pathways are proposed throughout the proposed subdivisions for safe pedestrian access to the future school sites, the City Park and neighborhood commercial/office uses.

- “Where feasible, encourage large transmission and pipeline utility corridors to function as transitional buffers, parkland, pathways, and gathering spaces within and adjacent to their right of way.” (3.07.01E)

A 75-foot wide easement for the Williams Northwest Gas Pipeline crosses this site and is depicted on the Master Plan and preliminary plats as grassy open space area containing a multi-use pathway. No structures are allowed within this easement.

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

Collector streets are proposed on the preliminary plats in accord with the MSM; collector streets will be required to be provided with future preliminary plats in accord with the MSM as required by ACHD.

In reviewing development applications, the following items will be considered in *all* Mixed Use areas, per the Comprehensive Plan (pg. 3-13): (Staff’s analysis in italics)

- “A mixed-use project should include at least three types of land uses. Exceptions may be granted for smaller sites on a case-by-case basis. This land use is not intended for high density residential development alone.”
The proposed development includes four (4) different land use types – residential (single-family), civic (i.e. amphitheater and community center), commercial and office.
- “Where appropriate, higher density and/or multi-family residential development is encouraged for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”
Although a small portion of land proposed to be annexed with this application fronts on SH-69/S. Meridian Rd., it is not proposed to redevelop with this application and is designated for LDR uses.
- “Mixed Use areas are typically developed under a master or conceptual plan; during an annexation or rezone request, a development agreement will typically be required for developments with a Mixed Use designation.”
A Master Plan is proposed with the rezone request for the portion of the property surrounding the Lake Hazel/Locust Grove intersection designated as MU-C (see Section VIII.A). A Development Agreement

is required as a provision of the rezone to ensure future development is consistent with the MU-C FLUM designation.

- “In developments where multiple commercial and/or office buildings are proposed, the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”
*The Master Plan for Apex Northwest depicts a community center with a plaza and amphitheater in the commercial portion of the development. **The Master Plan for the commercial portion of Apex Southeast nearest the intersection doesn’t include a development plan – the future plan should include some form of common, usable area such as a plaza or green space as desired as should other future commercial/office areas in MU-C designated areas where future development is unknown at this time.***
- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”
There are no existing residential uses adjacent to proposed commercial development; therefore, transitional uses and buffering aren’t applicable.
- “Community-serving facilities such as hospitals, clinics, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”
A public school is planned in Apex Northwest and a charter school is planned in Apex Southeast per the Master Plan in accord with the FLUM which depicts two school sites in this general area. A community center and amphitheater is proposed in the commercial portion of Apex Northwest. A 27-acre City Park (Discovery Park) abuts the east side of Apex Southeast. A linear open space is planned where the Williams Northwest Gas Pipeline easement is located.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”
An outdoor amphitheater, community center with a plaza and charter school is proposed in this development in the MU-C designated area. Discovery Park, a 27-acre regional City park, exists to the east of Apex Southeast and includes picnic shelters, pathways, open play areas, play structures, a splash pad, an off-leash dog park and ballfields.
- “Mixed use areas should be centered around spaces that are well-designed public and quasi-public centers of activity. Spaces should be activated and incorporate permanent design elements and amenities that foster a wide variety of interests ranging from leisure to play. These areas should be thoughtfully integrated into the development and further placemaking opportunities considered.”
The public/quasi-public areas (i.e. community center and amphitheater) proposed in this development are centrally located within the mixed use designated area in Apex Northwest. Discovery Park abuts Apex Southeast and offers a wide variety of activities for area residents.
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”
The proposed mixed use developments will be directly accessible to adjacent neighborhoods within the section through extension of streets and internal pedestrian pathways.
- “Alleys and roadways should be used to transition from dissimilar land uses, and between residential densities and housing types.”
Roadways are proposed as a transition between residential and commercial land uses in both of the proposed subdivisions; and alleys, roadways and common areas are proposed between residential housing types and densities as desired.

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

The subject property is not located in Old Town, therefore, this item is not applicable.

In reviewing development applications, the following items will be considered in MU-C areas, per the Comprehensive Plan (pgs. 3-15 thru 3-16):

- “Developments should comply with the general guidelines for development in all Mixed Use areas.”
See analysis above.
- “All developments should have a mix of at least three land use types.”
The proposed development has a mix of residential, commercial, office and civic uses as desired.
- “Residential uses should comprise a minimum of 20% of the development area at gross densities ranging from 6 to 15 units/acre.”
Residential uses should comprise a minimum of 20% of the overall MU-C designated area at a minimum density of 6 units/acre. Prior to development of the “future development” areas on the Master Plan, a conceptual development plan should be submitted to ensure compliance.
- “Non-residential buildings should be proportional to and blend in with adjacent residential buildings.”
The design, color, construction materials and height of non-residential buildings should be proportional to and blend with adjacent residential buildings as desired.
- “Vertically integrated structures are encouraged.”
No vertically integrated structures are proposed at this time but are encouraged to be included.
- “Unless a structure contains a mix of both residential and office, or residential and commercial land uses, a maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 30,000 square-foot building footprint. For community grocery stores, the maximum building size should be limited to a 60,000 square-foot building footprint. For the development of public school sites, the maximum building size does not apply.”
The building footprints shown on the Master Plan do not exceed 30,000 square feet; future development should be consistent with this guideline.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools that comprise a minimum of 5% of the development area are required. Outdoor seating areas at restaurants do not count towards this requirement.”
*A community center with a plaza area and amphitheater are proposed in Apex Northwest adjacent to service commercial and office uses; a charter school is proposed in Apex Southeast. **These types of spaces and places and uses should be provided in all of the MU-C designated areas in accord with this guideline.** Linear open space containing a multi-use pathway is proposed where the Williams Northwest Gas Pipeline easement is located.*
- Where the development proposes public and quasi-public uses to support the development above the minimum 5%, the developer may be eligible for additional residential densities and/or an increase to the maximum building footprint.”
Although this is an option, the developer is not requesting an increase in density or in the maximum building footprint allowed.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Development Agreement Modification (MDA):

The Applicant proposes to modify the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) for this property in order to replace the agreements with one new agreement based on the proposed Master Plan (see Section VIII.A).

The existing Development Agreements (DA’s) were required with the South Meridian Annexation application in 2015. Because that application was initiated by the City, no development was proposed at that time. A “placeholder” zoning of R-4 was assigned to all of the properties with the requirement that any future development would require an amendment to the DA’s to approve any proposed development plan. Existing allowed uses in the County pertaining to the raising or maintaining of livestock and agricultural operations; an exemption to MCC 6-3-10, Firearms, Dischargeable Instruments; and existing agreements for the collection of solid waste were allowed to remain and continue until such time as the properties redeveloped in the future. With the proposed development, these uses are required to cease.

The existing DA’s require any property or easements needed by the City to provide any sewer or water infrastructure needed in furtherance of the agreement to be provided by the Owner at no cost to the City for the intent of providing for the advancement of sewer and water infrastructure for the benefit of the property, the City and adjacent properties for water mains, sewer mains and trunk lines. Because all of the water and sewer infrastructure commitments have been met and have been constructed, these provisions do not need to be carried over to the new DA.

Staff recommends the proposed Master Plan is included in the new DA along with the provisions for future development listed in Section IX.A.1 to ensure compliance with the MU-C FLUM designation.

~~B. Annexation & Zoning (AZ):~~

~~Annexation of Lot 4, Block 1 of Shafer View Estates Subdivision consisting of 40.09 acres of land is proposed with an R-2 zoning district consistent with the associated FLUM designation of LDR. This lot was previously deed restricted as part of a non-farm development in the County and was only allowed to be used as open space for a period of not less than 15 years from the recording date of the plat; because the plat was recorded in 2002, this restriction has since expired.~~

~~No development is proposed at this time. Annexation is requested because the easterly 10 acres of the lot is needed for sewer and access to the proposed development; the remainder of the property is not proposed to develop as part of this project. Future development is required to comply with the dimensional standards of the R-2 zoning district. The Developer plans to develop the property between the collector street and the adjoining Shafer View Subdivision with 1-acre lots as a transition and buffer to the existing neighborhood. **Prior to annexation of the property, a lot division should be approved by Ada County in order for the Applicant to only develop the eastern portion of the property.**~~

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

~~The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. Because the R-2 district only allows single family residential detached dwellings, parks, minor public utilities and certain wireless communication facilities as principal permitted uses, Staff does not feel it’s necessary to restrict development of the property through a DA as a provision of annexation.~~

C. Rezone (RZ):

A rezone of 384.97 acres of land from the R-4 to the ~~R-2 (0.70 acre)~~, R-8 (144.78 + 119.28 = 264.06 acres), R-15 (76.93 acres) and C-C (43.28 acres) zoning districts is proposed.

~~The 0.70 of an acre of land proposed to be rezoned to R-2 is located directly to the east of the annexation area on the west side of the future collector street depicted on the Master Plan. Because this property is designated MDR on the FLUM, the R-4 or R-8 zoning districts would typically be the best zoning choices. However, because this area will develop as part of the adjacent property to the west proposed to be annexed with R-2 zoning, Staff recommends the adjacent LDR designation is used for the area proposed to be rezoned as allowed in the Comprehensive Plan when deemed appropriate and approved as part of a public hearing with a land development application (see pg. 3-9). No development is proposed at this time. Future development is required to comply with the dimensional standards of the R-2 zoning district listed in UDC Table 11-2A-4 and the allowed uses listed in UDC Table 11-2A-2.~~

The areas proposed to be rezoned to R-8 consisting of a total of 264.06 acres are primarily designated on the FLUM as MDR but some of the area is within the MU-C designated area. The Master Plan does not depict a conceptual development plan for much of the R-8 zoned area except for that to the south of the C-C zoned area in Apex Southeast where single-family detached homes are proposed at a gross density of 3.75 units/acre. **Because this area is in close proximity to a major transportation/mobility corridor (E. Lake Hazel Rd.) and a City Park, a higher density in this area is encouraged.**

The 76.93 acre areas proposed to be rezoned to R-15 lie within areas designated as MDR, MHDR and MU-C on the FLUM. The Master Plan does not include a conceptual development plan for the portion in the MHDR designated area. **To ensure future development occurs consistent with the guidelines in the Comprehensive Plan for MHDR designated areas, Staff recommends a DA provision requiring future development to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place; an alternative housing type such as townhomes and/or multi-family is recommended. Connectivity with adjacent uses and area pathways, attractive landscaping and project identity should also be provided.** The majority of the remainder of the R-15 area is designated MU-C with a small portion designated MDR. Alley-loaded single-family attached and detached homes are depicted on the Master Plan in the MDR and MU-C designated areas included in the Apex Northwest plat at the northwest corner of Locust Grove/Lake Hazel Roads in accord with the Comprehensive Plan. A concept development plan is not proposed for the remainder of the area proposed to be zoned R-15 north of the commercial area in Apex Northwest, on the south side of Lake Hazel and on the east side of Locust Grove in the MU-C designated area. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan.** Future development should comply with the dimensional standards of the R-15 district listed in UDC Table 11-2A-7, the allowed uses for the R-15 district listed in UDC Table 11-2A-2, and the general guidelines for Mixed Use developments and specifically MU-C designated areas in the Comprehensive Plan.

The proposed rezone of 43.28 acres of land to the C-C zoning district is consistent with the associated FLUM designation of MU-C. The area at the northwest corner of Locust Grove and Lake Hazel Roads is proposed to develop with a mix of neighborhood-serving commercial and office uses including a community center and amphitheater; and the area on the south side of Lake Hazel, east of the Locust Grove/Lake Hazel intersection is proposed to develop with a charter school as depicted on the Master Plan. A conceptual development plan is not proposed for the MU-C designated areas at the southwest, southeast and northeast corners of the intersection. **To ensure these areas develop consistent with the general Mixed Use and MU-C guidelines in the Comprehensive Plan, Staff recommends the DA is amended prior to development of these areas to include a conceptual development plan consistent with these guidelines.**

The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Rd. intersection shown as an “NAP” should be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such should be submitted to the Planning Division with a future subdivision application for the surrounding property.

~~Legal descriptions with associated exhibit maps of the areas proposed to be rezoned are included in Section VIII.B. Because the legal description and map for the R-2 zoned area includes 40.09 acres of land that is part of the annexation request, Staff has requested the Applicant revise the description to exclude that area; a revised legal description and exhibit map should be submitted prior to the City Council hearing.~~

The City may require a development agreement (DA) in conjunction with a rezone pursuant to Idaho Code section 67-6511A. Because a new DA is proposed to replace the existing DA’s Staff recommends the above recommended DA provisions are included in that agreement.

D. Preliminary Plats:

Two separate preliminary plats, Apex Northwest and Apex Southeast, are proposed due to ACHD right-of-way (ROW) for Lake Hazel and Locust Grove Roads separating the properties. Because this overall project will be developed as a single integrated project and marketed as such, analysis of both projects is included in this report.

Apex Northwest consists of 120 single-family residential buildable lots for the development of 88 detached and 32 attached dwelling units, 11 commercial buildable lots and 14 common lots on 41.75 acres of land in the C-C and R-15 zoning districts. The minimum lot size proposed is 2,863 square feet (s.f.) with an average lot size of 3,885 s.f. The gross density proposed is 5.62 units/acre with a net density of 11.21 units/acre. The subdivision is proposed to develop in 3 phases as shown on the Phasing Plan in Section VIII.D.

Apex Southeast consists of 237 single-family residential buildable lots, 2 commercial buildable lots, 30 common lots and 10 other (shared driveway) lots on 81.63 acres of land in the C-C and R-8 zoning districts. The minimum lot size proposed is 4,840 square feet (s.f.) with an average lot size of 7,058 s.f. The gross density proposed is 3.75 units/acre with a net density of 6.17 units/acre. The subdivision is proposed to develop in three (5) phases as shown on the phasing plan in Section VIII.D.

Overall, a total of 357 single-family residential buildable lots, 13 commercial buildable lots, 44 common lots and 10 other lots are proposed between the two subdivisions at a gross overall density of 4.22 units/acre and a net overall density of 7.27 units/acre.

Existing Structures/Site Improvements:

There are no existing structures within the boundaries of the proposed plats.

The Northwest Williams Gas Pipeline crosses the northeast corners of Apex Northwest (Lot 2, Block 6) and Southeast (Lot 1, Block 9 and Lot 1, Block 14) subdivisions as depicted on the preliminary plats. Development within this area should comply with the Williams Developers’ Handbook. No structures should be located within the easement.

Proposed Use Analysis:

The proposed single-family detached and attached dwellings are listed as a principal permitted use in the R-8 and R-15 zoning districts; and an education institution is listed as a conditional use in the R-8 zoning district per UDC Table 11-2A-2, subject to the specific use standards listed in UDC 11-4-3-14. An education institution and professional service (i.e. office) is listed as a principal permitted use in the C-C

district, subject to the specific use standards listed in UDC 11-4-3-14; other allowed uses in the C-C district are listed in UDC Table 11-2B-2.

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

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

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, alleys, common driveways, easements and block face.

The proposed lots in Apex Northwest are consistent with the dimensional standards of the R-15 and C-C zoning districts. **However, one of the alleys is not designed so that the entire length is visible from a public street as required by UDC 11-6C-3B.5e; the plat should be revised to comply.** Common driveways that comply with the standards in UDC 11-6C-3D may be considered as an alternative.

The proposed lots in Apex Southeast are consistent with the dimensional standards of the C-C and R-8 zoning districts. Two (2) alleys and 10 common driveways are proposed in the residential portion of the development that are consistent with the standards in UDC 11-6C-3. Such alleys and common driveways should be constructed in accord with the standards listed in UDC 11-6C-3B.5 and 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

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

Access is required to comply with the standards listed in UDC 11-3A-3.

Apex Northwest: Two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street, and two (2) public street accesses are proposed via S. Locust Grove Rd., an arterial street. Collector streets (E. Crescendo St. and S. Apex Ave.) are proposed in accord with the MSM.

Apex Southeast: Three (3) public street accesses are proposed via S. Locust Grove Rd., an arterial street, and two (2) public street accesses are proposed via E. Lake Hazel Rd., an arterial street. Collector streets (E. Tower St., S. Vertex Way and E. Via Roberto St.) are proposed in accord with the MSM.

Alleys are proposed for access to alley-loaded homes in Apex Northwest and Apex Southeast. Common driveways are proposed for access to certain homes in Apex Southeast.

Cross-access easements should be provided between all commercial lots in the subdivisions as set forth in UDC 11-3A-3A.2.

Road Improvements: The Applicant has proposed to enter into a Cooperative Development Agreement (CDA) with ACHD to improve Lake Hazel Road abutting the site with (4) 11.5' wide travel lanes, a 19' wide center landscape median, vertical curb, gutter, 8' wide planter strips and 10' wide detached concrete sidewalks within 109' to 120. 5' of right-of-way (ROW) with the first phase of development. The Applicant has proposed to construct dedicated right-turn lanes on Lake Hazel Rd. at Aspiration Ave., Apex Ave., Peak Ave. and Vertex Way. Locust Grove Rd. abutting the site is proposed to be improved with (3) 12' wide travel lanes with 6.5' wide bike lanes, vertical curb, gutter, 8' wide planter strips and 5' wide

detached concrete sidewalks within 77' of ROW. The specific conditions of approval pertaining to the CDA are included in the ACHD report in Section IX.H.

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

Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family detached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. Parking for non-residential uses is required per the standards listed in UDC 11-3C-6B.1.

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

The Pathways Master Plan (PMP) depicts segments of the City's multi-use pathway system in the linear area where the Williams gas pipeline is located and along the east boundary of the rezone area.

Pathways should be provided with development in accord with the PMP per the conditions from the Park's Dept. in Section IX.E. **All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan. Landscaping shall be provided along either side of the pathway in accord with the standards listed in UDC 11-3B-12C. Public pedestrian easements (14-foot wide) should be provided prior to signature by the City Engineer on final plat phases in which pathways are located.**

Staff recommends two (2) additional micro-path connections are provided in Apex Southeast at the east boundary to Discovery Park.

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

The UDC (11-3A-17) requires, at a minimum, detached sidewalks to be provided along arterial and collector streets and attached sidewalk to be provided along local streets.

Detached sidewalks are proposed along all internal local and collector streets and along the arterial streets in accord with the standards listed in UDC 11-3A-17.

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

Eight-foot wide parkways are proposed adjacent to all streets with detached sidewalks; all parkways are required to be constructed in accord with the standards listed in UDC 11-3A-17.

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

A 25-foot wide street buffer is required adjacent to S. Locust Grove Rd. and E. Lake Hazel Rd., both arterial streets; and a 20-foot wide street buffer is required adjacent to E. Crescendo St., S. Apex Ave., E. Tower St., S. Vertex Way and E. Via Roberto St., all collector streets, landscaped per the standards listed in [UDC 11-3B-7C](#). *Alternative Compliance may be requested to UDC 11-3B-7C.2a for street buffers along collector streets to be located in a dedicated buffer rather than in a common lot.*

Parkways are required to be landscaped in accord with the standards listed in UDC [11-3A-17](#) and [11-3B-7C](#).

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

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

Mitigation is required for any existing trees proposed to be removed from the site as set forth in UDC 11-3B-10.C.5.

If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.

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

A minimum of 10% *qualified* open space meeting the standards listed in UDC 11-3G-3B is required to be provided with development of land in residential districts.

Based on the residential portion of the Apex Northwest plat (31.52 acres) zoned R-15, a minimum of 3.15 acres of *qualified* open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that appears to meet the minimum standards, it includes areas in the C-C zoning district that do not qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B in order to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of 6.32 acres of qualified open space is required to be provided. Qualified open space consists of all of the street buffers along collector streets, half of the street buffers along arterial streets, the 8-foot wide parkways between the curb and detached sidewalk, linear open space at least 20' wide and up to 50' wide that has an access at each end, and open grassy areas of at least 50' x 100' in area. **Although an open space exhibit was submitted that appears to comply with the minimum standards, it includes areas in the C-C zoning district that do not qualify toward the minimum requirements for the subdivision. Staff recommends the exhibit is revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B to ensure consistency with this standard. If additional qualified open space is needed, the plat should be revised to comply.**

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

A minimum of one (1) qualified site amenity is required for each 20 acres of land to be developed in residential districts as set forth in UDC 11-3G-3.

Based on the area of the residential portion of Apex Northwest (31.52 acres), a minimum of one (1) qualified site amenity is required to be provided. A gazebo is proposed as an amenity in Lot 32, Block 5 as an amenity; **Staff recommends tables and benches are also provided as required for a "picnic area" amenity.** A community center and amphitheater are also proposed as public amenities in the adjacent commercial portion of the development and a swimming pool is depicted on the Master Plan off-site on the adjacent property to the north; however, these do not qualify as amenities for the residential portion of the development proposed to be platted with this application.

Based on the residential area of the Apex Southeast plat (63.18 acres) zoned R-8, a minimum of three (3) qualified site amenities are required to be provided. **A swimming pool and children's play equipment are proposed in a central common area and pedestrian pathways (multi-use pathway along E. Lake Hazel Rd. and internal pathways) are proposed as amenities in this development in accord with UDC standards. A detail of the children's play equipment should be submitted with the final plat application.**

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

There are no waterways within the boundary of the preliminary plats.

The Farr Lateral runs along the north and east boundaries; the McBirney Lateral crosses the site east/west; and another waterway runs north/south through the annexation and/or rezone areas.

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

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

Six-foot tall wood picket fencing is proposed along end caps at the ends of residential lots adjacent to common areas; and 5-foot tall clear vision metal fencing is proposed adjacent to internal common areas.

Storm Drainage:

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

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from Boise Project Board of Control.

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

The Applicant submitted several perspective building elevations for the proposed single-family homes and for the commercial structures planned to be constructed in this development which are included in Section VIII.G. Homes depicted are a mix of 1- and 2-story units, attached and detached, with building materials consisting of a variety of siding styles and stucco with stone/brick veneer accents. Final design is required to comply with the design standards in the Architectural Standards Manual, single-family detached dwellings are exempt from design review standards.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and non-residential/commercial structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

Staff recommends approval of the proposed MDA, AZ, RZ and PP applications with the requirement of a new Development Agreement with the provisions noted in Section IX.A per the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on July 9, 2020. At the public hearing, the Commission moved to recommend approval of the subject MDA, RZ and PP requests.

1. Summary of Commission public hearing:

- a. In favor: Jon Wardle
- b. In opposition: None
- c. Commenting: Stacia Morgan; Annette Alonzo representing the Southern Rim Coalition
- d. Written testimony: Julie Edwards
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Opposed to the proposed rezone from R-4 to R-15 for the land along Lake Hazel Rd. between Meridian Rd. & Locust Grove Rd. (not against higher density around

- commercial areas); would like to see the zoning of the “future development” areas remain R-4 rather than be rezoned to R-8; belief that farm land and open space should be preserved as much as possible; concern that current school system does not have the capacity to accommodate all of the students from this development; would like a moratorium placed on development that has not already been approved to allow time for the school district and roads to catch up and to have time to re-evaluate how we want to use our dwindling remaining open spaces & farmland.
- b. Concern pertaining to capacity of area schools and ability to accommodate more students from this development;
 - c. Would like pathways provided to Black Rock Subdivision for connectivity.
3. Key issue(s) of discussion by Commission:
- a. Concern pertaining to capacity of area schools and impact of the proposed development on such;
 - b. Supportive of proposed development, community amenities and associated improvements to Locust Grove and Lake Hazel Roads;
4. Commission change(s) to Staff recommendation:
- a. If revised qualified open space exhibit depicts qualified area less than 10% that the amphitheater in the commercial area be allowed to count toward the requirement through an alternative compliance request to UDC 11-3A-3.
5. Outstanding issue(s) for City Council:
- a. None

Note: The annexation request was pulled from the Commission agenda at the request of the property owner so that it could be re-noticed with a change in zoning from R-2 to R-4. Therefore, it is not moving forward to Council with the MDA, RZ & PP applications.

- C. The Meridian City Council heard these items on August 11, 2020. At the public hearing, the Council moved to approve the subject MDA, RZ and PP requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: Jon Wardle and David Turnbull, Brighton Corporation
 - b. In opposition: None
 - c. Commenting: Chris Loveland, Marcella White, Julie Edwards
 - d. Written testimony: None
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Joe Bongiorno
 - 2. Key issue(s) of public testimony:
 - a. Not in favor of the proposed rezone from the R-4 district and density and lot sizes of the proposed development – preference for larger estate lots (1+ acre) and open space.
 - 3. Key issue(s) of discussion by City Council:
 - a. Phasing of the preliminary plats;
 - b. The uniqueness of the development with community amenities;
 - c. Development is proactive in addressing traffic/infrastructure concerns up front; and,
 - d. Concern about education issue and overcrowding of area schools.
 - 4. City Council change(s) to Commission recommendation:
 - a. None

VIII. EXHIBITS

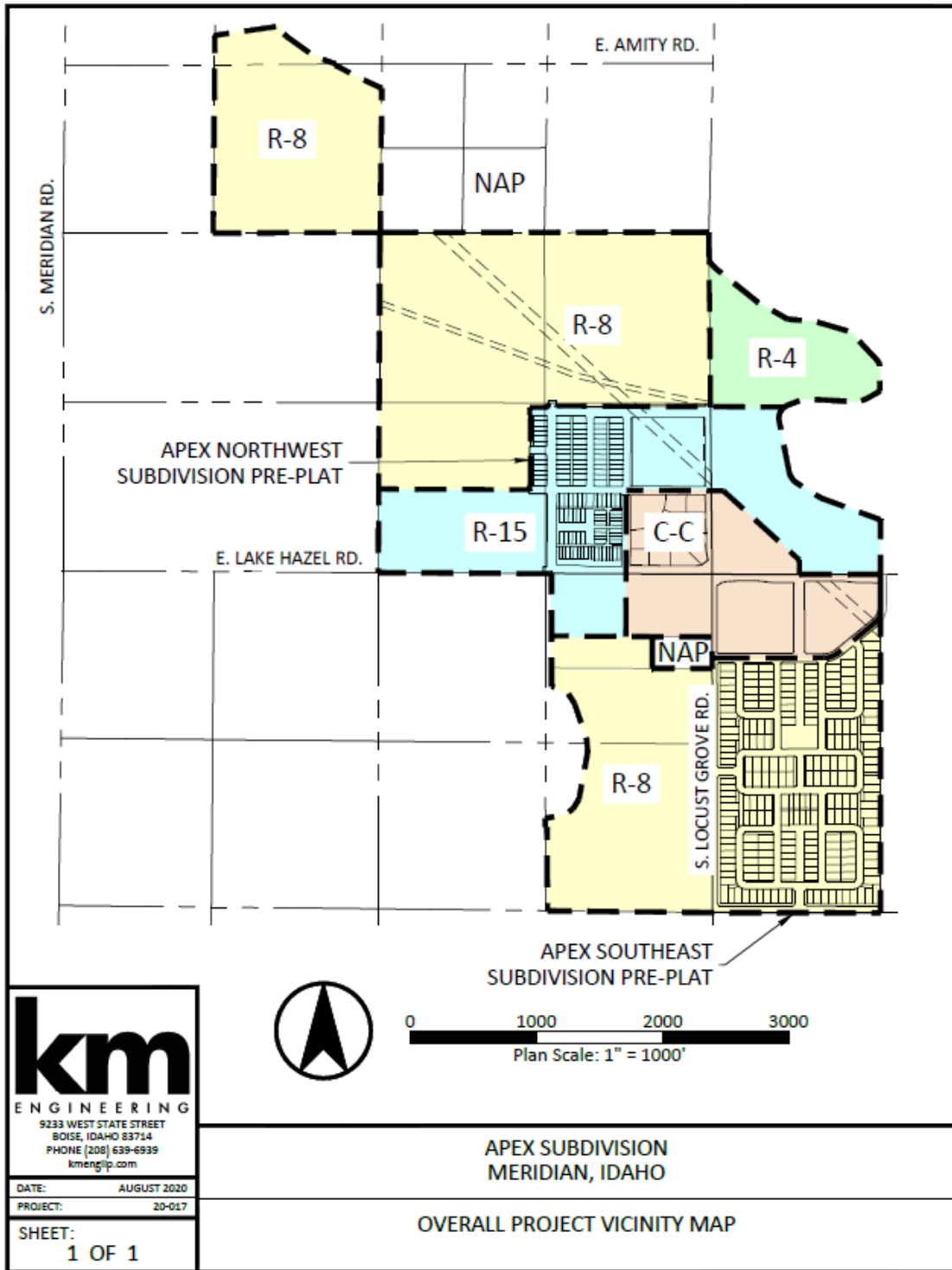
A. Master Plan (Revised)



Item #6.

~~**B. Annexation Legal Description & Exhibit Map**~~

C. Rezone Legal Description & Exhibit Map





April 2, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to R-8 - North
Apex Subdivision**

A portion of the East 1/2 of the Northwest 1/4, a portion of the Southeast 1/4 and a portion of the Northeast 1/4 of the Southwest 1/4 of Section 31, Township 3 North, Range 1 East, B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center of said Section 31, thence following the northerly line of said Southeast 1/4 of Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following the easterly line of said Southeast 1/4, S00°32'22"E a distance of 1,419.94 feet;
Thence leaving said easterly line, N89°42'21"W a distance of 1,423.17 feet;
Thence S00°16'52"W a distance of 620.00 feet;
Thence N89°42'21"W a distance of 1,198.50 feet to the westerly line of said Southeast 1/4;
Thence following said westerly line, N00°16'52"E a distance of 682.44 feet to the Center-South 1/16 corner of said Section 31;
Thence leaving said westerly line, S89°52'08"E a distance of 62.50 feet;
Thence N00°16'52"E a distance of 895.00 feet;
Thence 199.42 feet along the arc of a circular curve to the left, said curve having a radius of 280.00 feet, a delta angle of 40°48'25", a chord bearing of N20°07'20"W and a chord distance of 195.23 feet;
Thence N40°31'33"W a distance of 241.33 feet;
Thence 198.79 feet along the arc of a circular curve to the left, said curve having a radius of 230.00 feet, a delta angle of 49°31'13", a chord bearing of N65°17'09"W and a chord distance of 192.66 feet to the southerly line of said East 1/2 of the Northwest 1/4 of Section 31;
Thence following said southerly line, S89°57'15"W a distance of 980.26 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of said East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet;
Thence S46°52'43"E a distance of 45.40 feet;
Thence S54°18'10"E a distance of 180.18 feet;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet;
Thence S70°02'36"E a distance of 107.80 feet;
Thence S19°57'24"W a distance of 12.00 feet;
Thence S70°02'36"E a distance of 14.45 feet;
Thence S61°58'05"E a distance of 207.13 feet;
Thence S65°32'50"E a distance of 188.57 feet to the easterly line of said East 1/2 of the Northwest 1/4;

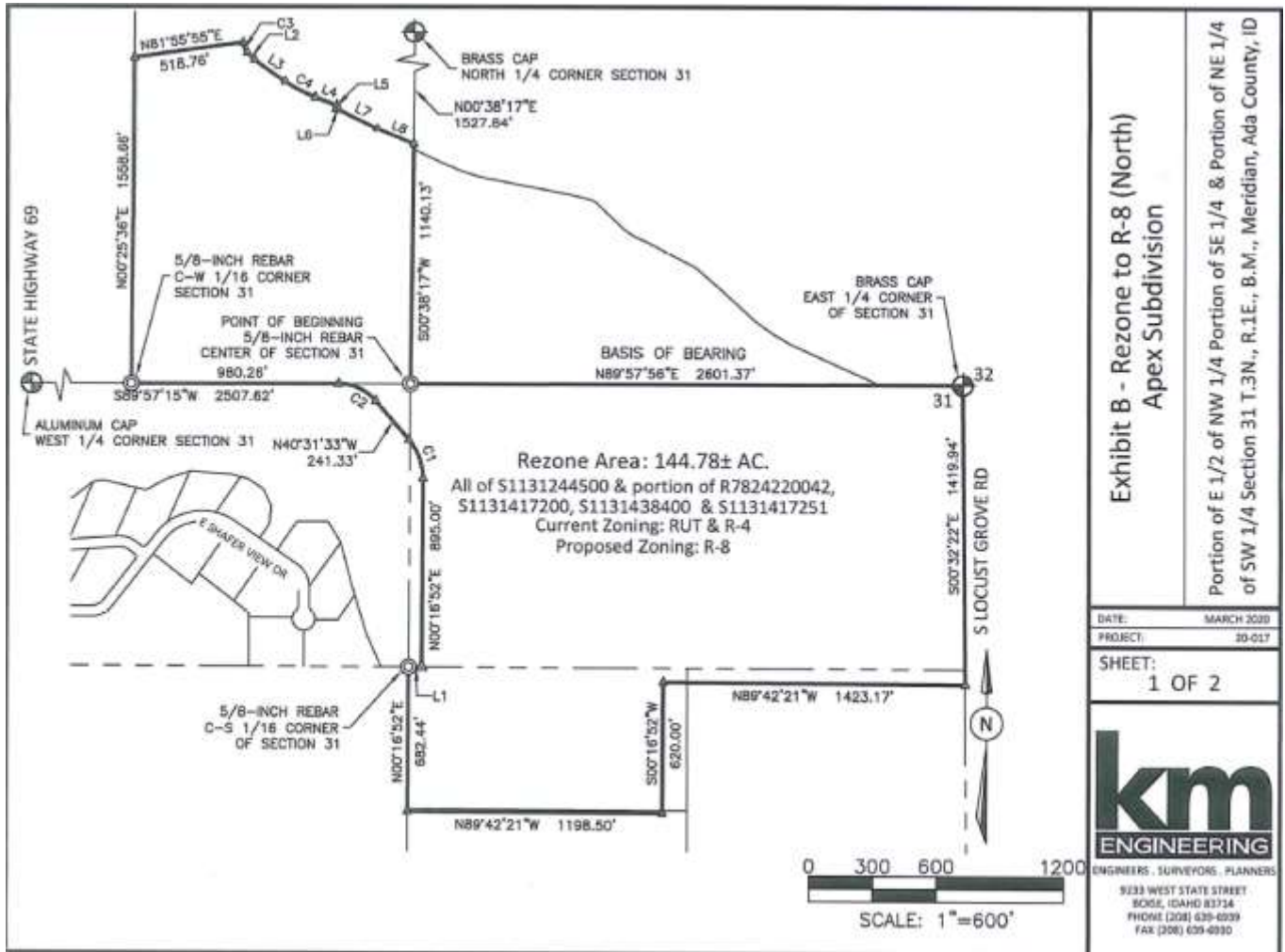
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 144.78 acres, more or less.

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



4.2.2020





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

April 2, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to R-8 - South
Apex Subdivision**

A parcel of land situated in a portion of the West 1/2 of the Northwest 1/4 of Section 5 and a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., City of Meridian, Ada County, Idaho and being more particularly described as follows:

Commencing at a brass cap marking the corner common to Sections 5 and 6, Township 2 North, Range 1 East and Sections 31 and 32, Township 3 North, Range 1 East which bears S89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the North 1/4 corner of said Section 6, thence following the easterly line of the Northeast 1/4 of said Section 6, S00°04'35"E a distance of 661.39 feet to the **POINT OF BEGINNING.**

Thence leaving said easterly line, N89°53'42"E a distance of 966.03 feet;
Thence N41°51'13"E a distance of 547.17 feet to the easterly line of said West 1/2 of the Northwest 1/4 of Section 5;
Thence following said easterly line, S00°01'43"E a distance of 2,421.96 feet to the Center-West 1/16 corner of said Section 5;
Thence leaving said easterly line and following the southerly line of said West 1/2 of the Northwest 1/4 of Section 5, N89°52'38"W a distance of 1,329.65 feet to a bras cap marking the West 1/4 corner of said Section 5 (East 1/4 corner of said Section 6);
Thence leaving said southerly line of the West 1/2 of the Northwest 1/4 of Section 5 and following the southerly line of said East 1/2 of the Northeast 1/4 of Section 6, N89°22'50"W a distance of 1,304.25 feet;
Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet;
Thence N00°20'23"W a distance of 549.25 feet;
Thence N87°34'26"W a distance of 13.49 feet to the westerly line of said East 1/2 of the Northeast 1/4 of Section 6;
Thence following said westerly line, N00°02'06"W a distance of 66.73 feet to the westerly right-of-way line of the Rawson Canal;
Thence leaving said westerly line and following said westerly right-of-way line the following courses:
1. N78°25'55"E a distance of 161.21 feet;
2. N54°55'20"E a distance of 74.17 feet;
3. N31°51'12"E a distance of 92.01 feet;
4. N10°25'10"E a distance of 381.33 feet;
5. N05°26'52"W a distance of 106.26 feet;
6. N18°56'20"W a distance of 287.65 feet;
7. N32°08'38"W a distance of 91.83 feet;
8. N61°32'57"W a distance of 104.61 feet;
9. N74°59'05"W a distance of 44.02 feet;

Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 396.78 feet;

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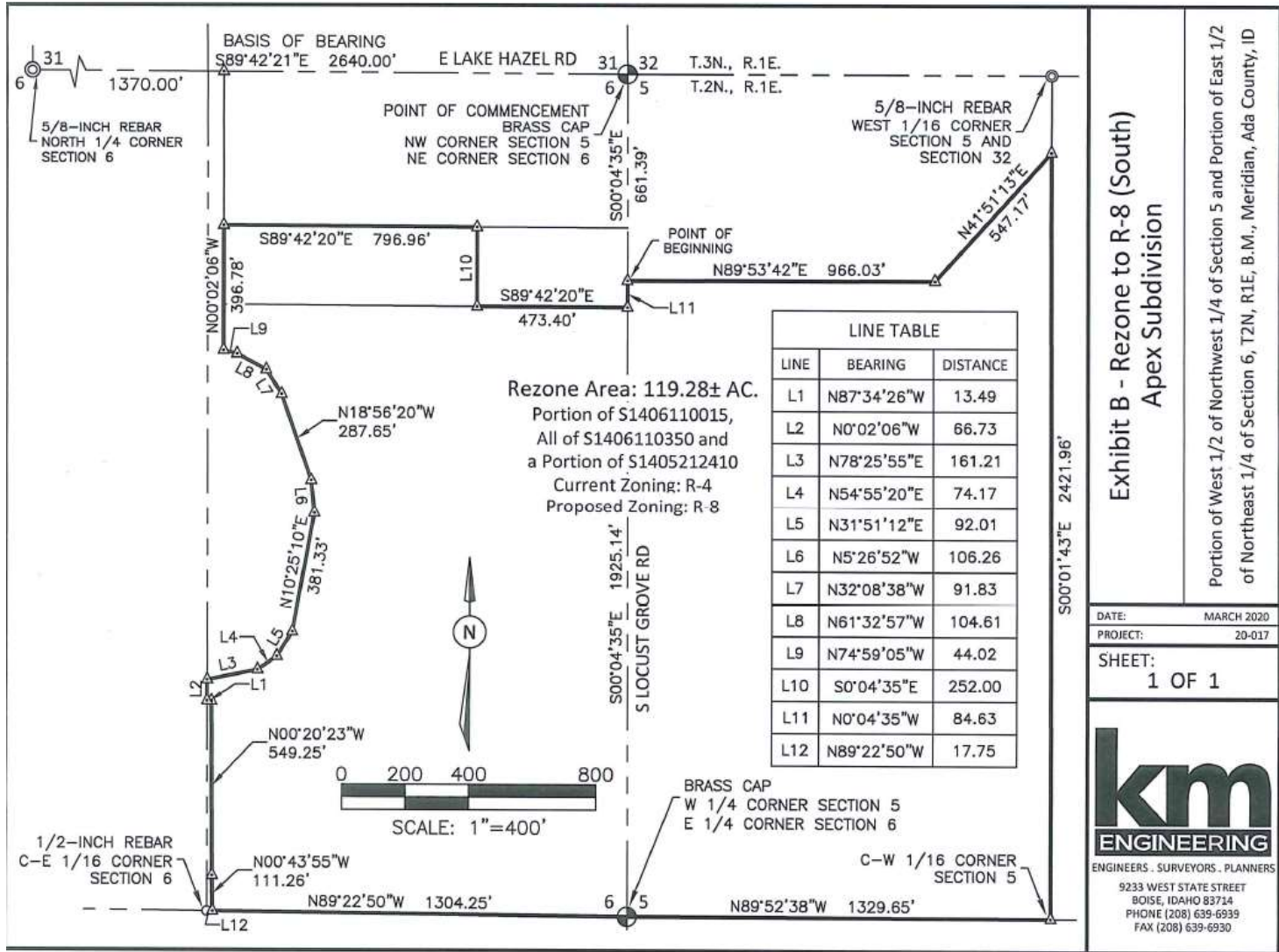
Thence S89°42'20"E a distance of 796.96 feet;
Thence S00°04'35"E a distance of 252.00 feet;
Thence S89°42'20"E a distance of 473.40 feet to the easterly line of said East 1/2 of the Northeast 1/4 of Section 6 (westerly line of said West 1/2 of the Northwest 1/4 of Section 5);
Thence following said easterly line (and said westerly line), N00°04'35"W a distance of 84.63 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 119.28 acres, more or less.

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



Item #6.



**Exhibit B - Rezone to R-8 (South)
 Apex Subdivision**

Portion of West 1/2 of Northwest 1/4 of Section 5 and Portion of East 1/2 of Northeast 1/4 of Section 6, T2N, R1E, B.M., Meridian, Ada County, ID

DATE: MARCH 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

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 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930



April 29, 2020
Project No. 20-017

Exhibit A
Legal Description for
Rezone to R-15
Apex Subdivision

A parcel of land situated in a portion of the South 1/2 of the Southeast 1/4 of Section 31 and a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the corner common to Section 31, Township 3 North, Range 1 East, and Section 6, Township 2 North, Range 1 East, which bears N89°42'21"E a distance of 2,640.00 feet from a 5/8-inch rebar marking the Southeast 1/4 corner of said Section 31;
Thence following the westerly line of the Southeast 1/4 of the Southeast 1/4 of Section 31, N00°16'52"E a distance of 660.00 feet;
Thence leaving said westerly line, S89°42'21"E a distance of 1,198.50 feet;
Thence N00°16'52"E a distance of 620.00 feet;
Thence S89°42'21"E a distance of 1,971.82 feet to the easterly boundary of the Farr Lateral;
Thence following said easterly boundary the following courses:

1. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and a chord distance of 63.56 feet to a 1/2-inch rebar;
2. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
3. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
4. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
5. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of said Southwest 1/4 of the Southwest 1/4 of Section 32;

Thence following said easterly line, S00°10'02"E a distance of 430.90 feet to the southerly line of the Southwest 1/4 of Section 32;
Thence following said southerly line, N89°57'46"W a distance of 641.22 feet;
Thence N00°06'18"W a distance of 124.99 feet;
Thence N47°51'44"W a distance of 797.36 feet;
Thence N89°42'21"W a distance of 775.42 feet;
Thence S00°16'52"W a distance of 1,154.01 feet;
Thence N89°42'20"W a distance of 587.77 feet;
Thence N00°02'06"W a distance of 494.01 feet to the southerly line of the Southeast 1/4 of Section 31;
Thence following said southerly line, N89°42'21"W a distance of 1,370.00 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 76.93 acres, more or less.

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

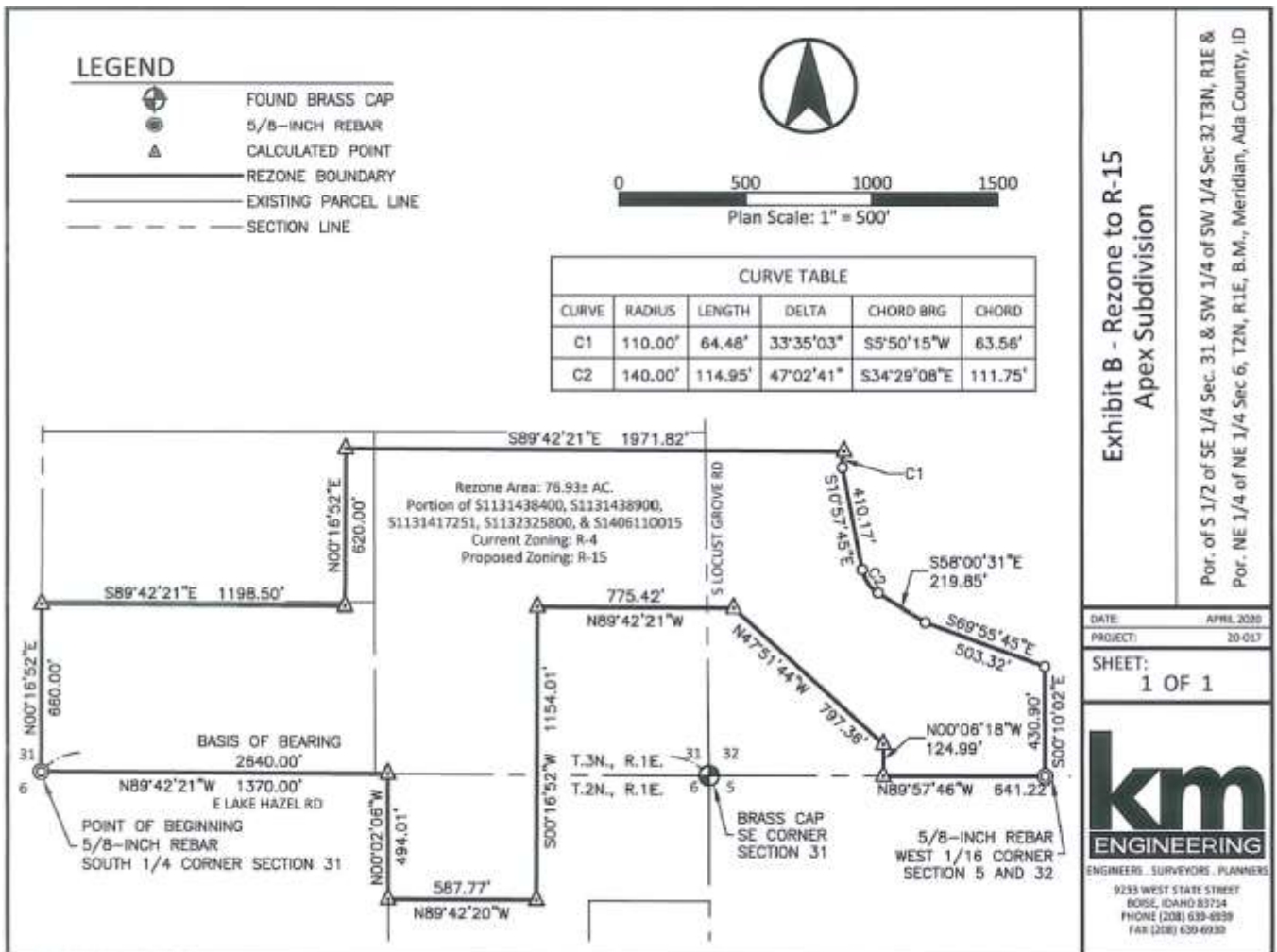


Exhibit B - Rezone to R-15
 Apex Subdivision

Por. of S 1/2 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec 32 T3N, R1E & Por. NE 1/4 of NE 1/4 Sec 6, T2N, R1E, B.M., Meridian, Ada County, ID

DATE: APRIL 2020
 PROJECT: 20-017
 SHEET: 1 OF 1

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 BOISE, IDAHO 83724
 PHONE (208) 639-6939
 FAX (208) 639-6930



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

April 29, 2020
Project No. 20-017

**Exhibit A
Legal Description for
Rezone to C-C
Apex Subdivision**

A parcel of land situated in a portion of the Southeast 1/4 of the Southeast 1/4 of Section 31, a portion of the Southwest 1/4 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., and a portion of the Northwest 1/4 of the Northwest 1/4 of Section 5, and a portion of the Northeast 1/4 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

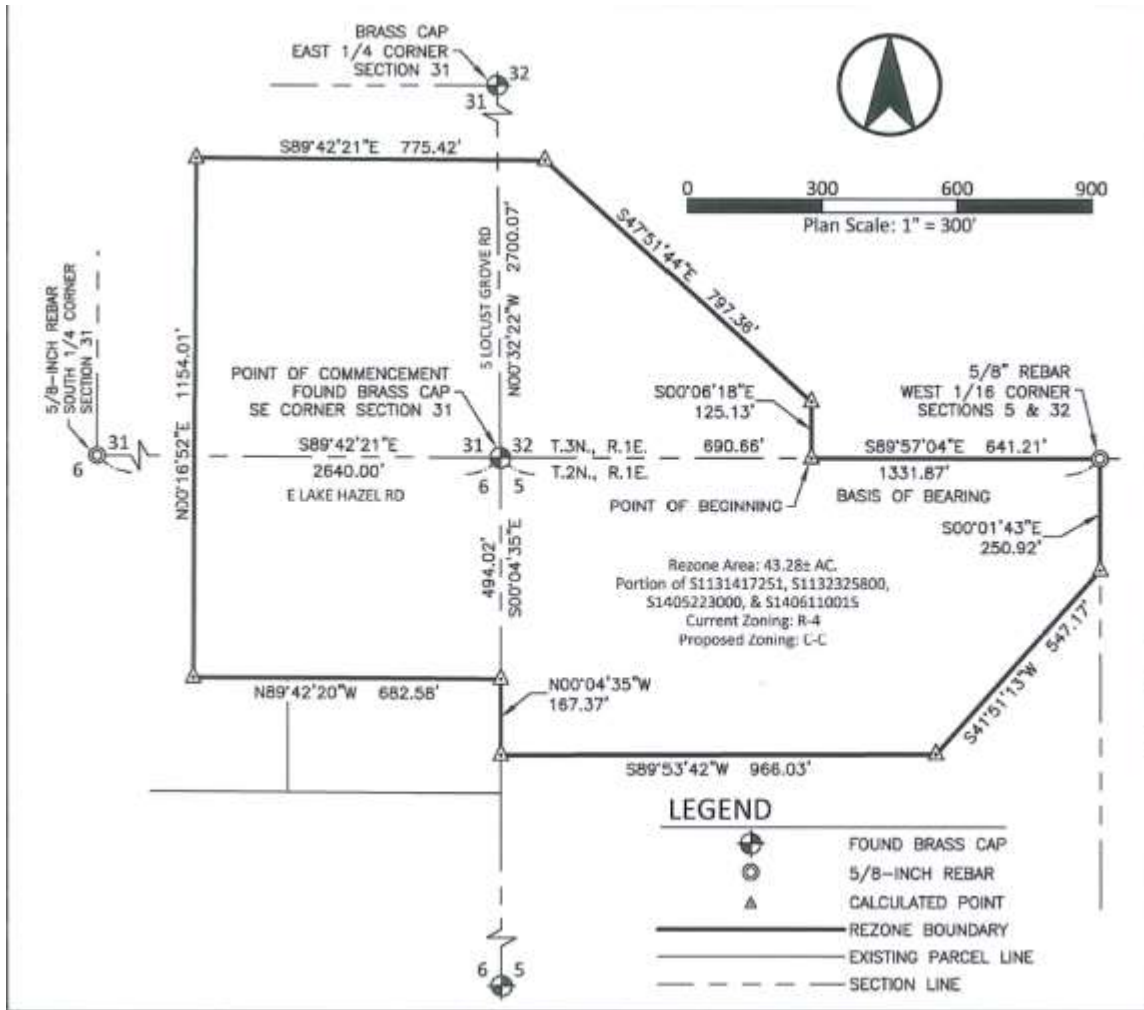
Commencing at a brass cap marking the Northwest corner of Section 5, Township 2 North, Range 1 East, which bears N89°57'04"W a distance of 1,331.87 feet from a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence following the northerly line of said Northwest 1/4, S89°57'04"E a distance of 690.66 feet to the **POINT OF BEGINNING**;

Thence continuing along said northerly line, S89°57'04"E a distance of 641.21 feet to a found 5/8-inch rebar marking the West 1/16 corner of said Sections 5 and 32;
Thence leaving said northerly line and following the easterly line of the Northwest 1/4 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 250.92 feet to a point;
Thence leaving said easterly line, S41°51'13"W a distance of 547.17 feet to a point;
Thence S89°53'42"W a distance of 966.03 feet to a point on the westerly line of said Northwest 1/4;
Thence following said westerly line, N00°04'35"W a distance of 167.37 feet to a point;
Thence leaving said westerly line, N89°42'20"W a distance of 682.58 feet to a point;
Thence N00°16'52"E a distance of 1,154.01 feet to a point;
Thence S89°42'21"E a distance of 775.42 feet to a point;
Thence S47°51'44"E a distance of 797.36 feet to a point;
Thence S00°06'18"E a distance of 125.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.28 acres, more or less.

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





**Exhibit B - Rezone to C-C
 Apex Subdivision**

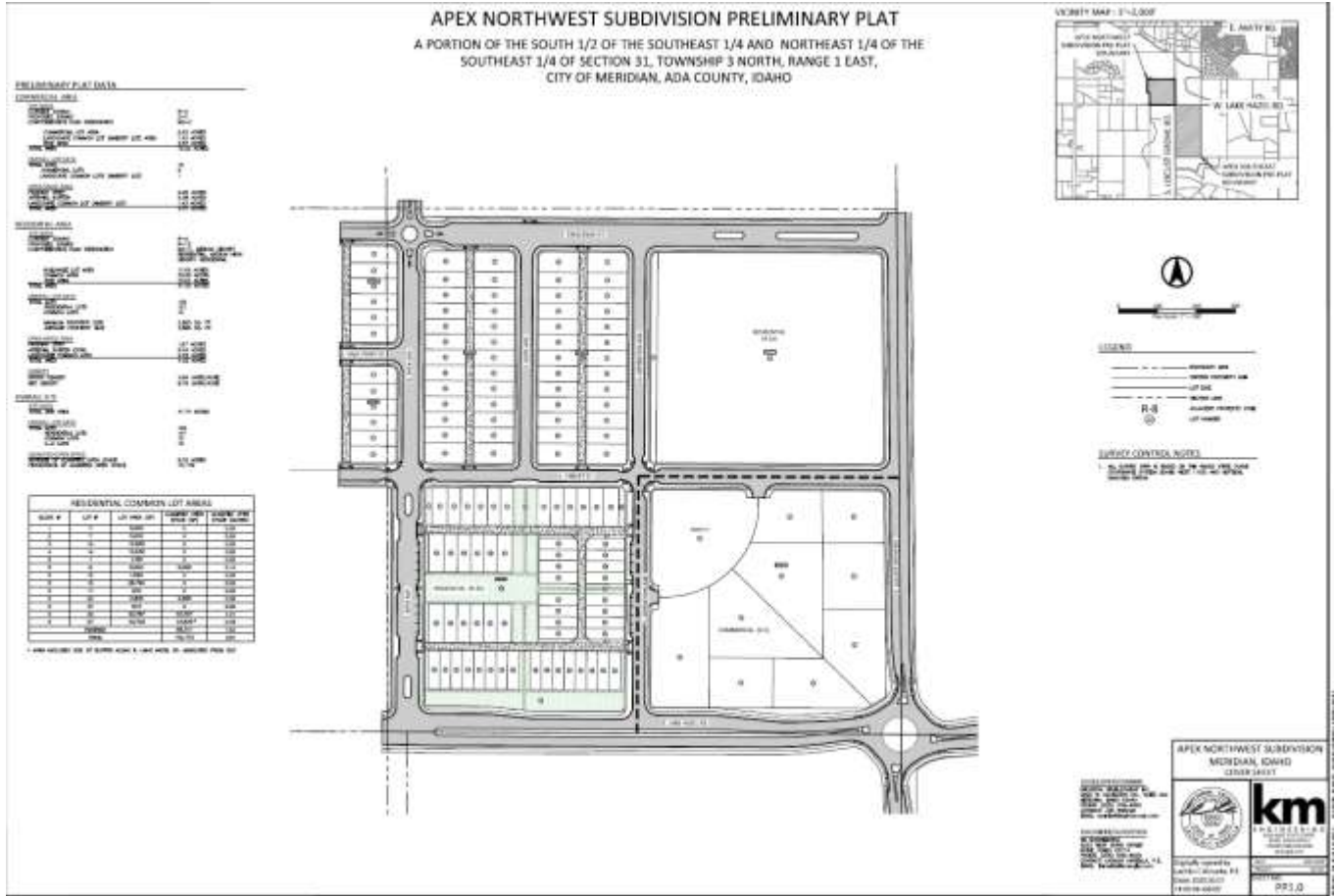
Por. of SE 1/4 of SE 1/4 Sec. 31 & SW 1/4 of SW 1/4 Sec. 32 T3N, R1E &
 Por. NW 1/4 of NW 1/4 of Sec. 5 & NE 1/4 of NE 1/4 Sec. 6, T2N, R1E
 B.M., Meridian, Ada County, ID

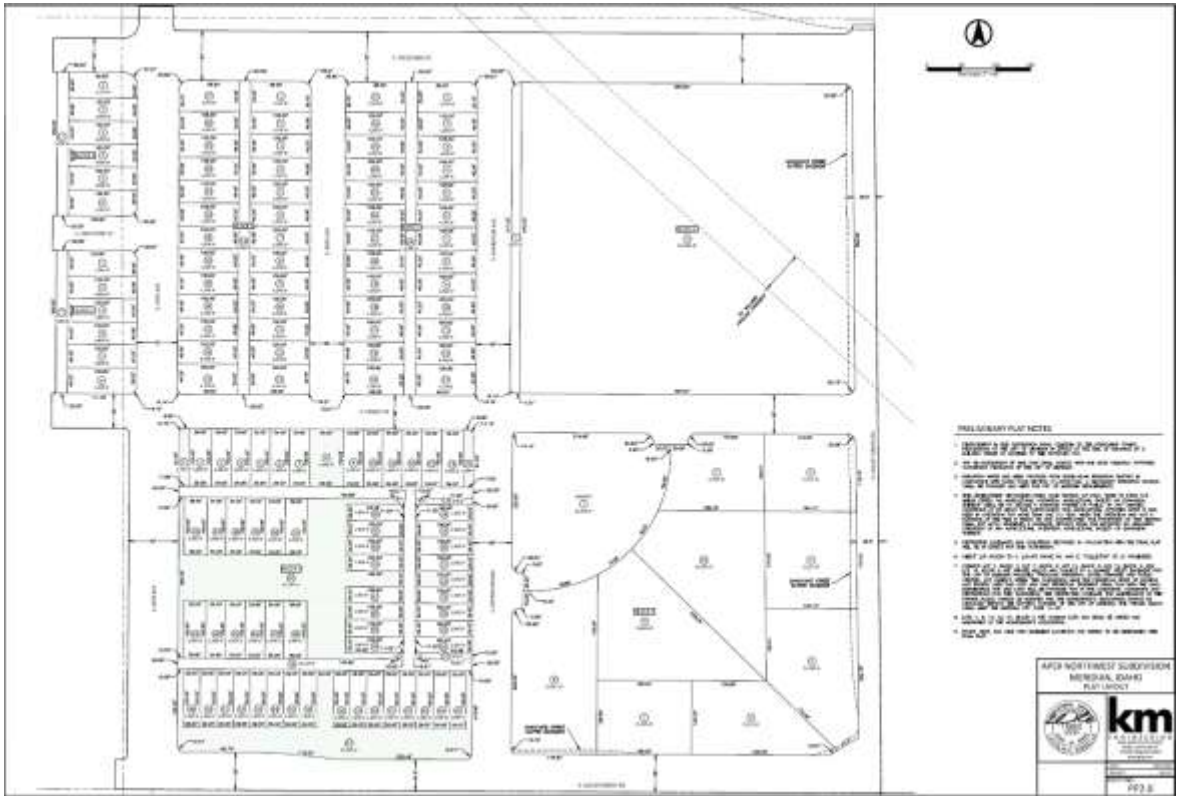
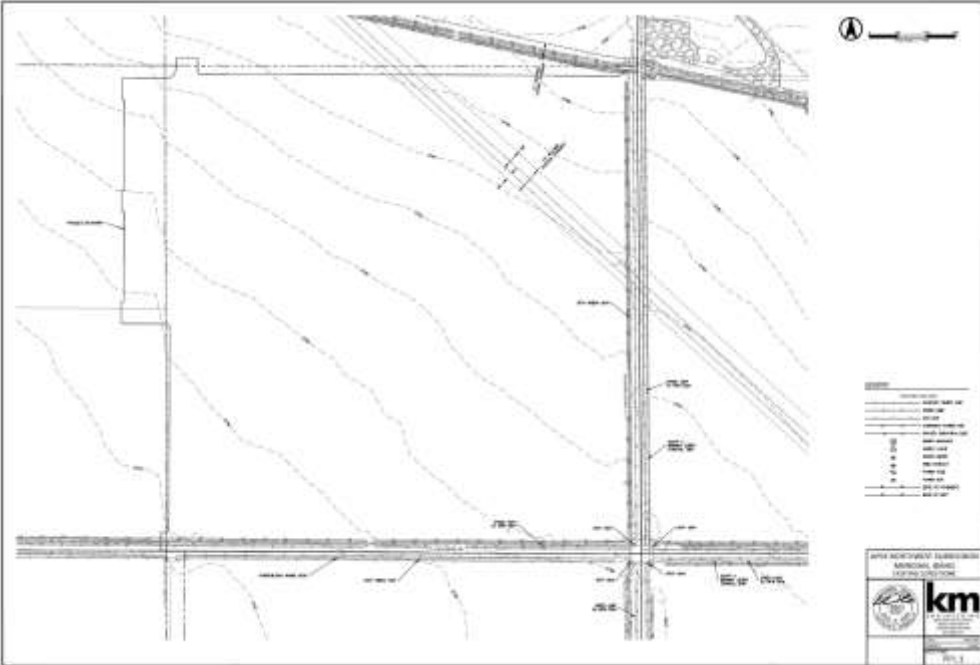
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 BOISE, IDAHO 83714
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 FAX (208) 635-6930

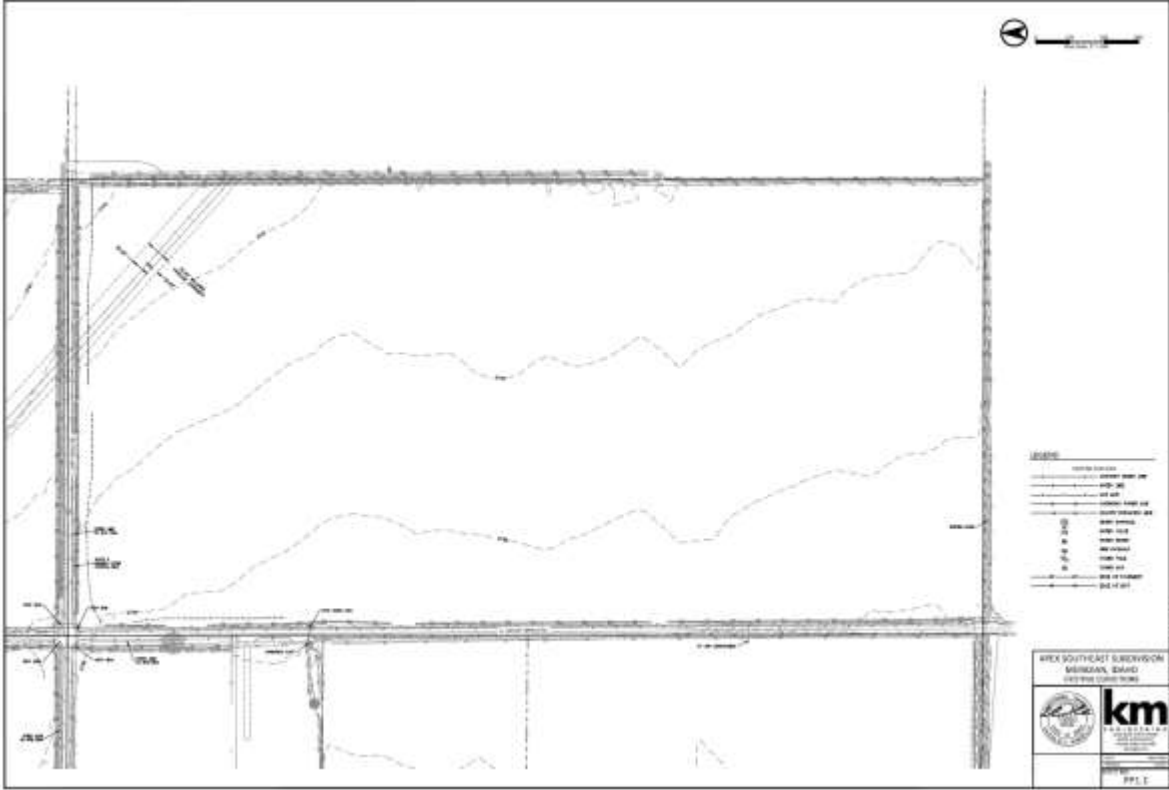
D. Preliminary Plat (date: 5/1/2020) & Phasing Plan

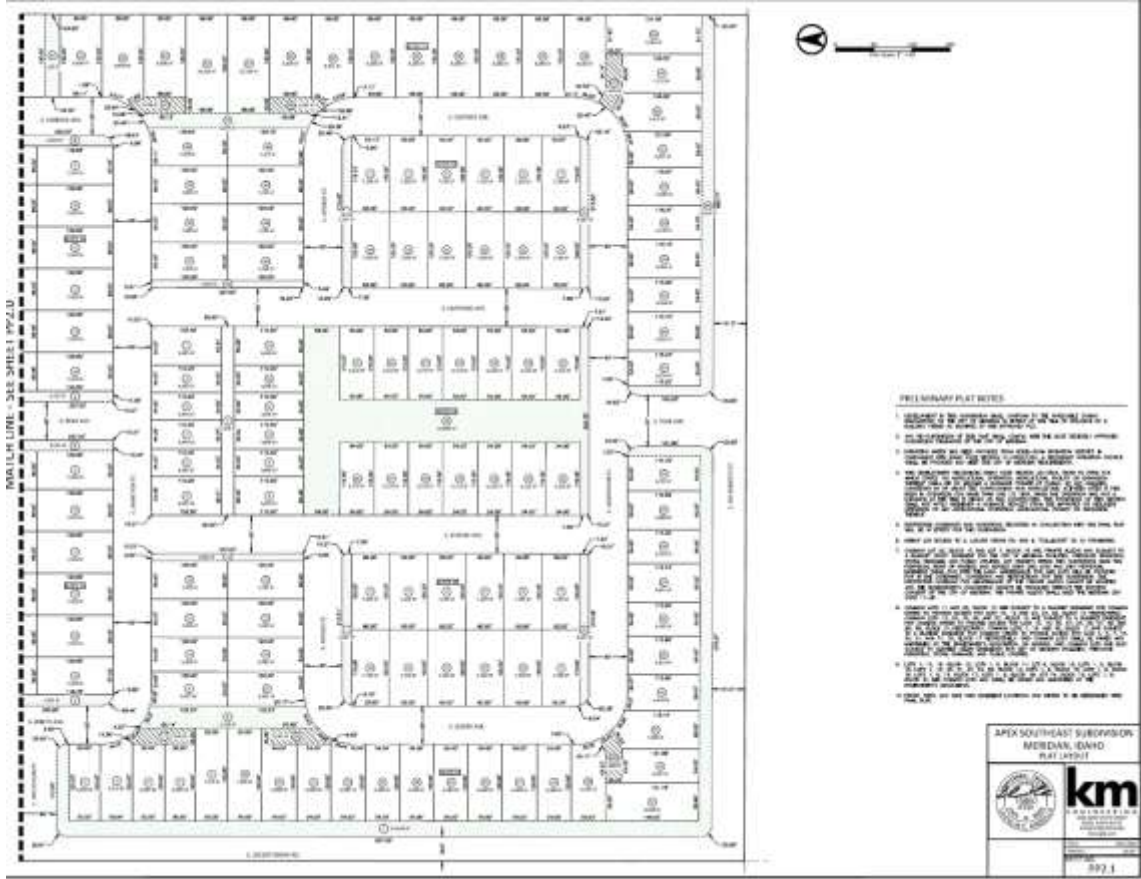


Northwest:

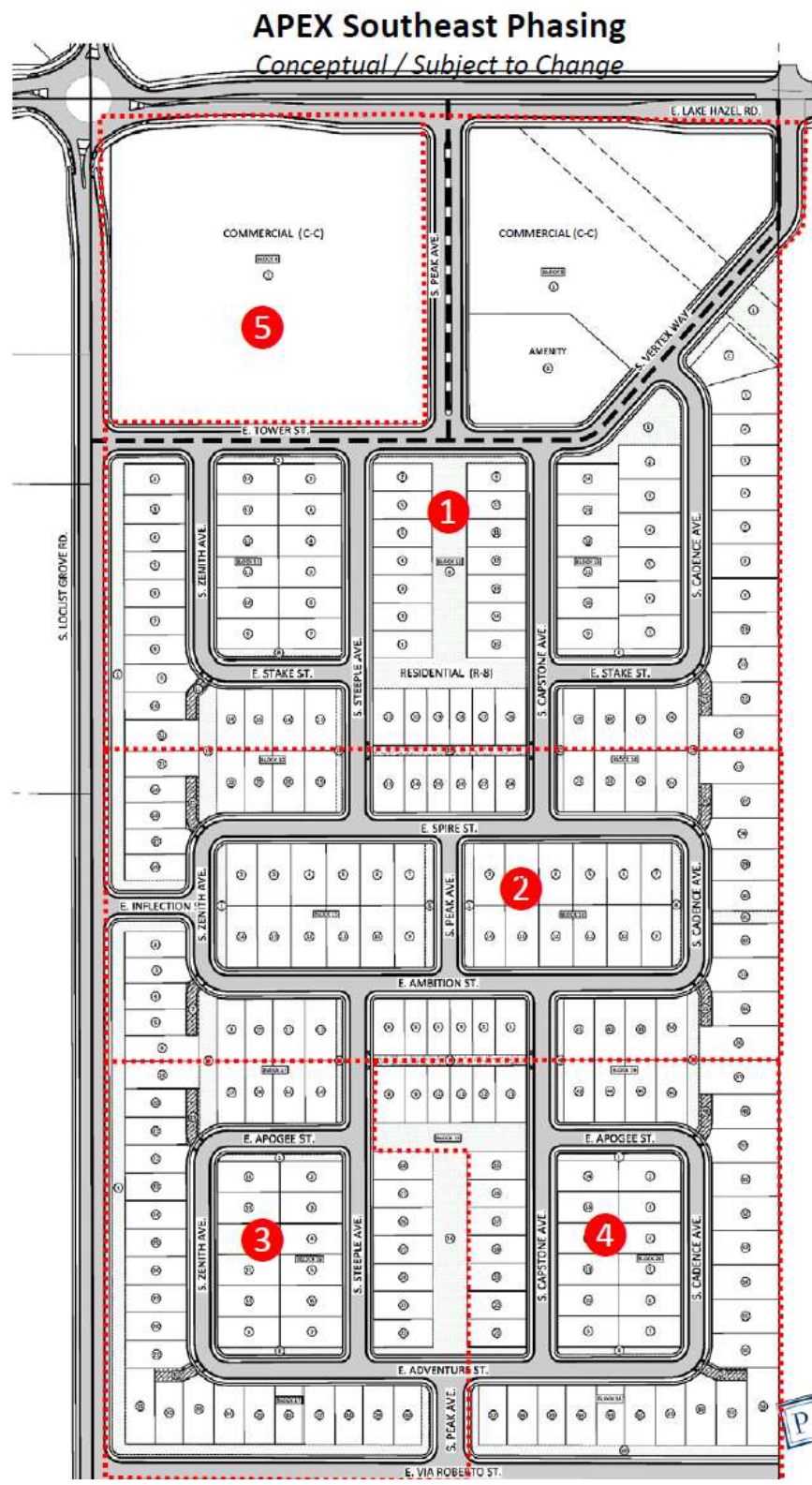




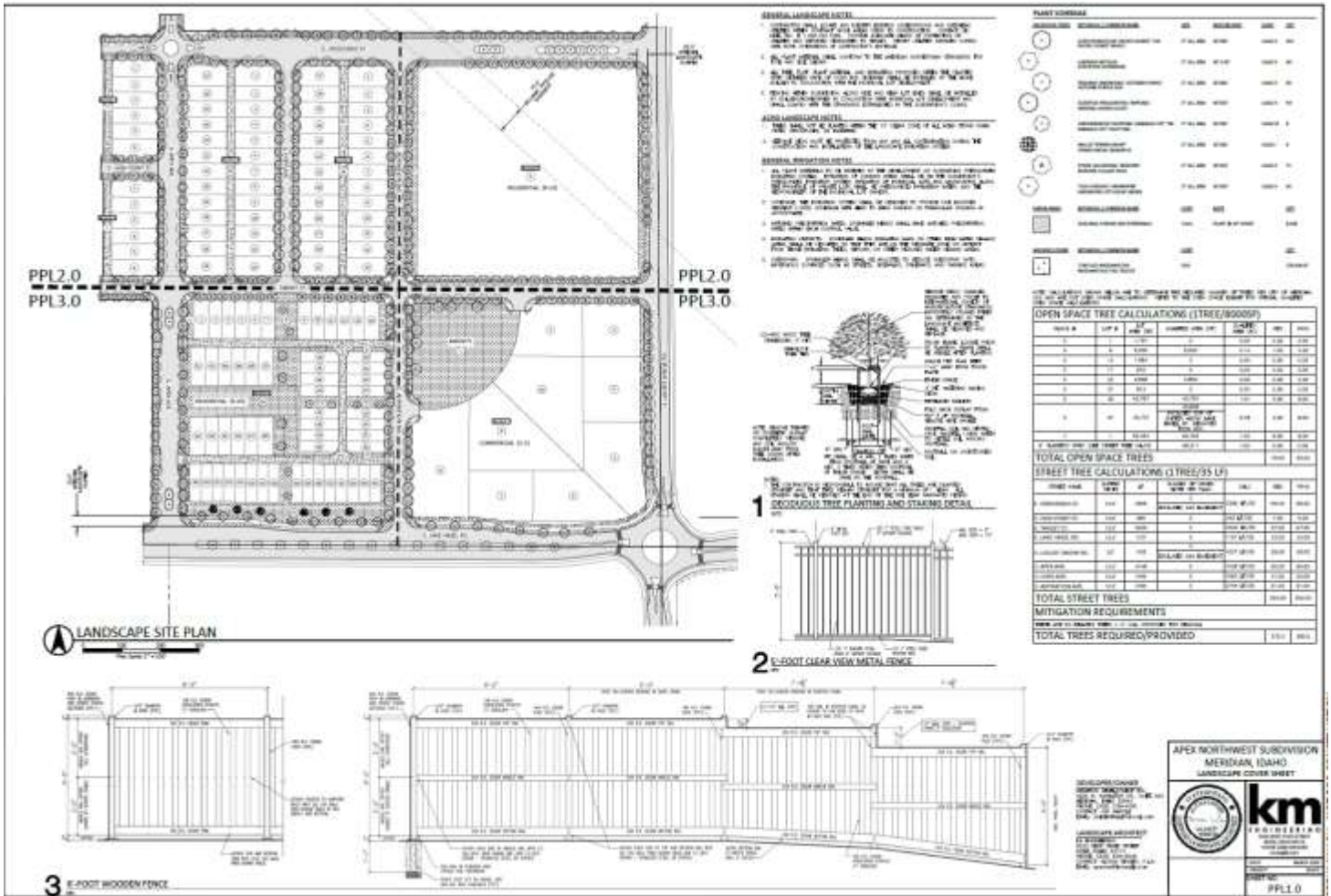




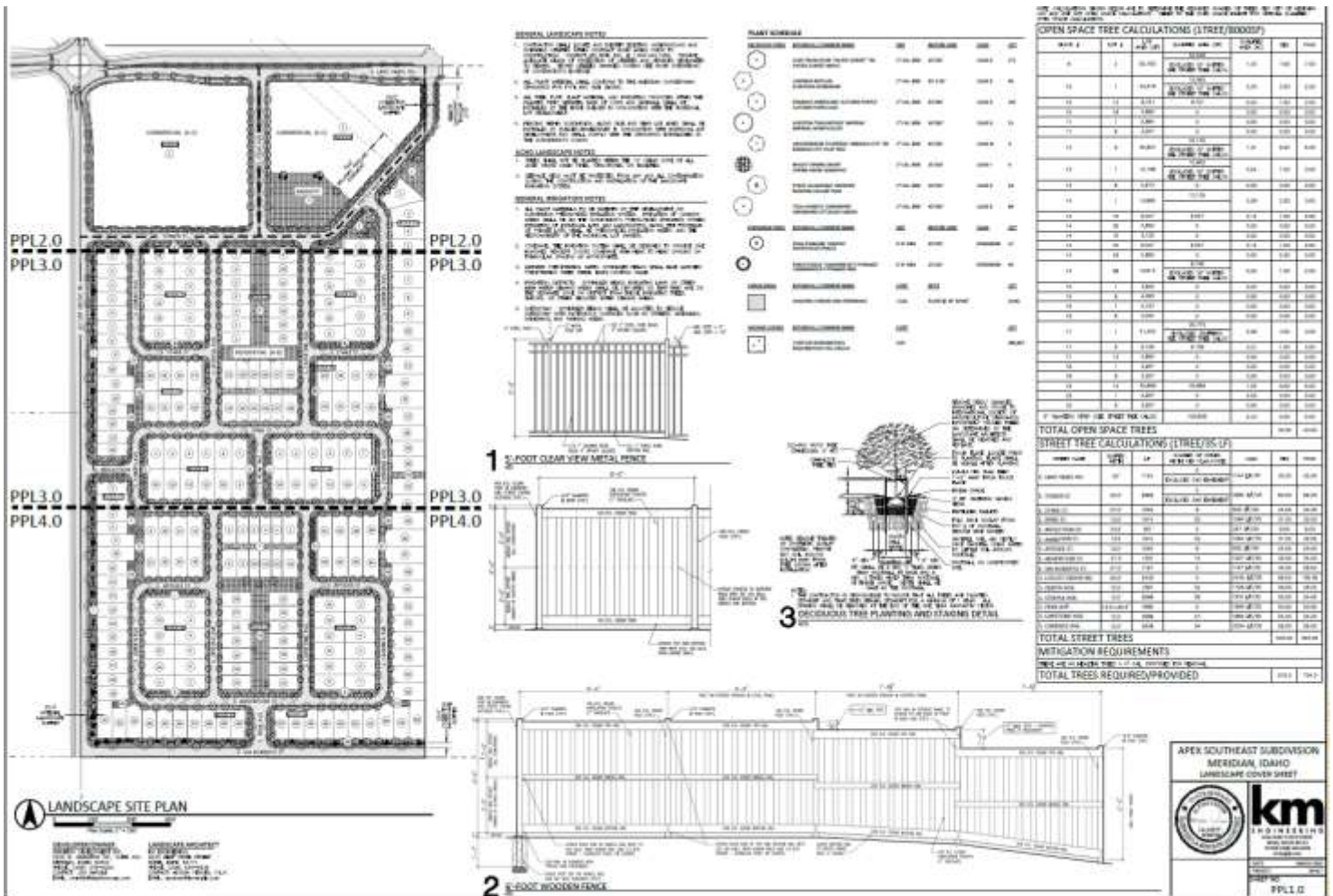
Phasing Plan:



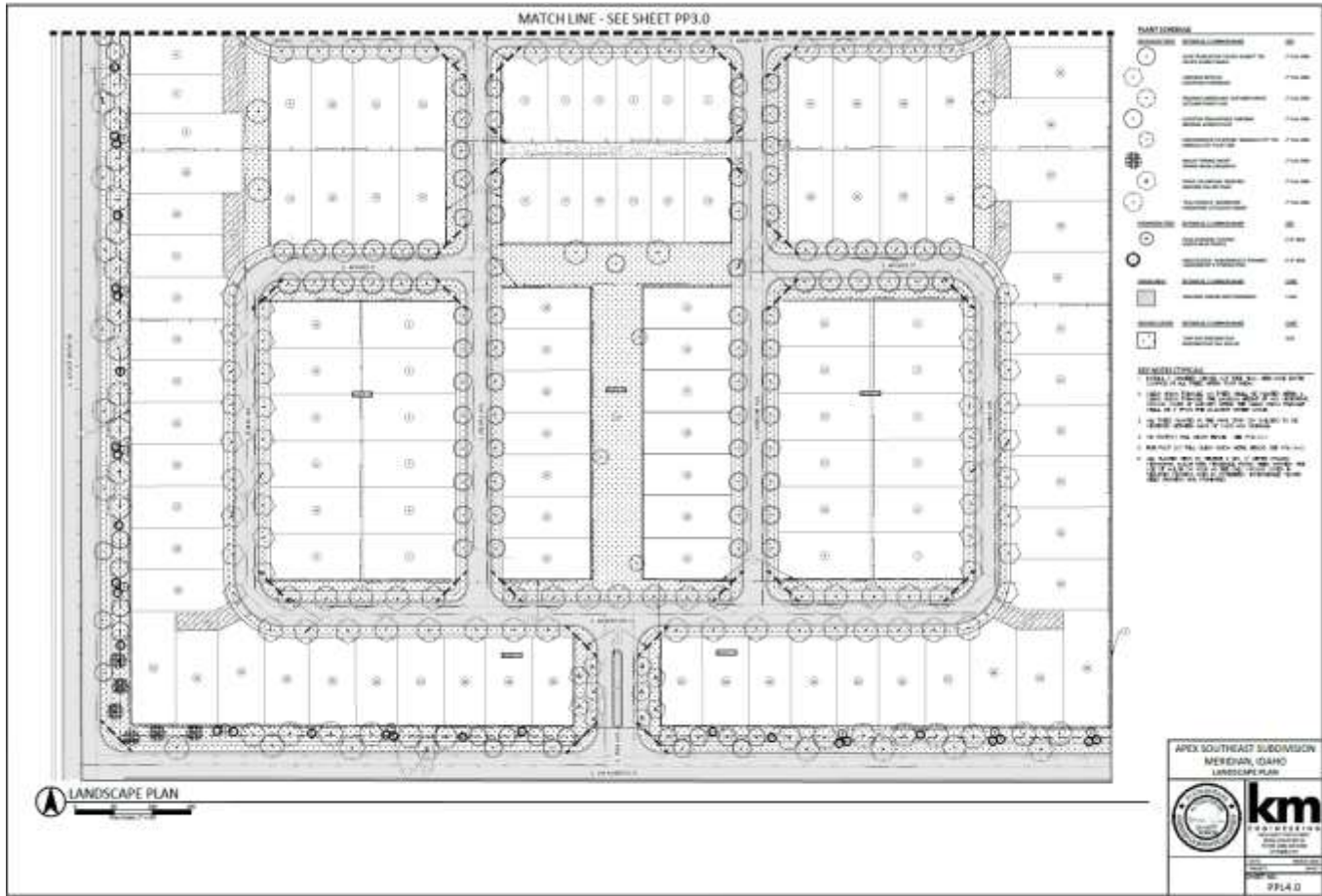
E. Landscape Plan (date: 4/30/2020)
Northwest:



Southeast:



Item #6.



G. Conceptual Building Elevations/Renderings

Residential:





Commercial:



Item #6.



H. Legal Description & Exhibit Map of Property Subject to New Development Agreement



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

August 18, 2020
Apex Subdivision
Project No. 20-017
Legal Description

Exhibit A
Legal Description for
Apex Subdivision

A parcel of land situated in a portion of the East 1/2 of the Northwest 1/4, all of the Southeast 1/4 of Section 31 and a portion of the West 1/2 of the Southwest 1/4 of Section 32, Township 3 North, Range 1 East, B.M., all of West 1/2 of the Northwest 1/4 Section 5 and a portion of the East 1/2 of the Northeast 1/4 of Section 6, Township 2 North, Range 1 East B.M., all situated in the City of Meridian, Ada County, Idaho and being more particularly described as follows:

BEGINNING at a 5/8-inch rebar marking the Center 1/4 Section 31, Township 3 North, Range 1 East, B.M., thence following the southerly line of the East 1/2 of the Northwest 1/4 of said Section 31, S89°57'15"W a distance of 1,318.94 feet to a 5/8-inch rebar marking the Center-West 1/16 corner of said Section 31;
Thence leaving said southerly line and following the westerly line of the East 1/2 of the Northwest 1/4, N00°25'36"E a distance of 1,558.66 feet to a point;
Thence leaving said westerly line, N81°55'55"E a distance of 518.76 feet to a point;
Thence 56.28 feet along the arc of a circular curve to the left, said curve having a radius of 58.00 feet, a delta angle of 55°35'50", a chord bearing of S20°49'52"E and a chord distance of 54.10 feet to a point;
Thence S46°52'43"E a distance of 45.40 feet to a point;
Thence S54°18'10"E a distance of 180.18 feet to a point;
Thence 161.54 feet along the arc of a circular curve to the left, said curve having a radius of 588.00 feet, a delta angle of 15°44'26", a chord bearing of S62°10'23"E and a chord distance of 161.03 feet to a point;
Thence S70°02'36"E a distance of 107.80 feet to a point;
Thence S19°57'24"W a distance of 12.00 feet to a point;
Thence S70°02'36"E a distance of 14.45 feet to a point;
Thence S61°58'05"E a distance of 207.13 feet to a point;
Thence S65°32'50"E a distance of 188.57 feet to a point on the easterly line of the Southeast 1/4 of the Northwest 1/4 said Section 31;
Thence following said easterly line, S00°38'17"W a distance of 1,140.13 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 43.744 acres, more or less.

TOGETHER WITH:

BEGINNING at a 5/8-inch rebar marking the Center 1/4 Section 31, Township 3 North, Range 1 East, B.M., thence following the northerly line of the Southeast 1/4 of said Section 31, N89°57'56"E a distance of 2,601.37 feet to a brass cap marking the East 1/4 corner of said Section 31;
Thence leaving said northerly line and following easterly line of the Southeast 1/4 of said Section 31, S00°32'22"E a distance of 226.26 feet to a 5/8-inch rebar on the centerline of Farr Lateral;

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Thence leaving said easterly line and following the centerline of said Farr Lateral the following seven (7) courses:

1. S38°43'32"E a distance of 61.71 feet to a point;
2. S51°12'32"E a distance of 444.04 feet to a point;
3. S60°36'10"E a distance of 272.66 feet to a point;
4. S86°04'31"E a distance of 206.22 feet to a point;
5. S73°45'13"E a distance of 301.51 feet to a point;
6. S43°15'53"E a distance of 313.74 feet to a point;
7. S29°01'13"E a distance of 37.13 feet to a point on the easterly line of the West 1/2 of the Southwest 1/4 said Section 32;

Thence leaving said centerline and following the easterly line of the West 1/2 of the Southwest 1/4 of said Section 32, S00°08'25"E a distance of 206.12 feet to a 1/2-inch rebar on the easterly boundary of said Farr Lateral;

Thence leaving said easterly line and following the easterly boundary of said Farr Lateral the following twelve (12) courses:

1. 22.57 feet along the arc of a circular curve to the right, said curve having a radius of 144.67 feet, a delta angle of 08°56'24", a chord bearing of S56°50'40"W and a chord distance of 22.55 feet to a 1/2-inch rebar;
2. S61°18'54"W a distance of 91.61 feet to a 1/2-inch rebar;
3. 122.47 feet along the arc of a circular curve to the right, said curve having a radius of 220.00 feet, a delta angle of 31°53'39", a chord bearing of S77°15'42"W and a chord distance of 120.89 feet to a 1/2-inch rebar;
4. N86°47'31"W a distance of 362.95 feet to a 1/2-inch rebar;
5. S83°47'06"W a distance of 26.72 feet to a 1/2-inch rebar;
6. S69°57'44"W a distance of 128.97 feet to a 1/2-inch rebar;
7. 90.89 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 47°20'30", a chord bearing of S46°18'02"W and a chord distance of 88.33 feet to a point;
8. 64.48 feet along the arc of a circular curve to the left, said curve having a radius of 110.00 feet, a delta angle of 33°35'03", a chord bearing of S05°50'15"W and chord distance of 63.56 feet to a 1/2-inch rebar;
9. S10°57'45"E a distance of 410.17 feet to a 1/2-inch rebar;
10. 114.95 feet along the arc of a circular curve to the left, said curve having a radius of 140.00 feet, a delta angle of 47°02'41", a chord bearing of S34°29'08"E and a chord distance of 111.75 feet to a 1/2-inch rebar;
11. S58°00'31"E a distance of 219.85 feet to a 1/2-inch rebar;
12. S69°55'45"E a distance of 503.32 feet to a 1/2-inch rebar on the easterly line of the West 1/2 of the southwest 1/4 of said Section 32;

Thence leaving said easterly boundary and following easterly line of the West 1/2 of the Southwest 1/4 of said Section 32, S00°10'02"E a distance of 431.17 feet to a 5/8-inch rebar common to Section 5, Township 2 North Range 1 East, B.M., and Section 32, Township 3 North Range 1 East, B.M.;

Thence leaving said easterly line and following the easterly line of the West 1/2 of the Northwest 1/4 of said Section 5, S00°01'43"E a distance of 2,672.88 feet to the Center-West 1/16 corner of said Section 5;

Thence leaving said easterly line and following the southerly line of the West 1/2 of the Northwest 1/4 of said Section 5, N89°52'38"W a distance of 1,329.65 feet to a brass cap common to Sections 5 and 6;
 Thence leaving said southerly line and following the southerly line of the East 1/2 of the Northeast 1/4 of said Section 6, N89°22'50"W a distance of 1,304.25 feet to a point;
 Thence leaving said southerly line, N00°43'55"W a distance of 111.26 feet to a point;
 Thence N00°20'23"W a distance of 549.25 feet to a point;
 Thence N87°34'26"W a distance of 13.49 feet to the westerly line of the East 1/2 of the Northeast 1/4 of said Section 6;
 Thence following the westerly line of the East 1/2 of the Northeast 1/4 of said Section 6, N00°02'06"W a distance of 66.73 feet to a point on the westerly right-of-way line of the Rawson Canal;
 Thence leaving said westerly line and following the westerly right-of-way line of said Rawson Canal the following nine (9) courses:

1. N78°25'55"E a distance of 161.21 feet to a point;
2. N54°55'20"E a distance of 74.17 feet to a point;
3. N31°51'12"E a distance of 92.01 feet to a point;
4. N10°25'10"E a distance of 381.33 feet to a point;
5. N05°26'52"W a distance of 106.26 feet to a point;
6. N18°56'20"W a distance of 287.65 feet to a point;
7. N32°08'38"W a distance of 91.83 feet to a point;
8. N61°32'57"W a distance of 104.61 feet to a point;
9. N74°59'05"W a distance of 44.02 feet to a point;

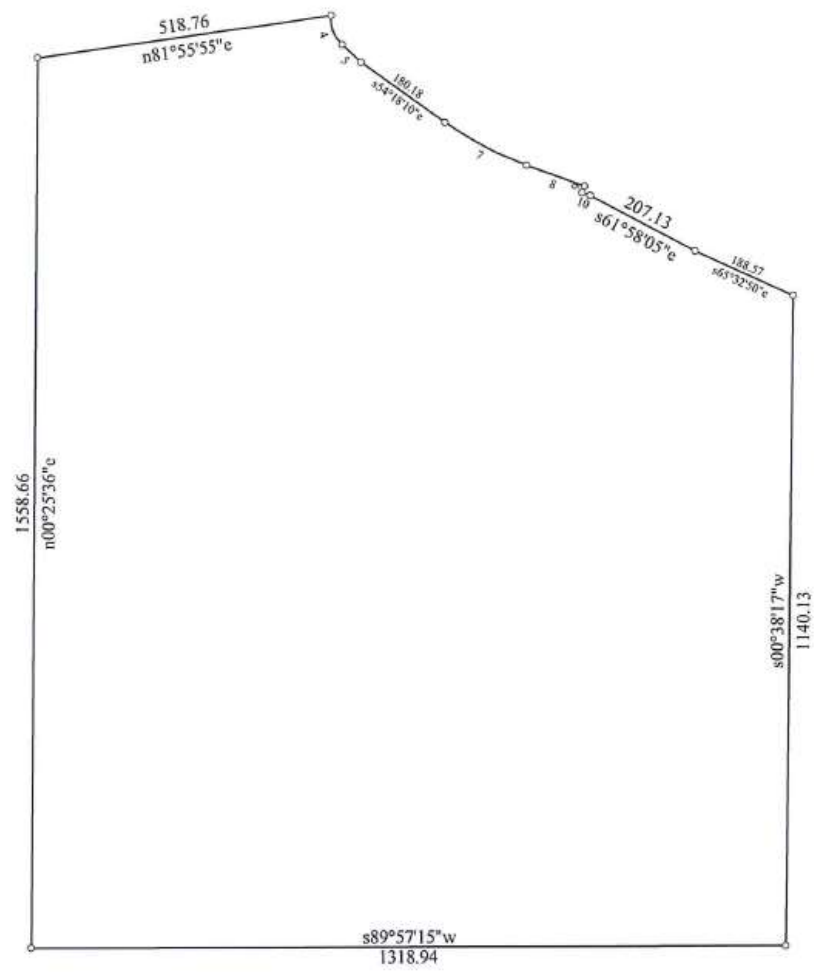
Thence leaving said westerly right-of-way line, N00°02'06"W a distance of 890.79 feet to a point on the northerly line of the Northeast 1/4 of said Section 6;
 Thence following said northerly line, N89°42'21"W a distance of 1,370.00 feet to a 5/8-inch rebar common to Section 6, Township 2 North Range 1 East, B.M., and Section 31, Township 3 North Range 1 East, B.M.;
 Thence leaving said northerly line and following the westerly line of the Southeast 1/4 of said Section 31, N00°16'52"E a distance of 1,342.44 feet to a 5/8-inch rebar marking the Center-South 1/16 corner of said Section 31;
 Thence N00°16'52"E a distance of 1,342.44 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 366.194 acres, more or less.

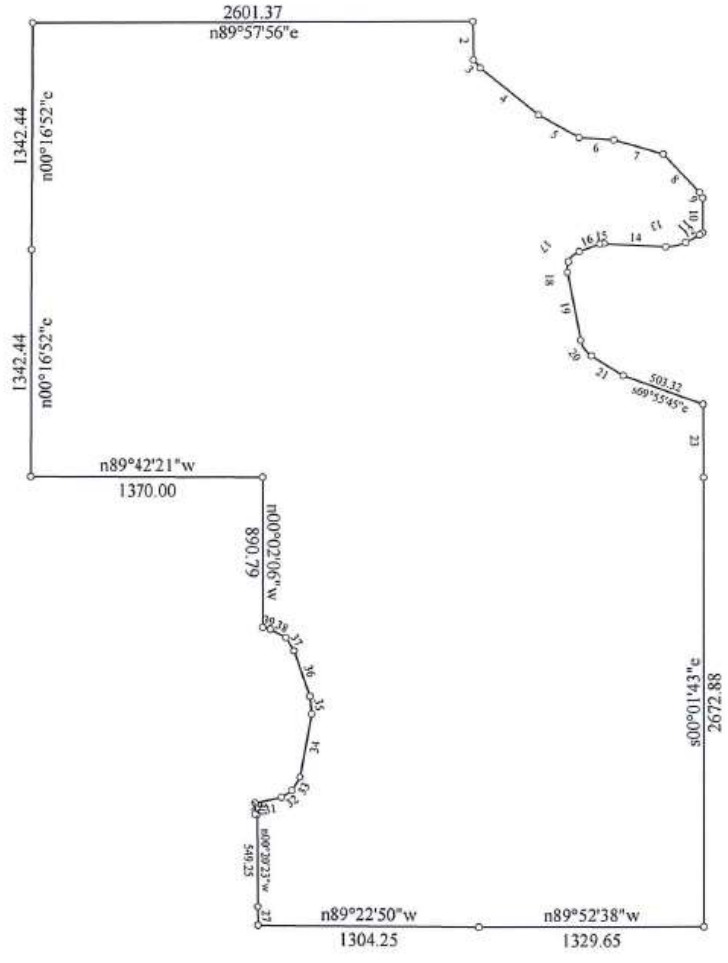
Said description contains a total of 409.938 acres, more or less.



Item #6.



| | | |
|--|---|-----------------------|
| Title: Apex Subdivision | | Date: 08-17-2020 |
| Scale: 1 inch = 300 feet | File: 200817 Apex Subdivision Legal 20-017 | |
| Tract 1: 43.744 Acres: 1905504 Sq Feet: Closure = s57.2522w 0.01 Feet: Precision = 1/627918: Perimeter = 5510 Feet | | |
| 001=s89.5715w 1318.94 | 006=s54.1810e 180.18 | 011=s61.5805e 207.13 |
| 002=n00.2536e 1558.66 | 007: Lt, R=-588.00, Delta=15.4426 Bng=s62.1023e, Chd=-161.03 | 012=s65.3250e 188.57 |
| 003=n81.5555e 518.76 | 008=s70.0236e 107.80 | 013=s00.3817w 1140.13 |
| 004: Lt, R=58.00, Delta=55.3550 Bng=s20.4952e, Chd=54.10 | 009=s19.5724w 12.00 | |
| 005=s46.5243e 45.40 | 010=s70.0236e 14.45 | |



| | | |
|--|---|-----------------------|
| Title: Apex Subdivision | | Date: 08-18-2020 |
| Scale: 1 inch = 1000 feet | File:200817 Apex Subdivision Legal 20-017 | |
| Tract 1: 366.194 Acres: 15951396 Sq Feet: Closure = s50.3758e 0.02 Feet: Precision >1/999999; Perimeter = 19597 Feet | | |
| 001=n89.5756e 2601.37 | 016=s69.5744w 128.97 | 031=n78.2555e 161.21 |
| 002=s00.3222e 226.26 | 017: Lt, R=110.00, Delta=47.2030 Bng=s46.1802w, Chd=88.33 | 032=n54.5520e 74.17 |
| 003=s38.4332e 61.71 | 018: Lt, R=110.00, Delta=33.3503 Bng=s05.5015w, Chd=63.56 | 033=n31.5112e 92.01 |
| 004=s51.1232e 444.04 | 019=s10.5745e 410.17 | 034=n10.2510e 381.33 |
| 005=s60.3610e 272.66 | 020: Lt, R=140.00, Delta=47.0241 Bng=s34.2908e, Chd=111.75 | 035=n05.2652w 106.26 |
| 006=s86.0431e 206.22 | 021=s58.0031e 219.85 | 036=n18.5620w 287.65 |
| 007=s73.4513e 301.51 | 022=s69.5545e 503.32 | 037=n32.0838w 91.83 |
| 008=s43.1553e 313.74 | 023=s00.1002e 431.17 | 038=n61.3257w 104.61 |
| 009=s29.0113e 37.13 | 024=s00.0143e 2672.88 | 039=n74.5905w 44.02 |
| 010=s00.0825e 206.12 | 025=n89.5238w 1329.65 | 040=n00.0206w 890.79 |
| 011: Rt, R=144.67, Delta=08.5624 Bng=s56.5040w, Chd=22.55 | 026=n89.2250w 1304.25 | 041=n89.4221w 1370.00 |
| 012=s61.1854w 91.61 | 027=n00.4355w 111.26 | 042=n00.1652e 1342.44 |
| 013: Rt, R=220.00, Delta=31.5339 Bng=s77.1542w, Chd=120.89 | 028=n00.2023w 549.25 | 043=n00.1652e 1342.44 |
| 014=n86.4731w 362.95 | 029=n87.3426w 13.49 | |
| 015=s83.4706w 26.72 | 030=n00.0206w 66.73 | |

IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. The subject property shall no longer be subject to the terms of the existing Development Agreements (H-2015-0019: Brighton Investments, LLC – Inst. #2016-007072; SCS Brighton, LLC – Inst. #2016-007073; Murgoitio Limited Partnership – Inst. #2016-007074) upon the property owner(s) entering into a new agreement. The new DA shall be signed by the property owner(s) and returned to the City within six (6) months of City Council granting the subject modification. The new DA shall include the following provisions:
 - a. Future development of this site shall be generally consistent with the conceptual master plan, conceptual building elevations, preliminary plat, phasing plan, landscape plan, and qualified open space exhibits included in Section VIII and the provisions contained herein.
 - b. Future preliminary plats shall include collector streets consistent with those shown on the Master Street Map, as required by Ada County Highway District.
 - c. The land designated as Medium High-Density Residential (MHDR) on the Future Land Use Map in the Comprehensive Plan zoned R-15 shall develop with a variety of residential dwellings (i.e. single-family detached/attached, townhouses, condominiums, and/or apartments) at a gross density ranging from eight (8) to twelve (12) dwelling units per acre. Development shall incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and shall incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity consistent with the Comprehensive Plan (see pg. 3-10).
 - d. Prior to development of the Mixed Use – Community (MU-C) designated areas shown on the Master Plan as “future development,” the Development Agreement shall be amended to include a conceptual development plan that demonstrates consistency with the general guidelines for Mixed Use developments and specifically the MU-C designation (see pgs. 3-13 and 3-15 thru 3-16).
 - e. The rear and/or side of structures on lots that face E. Lake Hazel Rd. and S. Locust Grove Road, arterial streets, and S. Vertex Way, E. Tower St., E. Crescendo St., S. Apex Ave. and E. Via Roberto St., collector streets, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
 - f. Development within the Williams Pipeline easement shall comply with the [Williams Developers’ Handbook](#).
 - g. All future development, except for single-family detached dwellings, is required to comply with the design standards listed in the Architectural Standards Manual.
 - h. The Murgoitio property (Parcel #S1406110110) located southwest of the E. Lake Hazel/S. Locust Grove Road intersection shall be included in a future subdivision of the surrounding property (Parcel #S1406110350 or #S1406110015) in order to establish a legal division of land. Or, if a parcel division was approved by Ada County for the current configuration of the property, proof of such shall be submitted to the Planning Division with a future subdivision application for the surrounding property.
 - ~~i. The lot proposed to be annexed (i.e. Lot 4, Block 1, Shafer View Estates) shall either be split in Ada County prior to annexation into the City to create the eastern 10+/- acre parcel proposed for future development; or, the entire lot shall be included in a future subdivision. If a property~~

~~division is approved by Ada County, proof of such shall be submitted to the Planning Division with the subdivision application for the eastern portion of the property.~~

- j. Multi-use pathways shall be provided with development as required by the Park's Department in accord with the Pathways Master Plan.
 - k. The commercial (C-C zoned) portions of this development are allowed to obtain building permits prior to subdivision of the property.
2. The final plat submitted for Apex Northwest shall incorporate the following:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Crescendo St. and S. Apex Ave. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. The north/south alley in Block 5 does not comply with the standards listed in UDC 11-6C-3B.5 as the entire length of the alley is not visible from a public street as required; common driveways may be considered as an alternative to the alley provided they meet the standards listed in UDC 11-6C-3D, subject to alternative compliance approval.
 - c. Depict minimum 20-foot wide street buffers along E. Crescendo St. and S. Apex Ave., collector streets, in accord with UDC 11-3B-7C.2.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 3. The final plat submitted for Apex Southeast shall incorporate the following revisions:
 - a. Include a note stating direct lot access via E. Lake Hazel Rd., S. Locust Grove Rd., E. Tower St. S. Vertex Way and E. Via Roberto St. is prohibited, except for those accesses approved by City of Meridian and Ada County Highway District.
 - b. Depict minimum 20-foot wide street buffers along E. Tower St., S. Vertex Way and E. Via Roberto St., collector streets, in accord with UDC 11-3B-7C.2.
 - c. Depict two (2) additional minimum 15-foot wide common lots for micro-path connections to Discovery Park at the east boundary in Block 14.
 - d. Cross-access easements shall be depicted between all commercial lots in the subdivisions in accord with UDC 11-3A-3A.2.
 4. The landscape plan submitted with the final plat application for Apex Northwest shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the

- construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
- f. Depict a gazebo with tables and benches as an amenity in Lot 32, Block 5; include a detail of the gazebo.
5. The landscape plan submitted with the final plat application for Apex Southeast shall be revised as follows:
 - a. Depict multi-use pathways in accord with the Pathways Master Plan as required by the Park's Dept. in Section IX.E. Landscaping shall be depicted along either side of the pathways as set forth in UDC 11-3B-12C.
 - b. Depict landscaping within all required street buffers along arterial and collector streets in accord with the standards listed in UDC 11-3B-7C.
 - c. Include a calculations table listing the number of trees required vs. those proposed in common open space areas, street buffers, parkways, and along pathways that demonstrate compliance with the standards listed in UDC 11-3G-3, 11-3B-7C.3, 11-3B-12C respectively.
 - d. Include mitigation information for any existing trees proposed to be removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - e. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - f. Depict two (2) additional minimum 15-foot wide common lots with 5-foot wide micro-paths in Block 14 at the east boundary; depict landscaping on either side of the pathways in accord with the standards listed in UDC 11-3B-12C.
 - g. Depict the children's play equipment proposed in the central common area; include a detail of the play equipment.
 6. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6, 11-2A-7 and 11-2B-3 for the R-8, R-15 and C-C zoning districts respectively.
 7. Off-street parking is required to be provided for residential uses in accord with the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit; and for non-residential uses in accord with the standards listed in UDC 11-3C-6B.1.
 8. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
 9. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
 10. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included in a note on the face of the plat.

11. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses and structures. A Design Review application is required to be submitted for single-family attached units; one application can be submitted for the overall development if desired.
- ~~13. The qualified open space exhibits for the residentially zoned portions of Apex Northwest and Apex Southeast shall be revised prior to the Council hearing to only depict areas that qualify per the standards listed in UDC 11-3G-3B. If additional qualified open space is needed, the plat should be revised to comply.~~

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 The north-south sewer line in the landscaped area of Block 5 (Apex NW) needs to be moved east to the paved access road.
- 1.2 No sewer or water lines have been shown to the lots in Block 7 (Apex NW). Each lot will need to have services provided.
- 1.3 Public Work's preference is to see all water utilities in the public right-of-way (R-O-W), where they can easily be operated and maintained. If the utilities truly cannot be installed in the public right-of-way, then our preference would be for utilities to be located in a dedicated and improved alley. If that cannot be accomplished, the applicant should work with Public Works for further solutions that meet both the developer's design constraints and Public Works' maintenance needs.
- 1.4 This development will need to be modeled at final plat to verify each phase meets minimum fire flow pressures
- 1.5 From the preliminary geotechnical investigation of groundwater elevation provided in the application, it appears that groundwater may not be a factor with the development of this subdivision. The initial investigative report is dated April 8, 2018, and additional data collection is recommended to confirm actual groundwater levels. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

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 for the residential portions of the development.
 - 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

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189722&dbid=0&repo=MeridianCity&cr=1>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189784&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190778&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191486&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191487&dbid=0&repo=MeridianCity>

F. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190290&dbid=0&repo=MeridianCity>

G. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190975&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190977&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

AZ/RZ:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191226&dbid=0&repo=MeridianCity>

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192784&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=192785&dbid=0&repo=MeridianCity>

I. BOISE PROJECT BOARD OF CONTROL (BPBC)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189951&dbid=0&repo=MeridianCity>

J. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190512&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190510&dbid=0&repo=MeridianCity>

K. CENTRAL DISTRICT HEALTH DEPARTMENT

Northwest:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190604&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190605&dbid=0&repo=MeridianCity>

L. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190598&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;
The City Council finds the proposed zoning map amendment to ~~R-2~~, R-8, R-15 & C-C and proposed development is generally consistent with the Comprehensive Plan if the Applicant complies with the provisions in Section IX.
2. The map amendment complies with the regulations outlined for the proposed district, specifically the purpose statement;
The City Council finds the proposed single-family attached and detached homes with front-loaded and alley-loaded options will contribute to the range of housing opportunities in the City; other residential types may be provided with future phases of development.
The City Council finds the commercial portion of the property will provide for the retail and service needs of the community in accord with the Comprehensive Plan.
3. The map amendment shall not be materially detrimental to the public health, safety, and welfare;
The City Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare.
4. The map amendment shall not result in an adverse impact upon the delivery of services by any political subdivision providing public services within the city including, but not limited to, school districts; and
The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.
5. The annexation (as applicable) is in the best interest of city.
~~*Staff finds the proposed annexation to the R-2 zoning district is consistent with the LDR FLUM designation in the Comprehensive Plan and thus is in the best interest of the City. Not applicable*~~

B. Preliminary Plat Findings:

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

1. **The plat is in conformance with the Comprehensive Plan;**
The City Council finds that the proposed preliminary plats, with recommended conditions, are in substantial compliance with the adopted Comprehensive Plan in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)
2. **Public services are available or can be made available and are adequate to accommodate the proposed development;**
The City Council finds that public services will be provided to the subject properties proposed to be subdivided with development. (See Section IX 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, the City Council 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;

The City Council 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,

The City Council is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis.

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

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



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Epic Storage Facility (H-2020-0058) by Jarron Langston, Located at 1345 W. Overland Rd.

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



In the Matter of the Request for Rezone and Conditional Use Permit, by Jarron Langston, Epic Development.

Case No(s). H-2020-0058

For the City Council Hearing Date of: August 11, 2020 (Findings on August 25, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of August 11, 2020, incorporated by reference. The conditions are concluded to be

reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

1. The applicant’s request for Rezone and Conditional Use Permit is hereby approved per the conditions of approval in the Staff Report for the hearing date of August 11, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration

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

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

City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of August 11, 2020

By action of the City Council at its regular meeting held on the _____ day of _____, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

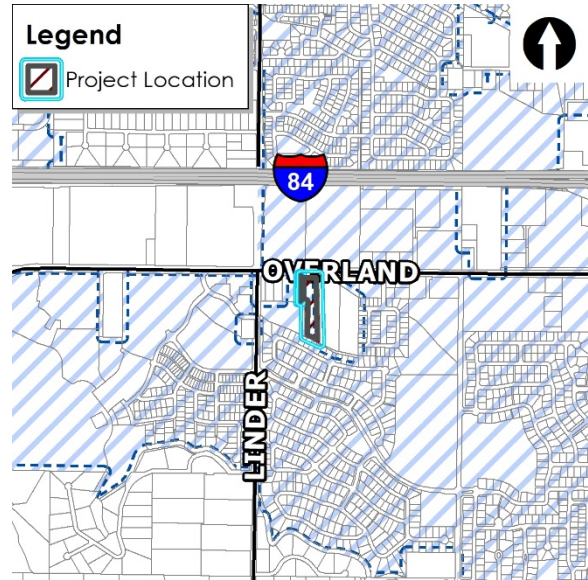
Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020
 TO: Mayor & City Council
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0058
 Epic Storage Facility
 LOCATION: The site is located at 1345 W. Overland Road, in the NW ¼ of the NW ¼ of Section 24, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

- (RZ) - Rezone of 4.43 acres of land from R-8 zone (Medium-density Residential) to C-G zone (General Retail and Service Commercial) for the purpose of developing commercial storage on the site;
- (CUP) - Conditional Use Permit for a 29,400 square foot storage facility and associated outdoor storage on 4.43 acres in the C-G zoning district, by Jarron Langston.

II. SUMMARY OF REPORT

A. Project Summary

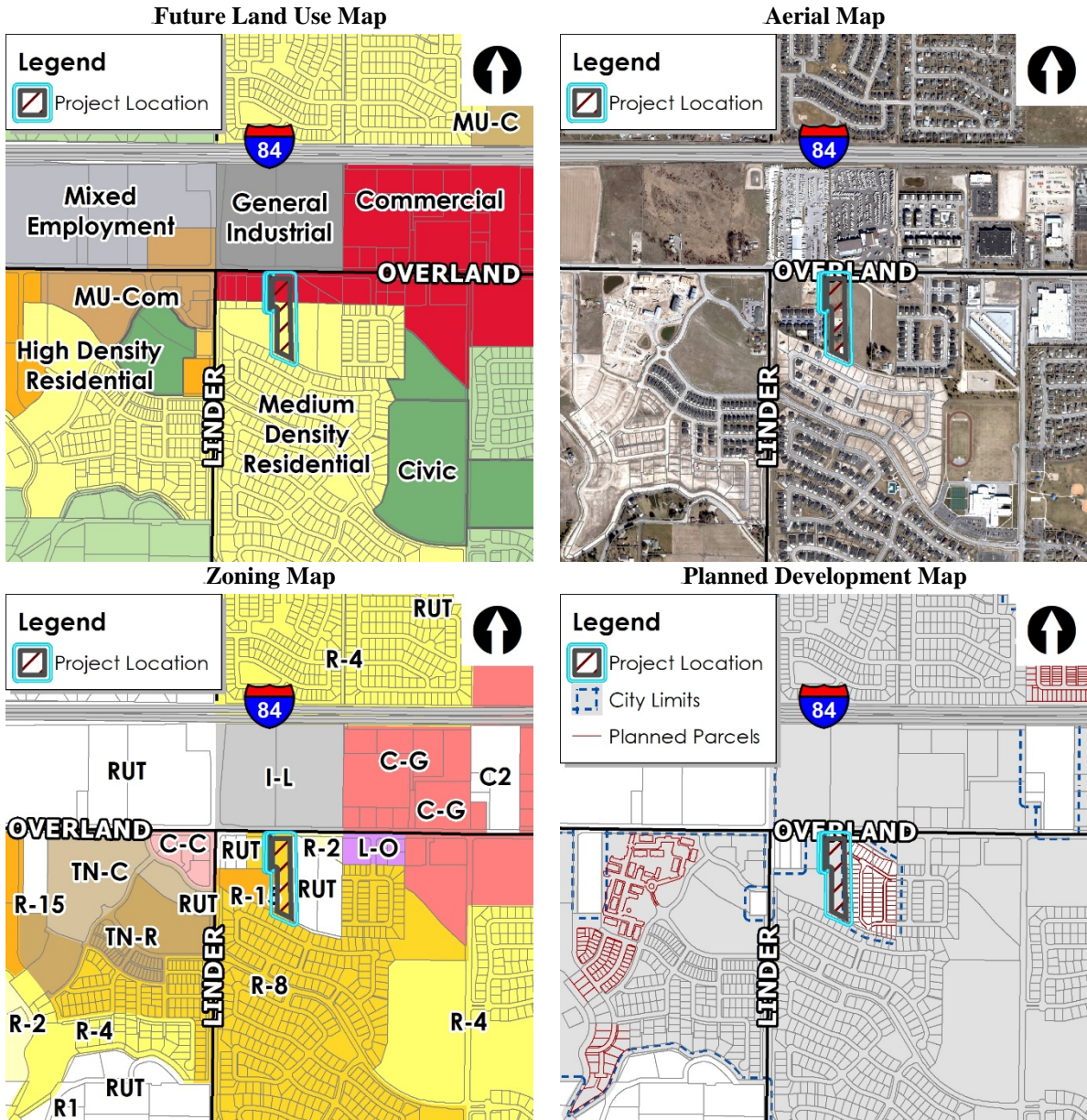
| Description | Details | Page |
|--|--|------|
| Acreage | 4.43 acres | |
| Future Land Use Designation | Commercial and Medium Density Residential | |
| Existing Land Use(s) | Commercial – County approved Church/Event center | |
| Proposed Land Use(s) | Commercial Storage Facility | |
| Lots (# and type; bldg./common) | 2 lots – Commercial building lot | |
| Phasing Plan (# of phases) | Proposed as one phase | |
| Neighborhood meeting date; # of attendees: | April 21, 2020, 1 attendee. Meeting was held via Zoom due to Covid-19 stay at home orders. | |
| History (previous approvals) | AZ-04-027; County approved CUP for a Church/Event Center (date unknown). | |

B. Community Metrics

| Description | Details | Page |
|--|--|------|
| Ada County Highway District | | |
| <ul style="list-style-type: none"> • Staff report (yes/no) | No comments have been received at this time. | |
| <ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) | No | |
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | Access is proposed via an existing driveway from W. Overland Road, an arterial street. Only a secondary access is proposed (as required by Unified Development Code). | |
| Stub Street/Interconnectivity/Cross Access | Secondary access is proposed to the property to the east (Sagewood West) via a common drive that will serve as this project's emergency access. | |
| Existing Road Network | No road network is proposed; drive aisle to existing structures is existing. | |
| Existing Arterial Sidewalks / Buffers | Yes; Overland Road has existing curb, gutter, and sidewalk abutting the site. | |
| Proposed Road Improvements | N/A | |
| Distance to nearest City Park (+ size) | Approximately 1 mile to Bear Creek Park (18 acres in size) | |
| Fire Service | | |
| <ul style="list-style-type: none"> • Distance to Fire Station | 250 feet from Fire Station #6 (the sites abut each other) | |
| <ul style="list-style-type: none"> • Fire Response Time | This project lies within the Meridian Fire response time goal of 5 minutes. | |
| <ul style="list-style-type: none"> • Resource Reliability | Fire Station #6 reliability is currently unknown due to this station being so new. | |
| <ul style="list-style-type: none"> • Risk Identification | Risk Factor 4 – commercial with hazards (firefighting in a large commercial building with highly flammable campers, motorhomes, and trailers; this includes oils, fuels, and propane as additional fuel sources) | |
| <ul style="list-style-type: none"> • Accessibility | Proposed project meets all required access, road widths, and turnarounds. | |
| Wastewater | | |
| <ul style="list-style-type: none"> • Distance to Sewer Services | Directly adjacent | |
| <ul style="list-style-type: none"> • Sewer Shed | South Black Cat Trunkshed | |
| <ul style="list-style-type: none"> • Estimated Project Sewer ERU's | See application | |
| <ul style="list-style-type: none"> • WRRF Declining Balance | 13.96 | |
| <ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan | YES | |
| <ul style="list-style-type: none"> • Impacts/Concerns | No proposed changes to Public Sewer Infrastructure have been proposed within this record. Any changes or modifications, to the Public Sewer Infrastructure, shall be reviewed and approved by Public Works. | |
| Water | | |
| <ul style="list-style-type: none"> • Distance to Water Services | Directly adjacent | |
| <ul style="list-style-type: none"> • Pressure Zone | 3 | |
| <ul style="list-style-type: none"> • Estimated Project Water ERU's | See application | |
| <ul style="list-style-type: none"> • Water Quality Concerns | This development ends in a long deadend water main which may result in poor water quality. A future | |

| Description | Details | Page |
|---|--|------|
| <ul style="list-style-type: none"> Project Consistent with Water Master Plan | connection to the west will eliminate this dead end and correct this problem. YES | |

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Jarron Langston – 917 S. Allante Place, Boise, ID 83709

B. Owner:

Same as Applicant

C. Representative:

Glenn Walker (Architect) – 1891 N. Wildwood Street, Boise, ID 83713

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|--|---|----------------------------------|
| Newspaper Notification | 6/19/2020 | 7/24/2020 |
| Radius notification mailed to properties within 300 feet | 6/16/2020 | 7/21/2020 |
| Site Posting | 6/29/2020 | 7/27/2020 |
| Nextdoor posting | 6/16/2020 | 7/21/2020 |

V. STAFF ANALYSIS

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

Commercial – This designation will provide 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. Sample zoning include: C-N, C-C, and C-G.

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

When the new comprehensive plan was ratified, the subject property was given two future land use designations due to its location on a major arterial street and despite it already being zoned residential (R-8 zoning district). This parcel has both the Commercial and Medium Density Residential future land use designations. The subject site is surrounded by existing City of Meridian zoning and development to its north, west, and south. Directly to the east the City is processing a new residential subdivision. Directly across W. Overland Road (an arterial street) there is I-L zoning with two RV uses currently existing—Bish’s RV and Camping World of Meridian. Directly to the west (along the northern half of the site) is the new Meridian fire station, and abutting the site on the southern half of the west boundary is a multi-family residential development.

Because of the addition of the Commercial future land use designation, the Applicant is proposing to rezone this property from its existing R-8 zoning to C-G, per the application. The Applicant believes utilizing this property, located on a major arterial street, for a commercial business rather than another residential subdivision. The proposed new land use is a form of RV storage and is a conditional use in the proposed C-G commercial zoning district. However, the proposed use is not a traditional RV self-storage as our code depicts; Staff must assess proposed uses with those listed in the UDC use tables for each zone. ~~Epic~~ Precision Storage (the actual business name) is a more encompassing commercial business than traditional self-storage by providing a valet, “drop and go,” system that requires customers to only drop off their trailers and RVs; they will not park them nor store them themselves. ~~Epic~~ Precision Storage is intended to

be a full service RV and trailer business that includes a wash before each use, supply stocking of the vehicle, and maintenance checks on standard items such as batteries, water, refrigerator, and tire pressure. In addition, a majority of the storage and business will occur within a large, single-story building. There will also be ancillary outdoor storage and vehicles and trailers will be stored on the asphalt area between the office in the back of the parcel and the main building along Overland Road, as seen on the site plan.

Because this property is already zoned residential and the development to the south/southwest and to the east is residential, Staff has concerns with the request for C-G zoning. This concern lies with the potential for a higher intensity of commercial use next to said residential if this property is rezoned to C-G but never develops as proposed. Staff would prefer to see lower intensity zoning on this property that is still commercial but will help Staff ensure a more disruptive use is not principally permitted and so easily attainable if this project is not completed fully. Therefore, Staff is recommending changing the requested rezone of C-G to be C-C instead. Self-service storage (the use Staff has to place the proposed use into) is still a conditional use in the C-C zone and will not affect the future operation of this use. If the Applicant adheres to the specific use standards and any additional conditions, the proposed project should meet the Future Land Use Map (FLUM) designation definitions and preferred uses for Commercial.

Below are specific comprehensive plan policies that discuss the proposed use in relation to the comp plan more thoroughly. In addition, see section V.D for further analysis on the proposed use.

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

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

“Ensure that adequate water supply and pressure are available for fire protection in areas suitable for industrial and commercial uses.” (3.03.01D). The proposed use requires additional water supply when compared to residential development due to the existence of highly flammable vehicles and additional fuel sources like that of propane and gasoline. The proposed commercial building will be sprinklered to help ensure fire safety; the appropriate water supply for this use is readily available with existing services.

“Establish and maintain levels of service for public facilities and services, including water, sewer, police, transportation, schools, fire, and parks” (3.02.01G). All public utilities are available for this project site as there is currently an existing structure on site that is being serviced by the City. This project not only lies within the Fire Department response time goal, it shared a property line with a fire station. In addition, the large building should be sprinklered which adds additional safety measures in case of a fire. The site currently has an existing curb cut onto W. Overland Road and Staff and ACHD have discussed this in relation to minimizing cuts onto an arterial street. Because the proposed use is commercial, it has been determined that the use and the adjacent subdivisions are better served if this site maintains its access to Overland rather than take access through a residential subdivision. If this application is not approved and the existing R-8 zoning district remains, the in process Sagewood West subdivision directly to the east is required to provide a full stub street to this property for future interconnectivity.

West Ada School District and Parks did not offer comments on this application because of the proposed use. Being a commercial project, there will not be any additional children added to the schools and there will be minimal impact on existing City services. This project should, however, add to the employment base of the City.

“Encourage the development of supportive commercial near employment areas.” (3.06.02C). As stated above, directly to the north and across Overland Road are two RV service/sales uses. When it comes to the future location of an additional RV use that then maintains those RVs for customers, being directly across the street is readily accessible. ~~Epic~~ Precision Storage is

intended to employ approximately 10 people outside of ownership and pay them more than minimum wage. This business is not an employment center itself but is minimally a supportive commercial use to those larger employers across the street because it adds an additional service for customers to partake in.

“Minimize noise, lighting, and odor disturbances from commercial developments to residential dwellings by enforcing city code.” (5.01.01F). City ordinances will be adhered to ensure disturbances are minimal to surrounding residential development. The Applicant is also proposing landscaping that will largely help with any potential noise and odor disturbances. In addition, a change to C-C zoning instead of the requested C-G zoning could offer an additional avenue for minimizing potential issues as less intense uses are principally permitted in the C-C zoning district when compared to C-G.

“Require appropriate building design, and landscaping elements to buffer, screen, beautify, and integrate commercial, multifamily, and parking lots into existing neighborhoods.” (5.01.02D). The make-up of the nearby area has been detailed above and the existence of so much residential makes integration of this use difficult. In addition, there are no existing stub streets to this parcel from adjacent subdivisions. In order to help mitigate any potential noise, light, or odor trespasses, the Applicant has proposed this use to almost wholly occur within a 29,400 square foot commercial building. The Applicant is also proposing trees and a vinyl privacy fence along the entire property boundary of the site to help with screening and to add a buffer to any adjacent use—this landscaping should also add to the beautification of the site as well.

The abovementioned building does not fully comply with the architectural requirements for commercial buildings. The Applicant will be required to add additional roof variation along the northern and southern roof lines as required by the City’s Architectural Standards Manual. In addition, it must be stressed that placing a prefabricated type of metal building next to residential and next to a nicely designed fire station will not be supported. Therefore, Staff is recommending additional conditions of approval that require better architecture for the proposed building to help it match and integrate with existing and proposed development.

Staff finds this development to be generally consistent and in alignment with the Comprehensive Plan, if the Commission and Council support the applicant’s request to rezone the property entirely commercial without a residential component as envisioned by the Comprehensive Plan.

C. Existing Structures/Site Improvements:

There is an existing home and accessory building that currently exist on site. It is the understanding of Staff that the existing home will be removed upon development but the additional warehouse structure in the rear of the property will remain. This small warehouse will become the required office for the proposed storage use. There is also an existing access from W. Overland Road that is improved with asphalt and is to remain for the future project.

D. Proposed Use Analysis:

The proposed use falls under Self-Service Storage in the Unified Development Code (UDC) and is a conditional use in the proposed and recommended C-G and C-C zoning district per UDC Table 11-2B-2. Storage facilities are also governed by specific use standards as noted in UDC 11-4-3-34 for self-service storage facility. There is also ancillary outdoor storage proposed that is also governed by specific use standards, UDC 11-4-3-33. Commercial buildings require Certificate of Zoning Compliance (CZC) and Design Review and Staff will use these additional applications as a chance to ensure the site develops according to the conditions of approval in this staff report.

Epie Precision Storage is not a traditional RV storage facility with acres of asphalt and metal buildings that jut out of the landscape and require a security gate for customers to access the facility. By simply driving through neighborhoods one can see that the Treasure Valley is home to a large number of RVs and motorhomes and the proposed use hopes to help manage this by providing premium services for them. Epie Precision Storage is a full service RV and trailer business that includes a wash before each use and maintenance checks on standard items such as batteries, water, refrigerator, and tire pressure. In addition, propane tanks will be filled and the vehicles will be stocked with supplies and food so that the customers only have to arrive and pick their vehicle up for a time of fun. Staff finds that the location is ideal for the proposed use due to its proximity to Bish's RV and Camping World where recreational vehicles and trailers are serviced and sold. It is well known that additional self-service storage facilities are not largely desired in the City of Meridian. Because of the details outlined above, Staff believes that the proposed use is more premier than a traditional storage facility and would in fact add a new business to the City and Valley.

E. Specific Use Standards (UDC [11-4-3](#)):

The proposed self-service storage and outdoor storage uses are subject to conditional use permit approval by the Planning and Zoning Commission and subject to specific use standards outlined in UDC 11-4-3-34 and 11-4-3-33 and below, respectively:

11-4-3-34 – Self-Service Storage Facility:

- A. Storage units and/or areas shall not be used as dwellings or as a commercial or industrial place of business. The manufacture or sale of any item by a tenant from or at a self-service storage facility is specifically prohibited. *As noted, the proposed use does not fully fit within uses listed in the UDC use table. Self-service storage is the closest use to the proposed use but does not fit with this requirement as the use is a commercial use where the main building will be used to both store and maintain customer's RVs and trailers. No items will be manufactured on the subject site or within any proposed buildings.*
- B. On site auctions of unclaimed items by the storage facility owners shall be allowed as a temporary use in accord with chapter 3, article E, "Temporary Use Requirements", of this title.
- C. The distance between structures shall be a minimum of twenty five feet (25'). *The proposed site-plan shows compliance with this standard.*
- D. The storage facility shall be completely fenced, walled, or enclosed and screened from public view. Where abutting a residential district or public road, chain-link shall not be allowed as fencing material. *A majority of the storage and use is proposed to occur within the large commercial building. Ancillary outdoor storage is likely to occur and the Applicant is proposing to screen this with a privacy vinyl fence and a 25-foot wide landscape buffer abutting the residential uses.*
- E. If abutting a residential district, the facility hours of public operation shall be limited to six o'clock (6:00) A.M. to eleven o'clock (11:00) P.M. *According to the application, the Applicant's proposed hours of business are 7:00 A.M. to 6:00 P.M. and are therefore within the allowable range of business operation hours.*
- F. A minimum twenty five foot (25') wide landscape buffer shall be provided where the facility abuts a residential use, unless a greater buffer width is otherwise required by this title. Landscaping shall be provided as set forth in subsection [11-3B-9C](#) of this title. *The submitted landscape plans show a 25-foot buffer but it does appear to meet UDC 11-3B-*

5N requirements that any type of buffer be at least 70% covered with vegetation at maturity. Staff is recommending a condition of approval to correct this.

- G. If the use is unattended, the standards in accord with section [11-3A-16](#), "Self-Service Uses", of this title shall also apply. *Not applicable; use is attended.*
- H. The facility shall have a second means of access for emergency purposes. *The submitted plans show a secondary access in the northeast corner of the site in line with a requirement of the Sagewood West subdivision to the east currently in process with the City. This access satisfies this standard.*
- I. All outdoor storage of material shall be maintained in an orderly manner so as not to create a public nuisance. Materials shall not be stored within the required yards. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic. *Submitted plans show compliance with this standard.*
- J. The site shall not be used as a "vehicle wrecking or junk yard" as herein defined. *The Applicant shall comply with this standard.*
- K. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand feet (1,000') from a hospital. (Ord. 13-1555, 5-14-2013) *Liquid propane may be stored on site for use in filling propane tanks in customer vehicles. There is no hospital within 1,000 feet of the subject site; therefore, this standard shall be satisfied.*

11-4-3-33 – Outdoor Storage Facility:

- A. All outdoor storage of material shall be maintained in an orderly manner so as not to create a public nuisance. *The Applicant shall comply with this standard.*
- B. Stored items shall not block sidewalks or parking areas and may not impede vehicular or pedestrian traffic. *The Applicant shall comply with this standard.*
- C. The site shall not be used as a "vehicle wrecking or junk yard" as herein defined. *The Applicant shall comply with this standard.*
- D. For any use requiring the storage of fuel or hazardous material, the use shall be located a minimum of one thousand feet (1,000') from a hospital. *See comment on same standard above.*
- E. For properties in industrial districts, the following standards shall apply: *(The subject site is not proposed with an industrial district and therefore this standard does not apply)*
 - a. For properties that are adjacent to nonindustrial properties and/or public streets, outdoor storage of materials, equipment, inventory, and/or supplies shall be incorporated into the overall design of buildings and site landscaping so that the visual impacts of these functions are fully contained and screened from view of adjacent nonindustrial properties and/or public streets by a solid fence and/or wall with a minimum height of six feet (6'). Such fence and/or wall shall be constructed of complementary or of similar design and materials of the primary structure.
 - b. For properties that adjoin the railway corridor, in addition to the standards of subsection E1 of this section, outdoor storage of materials, equipment, inventory, and/or supplies shall be screened from the edge of the required street buffer a

distance of one hundred feet (100') from the edge of right of way parallel to the railway corridor.

- c. For properties where subsections E1 and/or E2 of this section do not apply, outdoor storage areas do not need to be screened. (Ord. 09-1420, 6-23-2009, eff. 6-23-2009)

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

The proposed commercial building appears to meet all UDC dimensional standards including required landscape buffers, building setbacks, drive aisle widths, and building height.

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

Access is proposed via the existing curb cut from W. Overland Road, an arterial street. ACHD approves of this access point as the proposed use is a commercial use and vehicle trips to the location is presumed to be minimal when compared to a residential development. The specific use standards require a secondary access for storage facilities and the Applicant is proposing one at the eastern boundary that lines up with a proposed common driveway in the adjacent Sagewood West development currently being processed.

This Applicant and the Applicant for Sagewood West have worked together to align this emergency only access. Typically, an emergency access must meet a separation requirement from the main access in order to count as a secondary access for Meridian Fire. However, the requirement of this secondary access is not a Fire requirement but a Planning one and therefore the normally required separation between the two access points is not applicable.

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

Off-street parking is required to be provided at one space per 500 square feet in accord with the standards listed in [UDC 11-3C-6B](#) for commercial zoning districts. Specifically for self-service storage facilities, this requirement is only applicable based on the gross floor area of the office space. *According to the submitted site plan, the existing warehouse building on site is 3,185 square feet, requiring a minimum of seven (7) parking spaces. The Applicant has proposed seven (7) parking spaces, of which two (2) are ADA accessible. Because the proposed use uses a valet system, Staff finds the proposed parking to be sufficient.*

Between the office and the main building, the Applicant is proposing to install asphalt paving for the majority of that area. This area is intended for outdoor storage and staging of RVs and trailers but will not be for public parking. This area will likely not be striped as the position and size of items parked in this area will vary throughout business operation. The outdoor storage specific use standards shall be adhered to because of this proposed ancillary use.

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

No pathways are proposed or required due to frontage along W. Overland Road being fully improved with curb, gutter, and sidewalk.

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

The subject site has its only street frontage on W. Overland Road and this section of Overland has been fully improved with 5 lanes and curb, gutter, and attached sidewalk. The Applicant is proposing a short extension of the sidewalk to go into the site. This extension turns into a pedestrian crosswalk that leads to the front door of the main storage building.

UDC 11-3A-19, "Site Design Standards," also dictates that sidewalks be provided from the public street to the office for a delineated path for pedestrians. No submitted plans show this

sidewalk connection to the office in the back of the site where parking is proposed. In order to satisfy this requirement this additional sidewalk should be delineated through the parking lot in some way. For example, stamped concrete, brick, or similar. Staff is recommending a condition of approval to correct this.

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

A 25-foot wide street buffer is required adjacent to W. Overland Road, an arterial street, landscaped per the standards listed in [UDC 11-3B-7C](#). A 25-foot wide buffer is shown on the submitted site plan and landscape plan. In addition, a 25-foot buffer is required between the proposed commercial use and any residential uses, landscaped per the standards listed in [UDC 11-3B-9](#). A 25-foot landscape buffer is depicted on the submitted landscape plans along the property boundary that abuts all residential uses, existing and proposed.

When a landscape buffer between uses is required, the requirement is meant to ensure adequate screening between dissimilar uses. The code requires that this buffer include trees that have canopies that touch at maturity. The Applicant is proposing to use a large number existing trees for this buffer that are not on this property but are near the property line and on the adjacent property to the east. Therefore, the Applicant shall be required to revise the submitted landscape plans and show adequate landscape material within the required buffer per [UDC 11-3B-9](#) standards. With the combination of a privacy fence and dense landscaping, Staff finds the proposed landscape buffers as sufficient to meet this code requirement.

*The City Arborist has made Staff aware of a potential issue with the *Fraxinus* “Ash” tree species. This type of tree species attract a specific and invasive pest and it is the request of the City Arborist that projects start trying to replace these types of trees with other tree species. Therefore, Staff is recommending a condition of approval that the Applicant work with the City Arborist on an appropriate alternative to their proposed “Ash” tree selection.*

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

All fencing is required to comply with the standards listed in [UDC 11-3A-7](#). Fencing is proposed as shown on the landscape plan along the entire property boundary and meets UDC standards as proposed.

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

The Applicant submitted conceptual renderings and conceptual elevations of the new proposed storage/commercial building (see Section VII.E). The submitted plans do not meet all of the standards as required for commercial development in the Architectural Standards Manual (ASM). This application does not include Design Review but staff is recommending certain conditions to ensure any future commercial building on this site is built to a premier standard as intended by the ASM.

Specifically, prefabricated metal siding is prohibited as a field material unless uses with a minimum of two other qualifying field materials and meets all other standard fenestration and material requirements (ASM, Commercial District Goal 5.20). The submitted elevations show this type of metal as a field material along the top of the entire building. The only other field material proposed appears to be stucco; all other materials are used as accents. Staff understands that the proposed building is a large metal building but that does not mean that an industrial type building can be dropped on a lot within a commercial district. IF the metal look is desired, it should be of high quality like that of “high grade fiber panels,” for example. In addition, Staff recommends replacing some of the metal shown on the plans with windows to create a more interesting façade across the different building elevations. Adding overhangs or architectural

trellis along the building (especially on the north façade that faces the public street) would also add interest and qualifying fenestration to the building.

The submitted plans also do not show where mechanical equipment will be placed. The proposed building will be climate controlled so the required HVAC system will not be small. Where will this be located? The plans do not show any parapet on the building and any roof mounted mechanical equipment must be fully screened from public view. To help fix this and add the required roofline variation, Staff recommends adding an architectural parapet around the building that helps anchor the top of the structure architecturally and provide screening opportunities for future mechanical equipment.

VI. DECISION

A. Staff:

Staff recommends approval of the requested rezone and conditional use permit per the Findings in Section IX of this staff report and if the Commission and Council deem the site more appropriate to develop entirely with a commercial use as proposed

B. The Meridian Planning & Zoning Commission heard these items on July 9, 2020. At the public hearing, the Commission moved to recommend approval of the subject Conditional Use Permit and Rezone requests.

1. Summary of Commission public hearing:

- a. In favor: Glenn Walker, project architect**
- b. In opposition: None**
- c. Commenting: Glenn Walker, Architect**
- d. Written testimony: None**
- e. Staff presenting application: Joseph Dodson**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. None**

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

- a. Height of fence adjacent to residential uses;**
- b. Use of existing facility in rear of property that is to remain;**
- c. How proposed use actually functions on-site with intended “valet” service model.**

4. Commission change(s) to Staff recommendation:

- a. Add condition/DA provision that an 8-foot tall fence be constructed along the property lines that abut a residential use.**

5. Outstanding issue(s) for City Council:

- a. Applicant has not addressed conditions 1.1 and 1.2. Staff recommends that Council modify these conditions to include a rewording that requires the Applicant to supply these revised documents to Planning Staff prior to any Rezone ordinance approval.**

C. The Meridian City Council heard these items on August 11, 2020. At the public hearing, the Council moved to approve the subject Rezone and Conditional Use Permit requests.

1. Summary of the City Council public hearing:

- a. In favor: Glenn Walker, ADP Architects (Applicant Rep.)**
- b. In opposition: None**
- c. Commenting: Glenn Walker**
- d. Written testimony: None**
- e. Staff presenting application: Joseph Dodson, Current Associate Planner**
- f. Other Staff commenting on application: None**

2. Key issue(s) of public testimony:

- a. None
- 3. Key issue(s) of discussion by City Council:
 - a. Architectural design of the proposed building and location of outdoor storage.
- 4. City Council change(s) to Commission recommendation:
 - a. Modify conditions 1.1 and 1.2 to include language that they are completed prior to the Rezone ordinance being approved by City Council.

VII. EXHIBITS

A. Rezone Legal Description and Exhibit Map



May 13, 2020

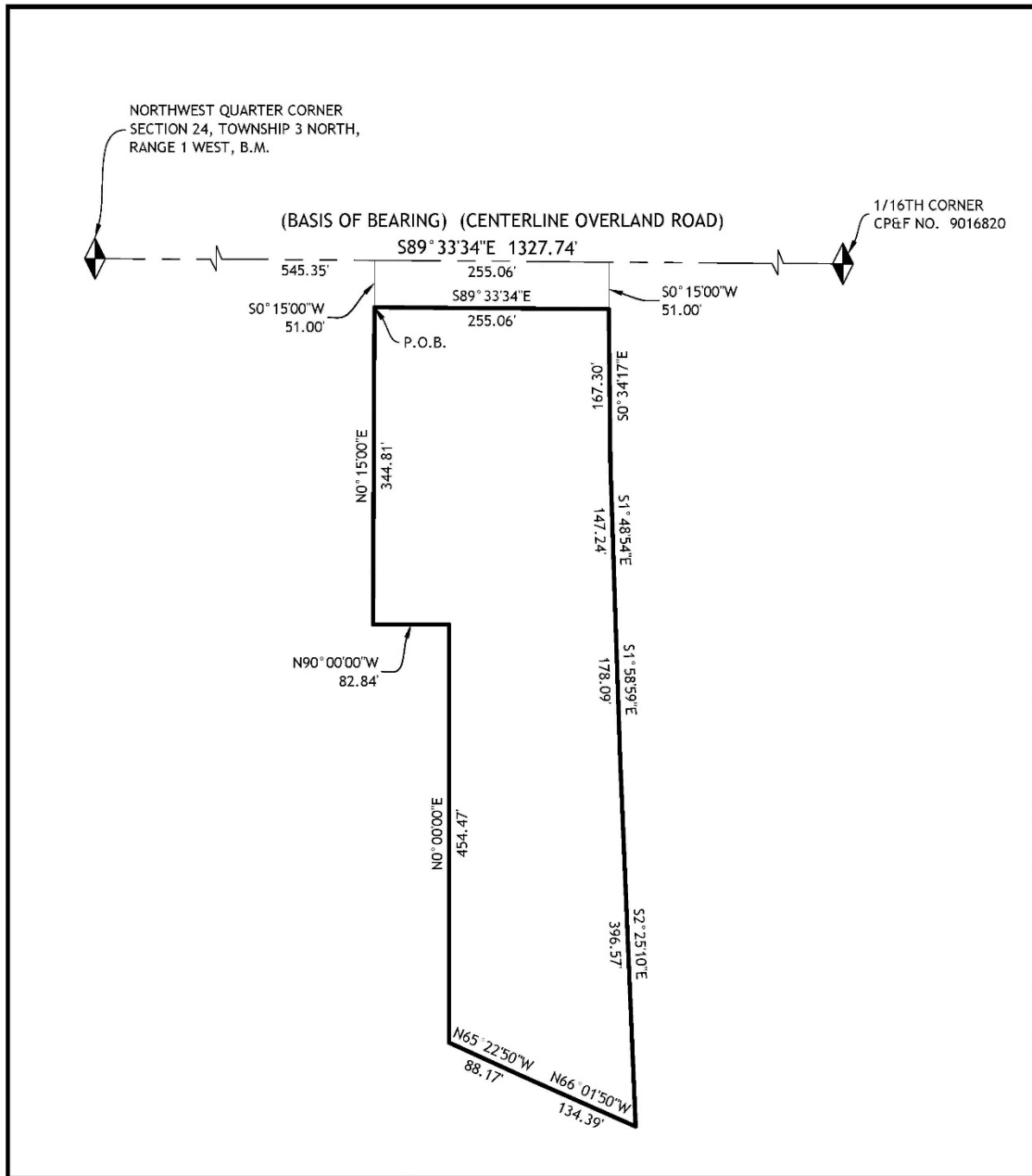
Rezoning to Zone CG Legal Description

BASIS OF BEARING for this description is S89°33'34"E between a found 1/2" Iron Pin at the West 1/16th Corner and the Northwest corner of Section 24, Township 3 North, Range 1 West, B.M., Ada County, Idaho.

THAT PORTION OF THE NORTHWEST QUARTER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST, B.M., ADA COUNTY, IDAHO AS DESCRIBED:

BEGINNING AT A POINT IN THE NORTHWEST QUARTER OF SAID SECTION 24, SAID POINT BEING S89°33'34"E 545.35 FEET ALONG THE NORTH LINE OF SAID NORTHWEST QUARTER AND S00°15'00"W 51.00 FEET FROM THE NORTHWEST QUARTER CORNER OF SECTION 24, TOWNSHIP 3 NORTH, RANGE 1 WEST, B.M.; AND RUNNING S89°33'34"E 255.06 FEET; THENCE S00°34'17"E 167.30 FEET; THENCE S01°48'54"E 147.24 FEET; THENCE S01°58'59"E 178.09 FEET; THENCE S02°25'10"E 396.57 FEET; THENCE N66°01'50"W 134.39 FEET; THENCE N65°22'50"W 88.17 FEET; THENCE N00°00'00"E 454.47 FEET; THENCE N90°00'00"W 82.84 FEET; THENCE N00°15'00"E 344.81 FEET TO THE POINT OF BEGINNING.

CONTAINS 4.23 ACRES IN AREA



C:\Users\jdmom\Dropbox\EDM (1)\Projects\Precision Storage\Drawings\Legal Desc.dwg



SCALE: 1"=150'



Precision Storage

Legal Description

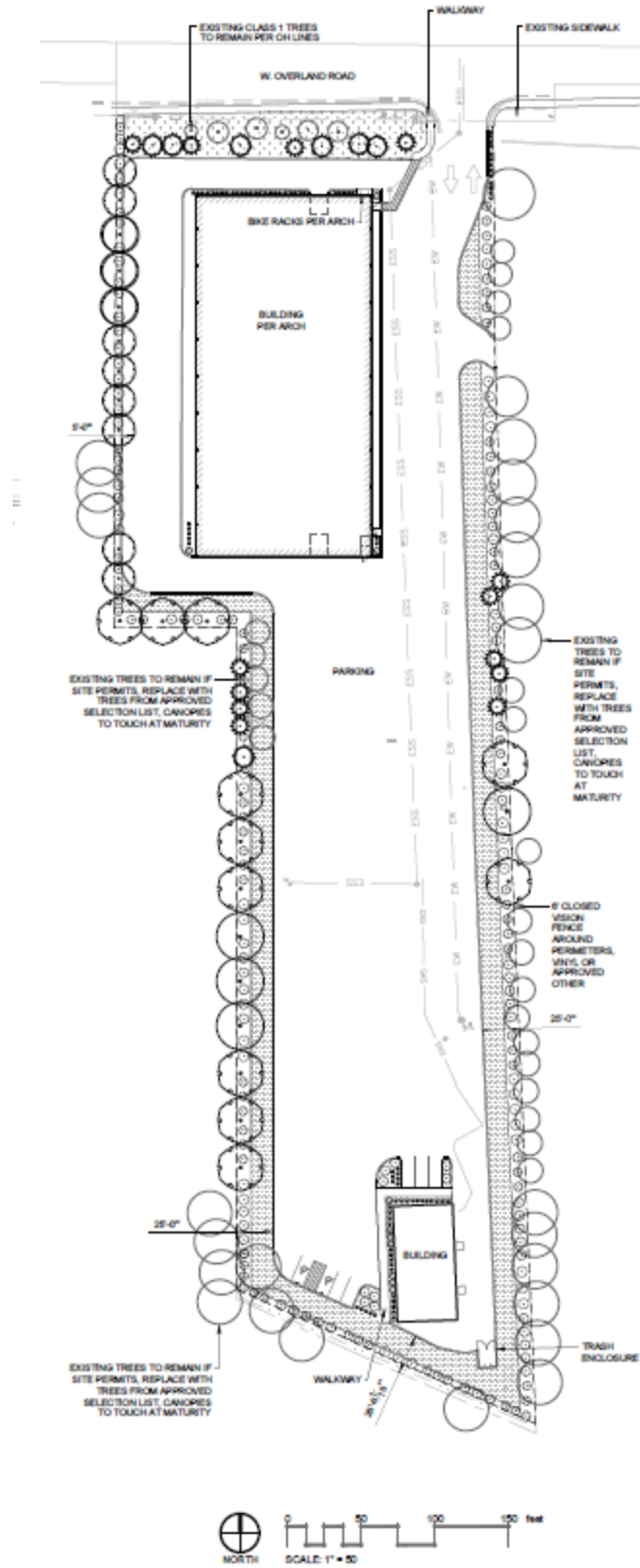
DATE: May 15, 2020

FIGURE: 2

C. Landscape Rendering (date: June 2020)



Exhibit A

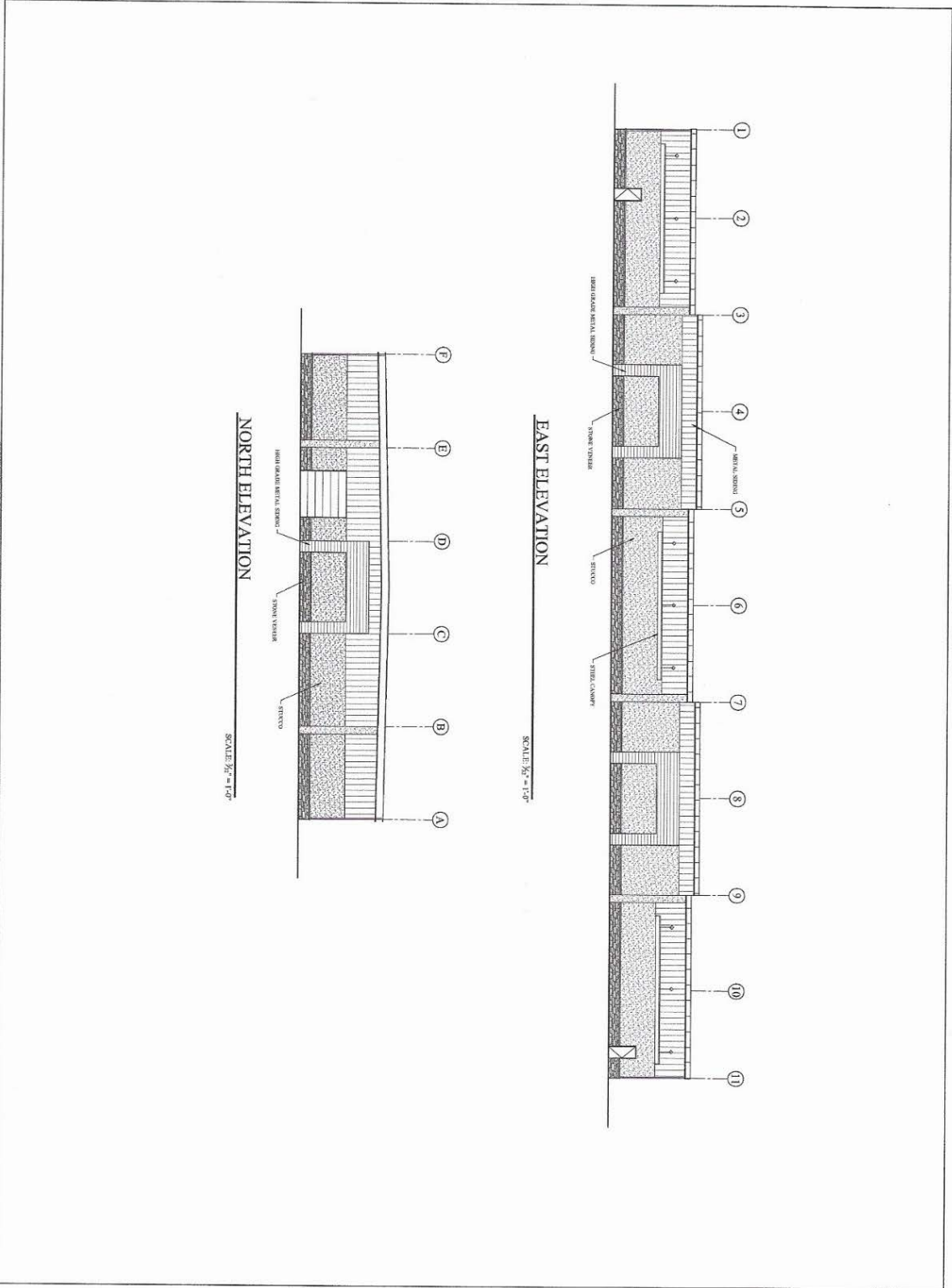


E. Conceptual Building Elevations (Revised for Commission)









COPYRIGHT ALL RIGHTS RESERVED. THIS DRAWING AND ALL INFO CONTAINED HEREIN IS THE PROPERTY OF ARCHITECTURE DESIGN PLANS, P.A. AND MAY NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT.

| | | | |
|--|--|---|--|
| PROJECT NO. NEW STORAGE FACILITY FOR: EPIC DEVELOPMENT 1345 W. OVERLAND RD. MERIDIAN, IDAHO 83642 _____ ELEVATIONS | ADP ARCHITECTS ARCHITECTURE & REAL ESTATE PLANNING GLENN WALKER, AIA 1801 N WILLOWOOD ST. BOISE, IDAHO 83713 OFFICE 208-363-0794 gwalker@adpplans.com | NO. _____ DATE _____ 1. ISSUE FOR PERMIT 02/16/17 _____ _____ _____ _____ _____ _____ _____ | |
| | | | |

VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

- 1. As allowed by Idaho State Law with Annexation and Rezone applications, a Development Agreement (DA) is required as a provision of rezoning this property. Prior to approval of the rezone ordinance, a DA shall be entered into between the City of Meridian, the property owner(s) at the time of rezone ordinance adoption, and the developer.

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

At least ten (10) days prior to the City Council hearing Prior to the Rezone Ordinance approval by City Council, the Applicant shall submit:

- 1. Revised legal descriptions for the requested rezone to reflect the C-C zoning district instead of the C-G zoning district AND**
 - 2. Revised legal description for the rezone boundary to reflect the conveyance of the sliver of land from the proposed Sagewood West application, Lot 27, Block 1 of their proposed plat.**
- a. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2B-3 for the C-C zoning district and those listed in the specific use standards for self-service storage facilities and ancillary outdoor storage, UDC 11-4-3-34 and UDC 11-4-3-33, respectively.
 - b. The only approved direct lot access to W. Overland Road is that existing access in the northeast corner of the subject site.
 - c. The Applicant shall maintain an emergency only access to the east via the proposed common drive in the adjacent subdivision to the east, Sagewood West.
 - d. The Applicant shall comply with the ordinances in effect at the time of application submittal.
 - e. Prior to CZC and DES submittal, the Applicant shall obtain approval of a Property Boundary Adjustment to consolidate all existing lots (S1224223270 & S1224223300) into one and include the sliver of land conveyed from the property owner to the east, shown as Lot 27, Block 1 in the Sagewood West preliminary plat.
 - f. All fencing adjacent to abutting residential uses shall be privacy fencing and eight (8) feet in height meeting UDC 11-3A-7 standards.

2. The Applicant shall obtain Certificate of Zoning Compliance (CZC) and Administrative Design Review (DES) approval prior to submitting for building permits.
3. The submitted site plan, dated June 2020 and as seen in Exhibit VII.B, shall be revised to show the required sidewalk from W. Overland Road to the office in the rear of the subject site. The sidewalk shall be delineated by being constructed of a different material than the asphalt parking lot (i.e. stamped concrete, brick, or similar).
4. The submitted landscape plan, dated June 2020 and as seen in Exhibit VII.D, shall be revised as follows:
 - a. Show the required landscape buffer to all residential land uses as at least 70% covered by vegetation at maturity, as set forth in UDC 11-3B-5N.
 - b. Add the required additional sidewalk from W. Overland to the office in the rear of the subject site. The sidewalk shall be delineated by being constructed of a different material than the asphalt parking lot (i.e. stamped concrete, brick, or similar).
- ~~5. Prior to the Planning and Zoning Commission hearing on July 9, 2020, the elevations and elevation renderings, dated 2/25/2020 and seen in Exhibit VII.E, shall be revised prior to CZC and DES submittal as follows:~~
 - ~~a. Add an additional field material that is not pre-fabricated metal siding along all building facades;~~
 - ~~b. Add windows, where architecturally feasible, along the top of building facades, especially on the north facing elevation;~~
 - ~~c. Add architectural trellis on the north, east, and west building facades;~~
 - ~~d. Wrap the proposed stone veneer along the bottom of the building around the corners as is required in ASM Goal 5.1F;~~
 - ~~e. Continue the stone veneer onto the proposed pop-outs and at a higher height from the ground;~~
 - ~~f. Add a parapet along the roofline with the required modulation that will also cover any mechanical equipment.~~
 - ~~g. Add additional fenestration and pedestrian scale along all building facades.~~

6. All future lighting on the subject site shall be compatible to abutting residential uses and adhere to the standards outlined in UDC 11-3A-11C, these standards are to be met regardless of the lumen output.
7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for commercial developments based on the gross floor area of the self-service storage office.
8. The Applicant shall work with the City Arborist on an appropriate alternative to their proposed "Ash" tree selection and obtain approval from the City Arborist prior to building permit approval.
9. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to: 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F4.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 A street light plan will need to be included in the final plat and or building permit application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. Contact the Meridian Transportation and Utility Coordinator for additional information.
- 1.2 The existing water main stub into the property is a 10", not a 6" as shown on the plan
- 1.3 Retain and protect the existing fire hydrant at the end of the 10" main
- 1.4 Provide a utility easement from the end of the existing 10" line to the west property line matching up with the existing utility easement in Linder Road Apartments
- 1.5 The water service and fire line should connect to the existing 10" line, not the existing 12" line in Overland Rd as currently shown

2. General Conditions of Approval

- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall be dedicated via using the City of Meridian's standard forms. 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. 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 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 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.
 - 2.10 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
 - 2.11 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
 - 2.12 Developer shall coordinate mailbox locations with the Meridian Post Office.
 - 2.13 All grading of the site shall be performed in conformance with MCC 11-12-3H.
 - 2.14 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
 - 2.15 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.
 - 2.16 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.
 - 2.17 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.

2.23 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=184359&dbid=0&repo=MeridianCity>

D. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190570&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=184914&dbid=0&repo=MeridianCity>

F. ADA COUNTY HIGHWAY DISTRICT (ACHD)

~~ACHD has not submitted any comments at this time.~~
<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=191804&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

Council finds the proposed zoning map amendment to C-C zoning district and not the requested C-G zoning district is consistent with the Comprehensive Plan, if all provisions of the Development Agreement and conditions of approval are complied with.

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

Council finds the proposed zoning map amendment and request for Recreational Vehicle storage to be generally consistent with the purpose statement of the commercial district and future land use designation of Commercial.

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

Council finds the proposed zoning map amendment should not be detrimental to the public health, safety and welfare if all provisions of the Development Agreement and conditions of approval are complied with.

- 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**

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

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

The subject property is already annexed; therefore Staff finds that this finding is not applicable. However, Council finds that the requested rezone and addition of a commercial use is in the best interest of the city.

B. Conditional Use Permit

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

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

The site and proposed building meets all the dimensional and development regulations in the commercial zoning districts for the proposed use. Therefore, Council finds the site is large enough to accommodate the proposed use.

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

Council finds the proposed self-service storage facility will be harmonious with the Comprehensive Plan in that it is a conditional use in the C-C and C-G zoning districts which are allowable zones in the Commercial future land use designation as noted in the Meridian 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.**

Council finds the operation of the proposed self-service storage facility should be compatible with the other uses in the area and will not adversely change the essential character of this area if all conditions of approval and DA provisions are met.

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

If the proposed facility complies with the conditions of approval in Section VIII as required, Council finds the proposed use should not adversely affect other properties 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.**

The subject site is already annexed into the City and these services are already being provided to the existing buildings on site. Therefore, Council finds the proposed use will be served adequately by all public facilities and services.

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

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

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

With adequate screening and adherence to applicable zoning and building code requirements, Council finds the proposed use should not be detrimental to any persons, property, or the general welfare.

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

Council is not aware of any such features; the proposed use should not result in damage of any such features.



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Poiema Subdivision (H-2020-0035) by Dave Evans Construction, Located at 3727 E. Lake Hazel Rd.

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



In the Matter of the Request for Annexation and Preliminary Plat for Poiema Subdivision, by Dave Evans Construction.

Case No(s). H-2020-0035

For the City Council Hearing Date of: August 11, 2020 (Findings on August 25, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of August 11, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of August 11, 2020, incorporated by reference. The conditions are concluded to be

reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for Annexation and Preliminary Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of August 11, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Conditional Use Permit Duration

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

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

City Code Title 11(UDC 11-5B-6F).

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of August 11, 2020

By action of the City Council at its regular meeting held on the _____ day of _____, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

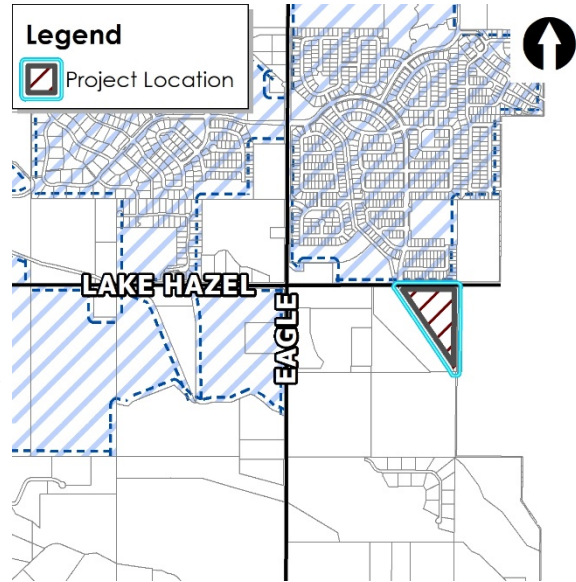
Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By: _____ Dated: _____
City Clerk's Office

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 8/11/2020
 TO: Mayor & City Council
 FROM: Joe Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0035
 Poiema Subdivision
 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

Annexation & zoning of 14.87 acres of land with an R-15 zoning district and preliminary plat consisting of 48 building lots and 6 common lots, by Dave Evans Construction.

Note: Staff received updated plans late into the review process. These plans have been analyzed to the best of Staff's ability given the timeline but finds them to be in better compliance than those originally submitted. Much of the analysis within this report is based on the new plans and the exhibits within this staff report have been updated to reflect this.

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) | Residential and future Religious Institution (Church) | |
| Lots (# and type; bldg./common) | 48 total lots – 43 single-family residential; 1 lot for future Church building site; and 4 common lots. | |
| Phasing Plan (# of phases) | Proposed as one (1) phase. | |
| Number of Residential Units (type of units) | 48 total units - 33 single-family attached units; and 15 single-family townhome units. | |
| Density (gross & net) | Gross – 7.5 du/ac.; Net – 10.75 du/ac. | |
| Open Space (acres, total [%]/buffer/qualified) | 1.08 acres total, 0.75 qualifying open space (or approx.. 11.7% qualified) | |
| Amenities | 1 amenity – Water feature with seating | |

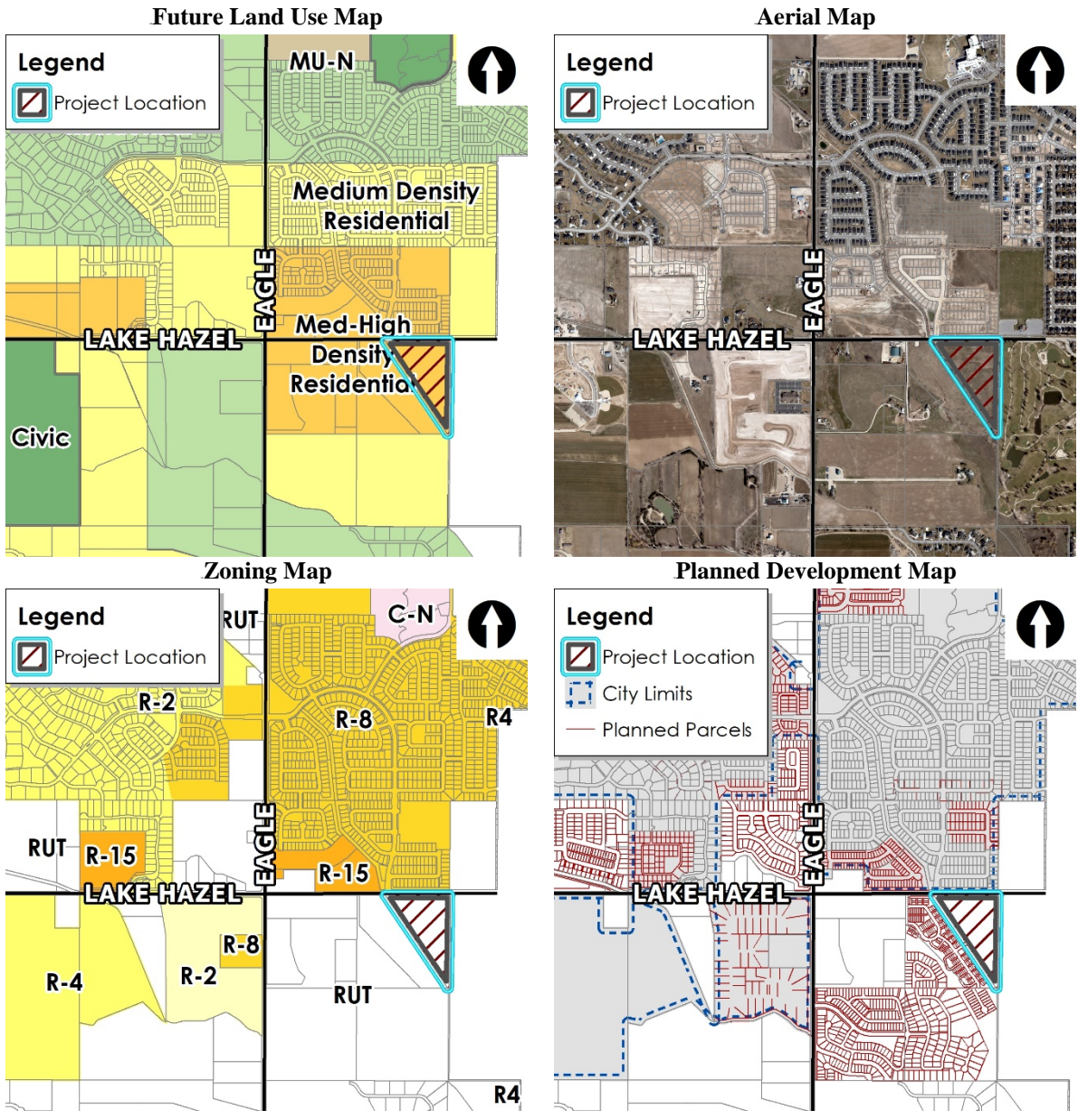
| Description | Details | Page |
|---|---|------|
| Physical Features (waterways, hazards, flood plain, hillside) | Ten Mile Creek runs along the western boundary but is not on the subject site. Part of the site resides within the 100-year floodplain zone. | |
| Neighborhood meeting date; # of attendees: | December 16, 2019 – 3 attendees | |
| History (previous approvals) | N/A | |

B. Community Metrics

| Description | Details | Page |
|---|--|----------------|
| Ada County Highway District | | |
| • Staff report (yes/no) | Draft Report | Section VIII.H |
| • Requires ACHD Commission Action (yes/no) | No | |
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | Proposed access is off of 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 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. | |
| Existing Road Network | E. Lake Hazel, an arterial, is existing with 2 travel lanes. | |
| Existing Arterial Sidewalks / Buffers | No | |
| 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 | | |
| • Distance to Fire Station | 3 miles from Fire Station #4 | |
| • Fire Response Time | Part of the proposed development falls within the 5 minute response time goal. | |
| • Resource Reliability | 78% (below the target rating of 80%) | |
| • 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. | |
| • Accessibility | Proposed project meets all required access, road widths, and turnarounds. The project will be limited to 30 homes until the entire emergency access along the western boundary is constructed. | |
| Police Service | | |
| • 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). | |

| Description | Details | Page |
|--|---|------|
| | Between March 2019 and March 2020, MPD responded to 9 crashes within 1 miles of this proposed development. | |
| West Ada School District | | |
| <ul style="list-style-type: none"> • Distance (elem, ms, hs) | No comments submitted at this time. | |
| <ul style="list-style-type: none"> • Capacity of Schools | | |
| <ul style="list-style-type: none"> • # of Students Enrolled | | |
| Wastewater | | |
| <ul style="list-style-type: none"> • Distance to Sewer Services | N/A | |
| <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 | 13.92 | |
| <ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan | YES | |
| <ul style="list-style-type: none"> • Additional Comments | Flows have been committed No sewer mains in common driveways Applicant to provide "to and through" to property to the west. | |
| Water | | |
| <ul style="list-style-type: none"> • Distance to Water Services | 710 feet | |
| <ul style="list-style-type: none"> • Pressure Zone | 5 | |
| <ul style="list-style-type: none"> • Estimated Project Water ERU's | See application | |
| <ul style="list-style-type: none"> • Water Quality Concerns | None | |
| <ul style="list-style-type: none"> • Project Consistent with Water Master Plan | YES | |
| <ul style="list-style-type: none"> • Impacts/Concerns | The water main extension in Lake Hazel is currently shown in the wrong corridor, the water main should remain north of center line instead of being moved south of center line. Also, the water main in Lake Hazel needs to be a 12", not an 8" as currently shown. We prefer to have a main stub or service line (whichever is needed) to the future church lot to eliminate cutting the new road in the future. | |

C. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Dave Evans Construction – 7761 W. Riverside Drive, Boise, ID 83705

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 | 5/29/2020 | 7/24/2020 |
| Radius notification mailed to properties within 300 feet | 5/26/2020 | 7/21/2020 |
| Site Posting | 6/8/2020 | 7/31/2020 |
| Nextdoor posting | 5/27/2020 | 7/21/2020 |

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 proposed annexation area 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 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. This project, if approved, should blend in well with these adjacent developments.

The proposed land use of attached single-family residential and townhome units (per the revised site plan) is consistent with the Future Land Use Map (FLUM) designation definitions for Medium High Density Residential (MHDR). MHDR requires a density of 8-12 units per acre. The Applicant has proposed a project with 7.5 du/ac with their updated plat and the comprehensive plan allows for rounding of density. Because of the proposed product type and the difficult shape of the property to begin with, Staff supports rounding the proposed density of 7.5 du/ac to the required 8 du/ac per the provisions in the comprehensive plan.

In addition to the proposed residential use on this site, the Applicant is reserving a building lot for a future church site; a church is a conditional use within the proposed R-15 zoning district. The residential portion of the site consists of approximately 7.5 acres (including the right of way) and the future church lot is approximately 7 acres. This application does not include the conditional use permit application for the church lot; that use will be analyzed with the future conditional use permit submittal.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. *In order to ensure the site develops as proposed with this application, Staff recommends a DA as a provision of annexation with the provisions included in Section VIII.A1. The DA is required to be signed by the property owner(s)/developer and returned to the City within 6 months of the Council granting the annexation for approval by City Council and subsequent recordation.*

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

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

“Avoid the concentration of any one housing type or lot size in any geographical area; provide for diverse housing types throughout the City” (2.01.01G). *The proposed R-15 zoning and proposed land use of single-family attached and townhome residential is an extension of some of the housing products recently approved nearby and some of the housing proposed on the adjacent site to the west. R-15 zoning and attached single-family homes are not abundant in the immediate area at this time but if this project and the adjacent project to the west are approved, this type of housing would make up a fair portion of the housing options in this ½ mile area. A vast majority of the housing within a mile of this site is detached single-family residential. So, adding 48 units of a different product type to the area helps meet this comprehensive plan policy.*

“With new subdivision plats, require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities” (2.02.01A). *The Ten Mile Creek runs adjacent to this property on its western boundary but is not on the subject site. Because of this, there is no multi-use pathway proposed on this property. However, the project that Staff is also processing for the adjacent property to the west is constructing that multi-use pathway. Because of the proposed internal stub street with attached sidewalks with this development, there should be adequate pedestrian connection to the multi-use pathway on the adjacent parcel. With a connection to the pathway, residents within this development will have greater pedestrian and bicyclist connection to the north to Hillsdale Park and the Hillsdale YMCA.*

The largest area of open space proposed with this development is expected to be shared between the residences and the future church site. That common open space lot is proposed to be approximately 15,000 square feet in size and offer a relatively large open area for residents and churchgoers to use. Because the lot is relatively large and open, it is more usable than open space that may be qualifying but is usually dispersed throughout the development. Staff supports open space that is in this more usable format. The other open space in this development abuts the Ten Mile Creek and the proposed townhomes; this area should offer additional visual amenity to the development and those townhomes specifically. In addition, this open space area near the creek and the cul-de-sac will contain a water feature and seating area for the residents. Again, offering usable open space and an amenity for the proposed community. For the size of this site, Staff finds the proposed open space is adequate in size.

“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). *Due to the odd shape of this parcel, strict adherence to ACHD and City policies regarding access points to arterial streets was not feasible. The Applicant has proposed the main access into this development as far east on their parcel as possible. Because of this, ACHD has agreed to modify their policy to allow for this additional access onto E. Lake Hazel. This Applicant is also proposing a stub street to the west for future local street connectivity which sets up future development to the west and south to minimize their potential accesses onto arterial in the area.*

“Annex lands into the corporate boundaries of the City only when the annexation proposal conforms to the City's vision and the necessary extension of public services and infrastructure is provided.” (3.03.03). *The proposed development and uses adhere to the vision established by the underlying future land use designation. Attached single-family and townhomes are permitted uses and a Church is a conditional use in the R-15 zoning district. In addition, all infrastructure extensions will be paid for by the Applicant and not the taxpayers.*

“Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00). *The proposed single-family residential development is compatible with other residential and agricultural uses in the area; the future Church development should be compatible with nearby uses as well. In addition, additional residential units built at this density should be compatible with the existing golf course use on the parcel directly to the east.*

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.

D. Proposed Use Analysis:

The proposed use is attached single-family residential and townhome single-family residential; both types of residential dwellings are listed as principally permitted uses in the R-15 zoning district per UDC Table 11-2A-2.

Part of the property (along the western boundary) 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.

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

The proposed lots along the eastern boundary and the public streets appear to meet all UDC dimensional standards per the submitted preliminary plat. This includes property sizes, required street frontages, and road widths. The revised preliminary plat submitted by the Applicant shows townhomes off of a private alley. It is the understanding of Staff that ACHD has not yet given comments on the precise location of this alley but are generally supportive of it. Per the revised plat, all lots appear to meet UDC dimensional standards for the R-15 zoning district and attached single-family unit type.

In addition, all subdivision developments are also required to comply with Subdivision Design and Improvement Standards (UDC 11-6C-3). There is one (1) common driveway proposed and such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **If any common drives are proposed, 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.**

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

Access is proposed via a new local street into this development from E. Lake Hazel Road. The Applicant is also proposing a stub street to the west for future local street connectivity. For these areas, all dimensional standards appear to meet UDC requirements.

Because the stub street to the west will likely lead to nowhere at the time of this development, the Applicant will have to provide an emergency only access. The Applicant is showing on their master plan (as shown in Exhibit VII.B) a 20-foot wide emergency only access from the stub street that runs along the western property boundary and connects to E. Lake Hazel. ACHD and Meridian Fire Department have granted their approval of this emergency access. Without this

access, this property will be limited to no more than 30 homes until such time that the emergency access is constructed. To remediate this, Staff is recommending the emergency access is built prior to the Applicant receiving any building permit approval.

Staff is supportive of this emergency access but does have concerns on what its future use will be once the stub street to the west connects with the adjacent subdivision and offers the required secondary access. The Applicant has not discussed the future plans for this access with Staff but the submitted master plan depicts the church site using this emergency only access as a way to drive from one side of the church to the other for ease of access and emergency response. So long as this road is not used for parking while this road is meant for emergency access, Staff finds no concerns with this. Once the emergency access is not needed, however, Staff recommends the Applicant work with ACHD to keep the road for the church site to gain an additional access point, albeit limited.

The revised preliminary plat shows a private alley that connects to the future western stub street and the proposed cul-de-sac. As stated above, Staff is unaware of ACHD's formal approval of this location but has also not been given notice of its denial. The Applicant should continue working with ACHD to ensure the location of the alley meets all ACHD requirements. The proposed alleyway is shown as 20 feet wide which meets UDC and Fire requirements; the alleyway will be deemed as a no parking zone for its entirety. Staff supports this alleyway and the alley loaded type of home for this development.

G. 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 and attached dwellings based on the number of bedrooms per unit. Future development should comply with these standards. No parking plan was submitted with the application.

The proposed street sections (33-foot wide) of the local streets within the development, shown on the submitted plat, accommodate parking on both sides of the street where no driveways exist. The alleyway for the alley-loaded homes will be required to be labeled as "No Parking." Each townhome will be required to meet the off-street parking standards and Staff encourages the developer of this site to include provisions within their HOA bylaws that prohibit garages being used as storage. This would help alleviate some of the parking issues seen throughout the City. Parking requirements for the future church site will be reviewed with the future conditional use permit application.

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

No multi-use pathways are proposed or required with this development because the master pathways plan shows a multi-use pathway along the opposite side of the Ten Mile Creek on an adjacent parcel. This Applicant is proposing attached sidewalks along all local streets that will connect to this future multi-use pathway as the property to the west develops and the proposed stub street is extended westward. These sidewalks should help improve pedestrian and cyclist connectivity from this development to other services within a mile.

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

Five-foot attached sidewalks are proposed along all internal local streets. There is no existing sidewalk along E. Lake Hazel Road and Lake Hazel is expected to be widened in 2024 according to ACHD, as stated above. *Detached sidewalks are required along arterial roadways per UDC 11-3A-17. The Applicant has already agreed to dedicate additional right of way to ACHD for the future widening of Lake Hazel. Therefore, Staff is recommending that the Applicant construct at*

least a 5-foot detached sidewalk within the required landscape buffer along Lake Hazel, outside of the ultimate ACHD right of way.

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

A 35-foot wide street buffer is required adjacent to E. Lake Hazel Road because it is both an arterial roadway and noted as an entryway corridor. This buffer should be landscaped per the standards listed in UDC 11-3B-7C and placed into a common lot that is at least 35-feet wide; this common lot should also contain the detached sidewalk required along all arterial roadways. *The submitted landscape plan depicts a 25-foot wide landscape buffer; the correct number of trees appear to be shown on the submitted landscape plans (see Section VII.D). The Applicant shall be required to submit revised plans depicting the correct size landscape buffer along E. Lake Hazel. In addition, the improvements required outside of the ultimate ROW should be constructed prior to receiving building permit approvals. The submitted open space exhibit does not count this buffer area as qualified open space for the residential development because only a small portion of this buffer abuts the future residences. Normally, half of this area would count towards qualified open space. Staff believes the required landscape buffer and detached sidewalk should be constructed with the residential development and not the church site. Therefore, Staff is recommending a condition of approval to complete the frontage improvements prior to receiving building permit approval and revise the open space exhibit to show this area on the open space exhibit to give a more complete open space calculation.*

Common open space is required to be landscaped in accord with the standards listed in UDC 11-3G-3E. *The total square footage of common open space are included in the Landscape Calculations/Requirements table along with the required number of trees to demonstrate compliance with UDC standards but has not been updated to depict the new layout. Staff recommends the Applicant submit a revised landscape plan at least ten (10) days prior to the City Council hearing to show the new layout and match the other revised plans.*

Also shown on the landscape plan is an area directly to the west of Lot 34, Block 1 that is within the Ten Mile Creek easement. This area of the development is not open on both ends and does not offer easy visibility. Staff is concerned with potential safety and crime issues in this small area. UDC 11-3G-3D.3 states that “common open space shall be located in areas of high visibility to avoid hidden areas and corners...” This area is not qualifying open space because it is not open on both ends but it is still common open space and must adhere to these standards. Therefore, Staff is recommending a condition of approval that this area be part of Lot 34, Block 1 to alleviate this potential safety issue. In addition, the Applicant is proposing an additional 8 trees in order to mitigate trees that are being lost with the development of this site. This note is stated on the submitted landscape plan.

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

A minimum of 10% **qualified** open space meeting the standards listed in UDC 11-3G-3B is required. The proposed future Church site is not required to meet open space standards. Therefore, the required qualified open space for this development shall be based upon only the portion of the property where the residential use is proposed. According to the Applicant, the residential area is approximately 6.05 acres. Based on this size, the Applicant should supply at least 0.6 acres of qualified open space, or approximately 26,000 square feet. The applicant is proposing 1.08 acres of open space, of which 0.75 acres is proposed as qualifying open space. Staff has concerns with one area of this open space and its eligibility to qualify.

The largest common open space lot is approximately 15,000 square feet and sits between the proposed residences and the future church site. It is the intention of the Applicant that this open space lot would serve as open space for both the residential part of this development and for the

children attending the future church site. Again, the church site is not required to have open space but Staff understands the desire to share this space in the future. To ensure this open space lot stays with the residential development and is used by the residences, it should be made clear that the future homeowners association is to own and maintain this lot, and not the church owner. In addition to this common open space lot, the Applicant is proposing open space around the cul-de-sac that terminates at the southern end of the development. This area is proposed to contain a water feature and seating area for residents to enjoy. Part of this open space also runs within the Ten Mile Creek Easement and creates a small “green-way” from the western stub street and back into this water feature area; this proposed area is qualifying.

The Ten Mile Creek and this “green-way” can be utilized for both open space and offer a great green space for the proposed townhomes to front on. Staff is concerned the proposed townhomes from off of the alley and the Applicant is missing an opportunity to give those future homeowners along the creek an additional green space area. Because of this, Staff is recommending a condition of approval that the townhomes front towards the green space and not on the alley.

On the revised open space exhibit (Section VII.E) there is an area less than 5,000 square feet located between the alley and the local street. UDC requirements state that in order for this area to be qualifying it must be at least 50’ by 100’ in dimension. Staff uses their discretion when the open space area can meet the 5,000 square foot area requirement but may not meet the precise dimensions above. In this case, this area meets neither of these benchmarks and Staff believes it is not qualifying open space. With this area removed from the open space calculations, Staff has calculated that the qualified open space for the site is approximately 0.64 acres, or approximately 10.57%. The proposed open space still meets UDC minimum requirements and Staff finds that the open space with the water feature and the large open space lot in the center of the development are sufficient for the number of homes proposed in this development.

The required landscape buffer along E. Lake Hazel should be shown on the open space exhibit even though it is not qualifying open space. As stated above, Staff recommends these improvements be completed with development of the residential portion of the site. The open space exhibit should be revised to show this area to give a more complete picture of all open space on the site in accordance with UDC 11-3G-3.

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

Based on the area of the proposed plat (approximately 6 acres for the residential component), a minimum of one (1) qualified site amenity is required to be provided per the standards listed in UDC 11-3G-3C. Even if the amenities were based on the entire 14 acre parcel, one (1) qualified site amenity would still be required.

The applicant has proposed one (1) qualified amenity: a seating area with a water feature located at the end of the new local street. This water feature shows a small fountain and boulders that also flows into a small stream channel.

The proposed amenity meets the minimum UDC requirements and Staff finds it to be a nice amenity for the community.

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

All fencing is required to comply with the standards listed in UDC 11-3A-7. Fencing is shown on the landscape plan but is not made clear as to what type of fencing it is. Fencing shown next to any open space shall be open-vision or semi-private fencing per UDC requirements.

This fencing requirement applies to the area of the property that abuts the Ten Mile Creek. The Ten Mile Creek itself is not located on this site but its easement does. Ten Mile Creek is to remain

open as this Applicant does not have rights to it. The creek should be protected during development on this site.

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

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

The submitted elevations show all single-story attached structures with two-car garages and similar finishing materials of stucco, masonry, and wood. In addition, the elevations show both shed roof and traditional pitched roof designs. The Applicant has not stated there will only be single-story attached structures. Staff has also not received updated elevations for the townhome style product. The submitted sample elevations appear to meet design requirements for single-family homes.

Because the proposed local street running north-south is straight and relatively long, Staff is recommending that future homes are built across varying setbacks to provide variation along the street and help ensure there is not a monotonous wall plane of homes along this street. Attached and townhome single-family residential require design review approval prior to building permit submittal. This requirement gives staff the opportunity to review the site plan and ensure compliance with the above noted recommendation.

VI. DECISION

A. Staff:

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

B. The Meridian Planning & Zoning Commission heard these items on June 18, 2020. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Preliminary Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Tamara Thompson, Applicant Representative; Daryl Zachman, Pastor of church to be developed in the future.
- b. In opposition: None
- c. Commenting: Tamara Thompson; Daryl Zachman
- d. Written testimony: None
- e. Staff presenting application: Joseph Dodson
- f. Other Staff commenting on application: Bill Parsons

2. Key issue(s) of public testimony:

- a. No issues—Daryl Zachman commented on location of shared open space and the temporary emergency-only access along the west boundary.

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

- a. Removal or modification of Staff condition 3.B and the feasibility of either outcome;
- b. Location and size of the large common open space lot shared between the future Church site and this preliminary plat; and issue of who will own and maintain this shared open space lot;
- c. Whether this plat should be combined with the future conditional use permit required for the Church site and how the two projects will function together;
- d. Wants Applicant to look at some sort of netting to prevent broken windows from the adjacent golf course.

4. Commission change(s) to Staff recommendation:

- a. Modify condition 1.F to include language that requires the future HOA and the Church enter into a use agreement to ensure perpetual maintenance of the common open space located on Lot 2, Block 2;
 - b. Remove condition 3.B from the staff report.
 - 5. Outstanding issue(s) for City Council:
 - a. Applicant has not submitted any information on the netting that Commission wanted them to discuss internally; Council should discuss whether they want to condition netting along the eastern boundary or not.
- C. The Meridian City Council heard these items on August 11, 2020. At the public hearing, the Council moved to approve the subject Annexation and Preliminary Plat requests.
- 1. Summary of the City Council public hearing:
 - a. In favor: Tamara Thompson, The Land Group (Applicant Rep.); Kit Fitzgerald.
 - b. In opposition: Annette Alonso, Southern Rim Coalition
 - c. Commenting: Tamara Thompson, Annette Alonso, and Kit Fitzgerald
 - d. Written testimony: None
 - e. Staff presenting application: Joseph Dodson, Current Associate Planner
 - f. Other Staff commenting on application: None
 - 2. Key issue(s) of public testimony:
 - a. Open space location;
 - b. Density concerns for this area of the City;
 - c. Road connectivity to future projects to the west;
 - d. School enrollment and capacity.
 - 3. Key issue(s) of discussion by City Council:
 - a. Guest parking and where that could occur onsite, specifically for the townhome units;
 - b. Expected demographic of homebuyers in this neighborhood related to how it might affect nearby school enrollment that is already an issue;
 - c. Whether there is a need to add a condition for netting along homes abutting the golf course to the east as requested by the Commission or if it should be left to individual homeowners on how they would like to mitigate any future issues;
 - 4. City Council change(s) to Commission recommendation:
 - a. None

VII. EXHIBITS

A. Annexation Legal Description and Exhibit Map



ANNEXATION

Page 1 OF 1

February 19, 2020
Project No.: 119022

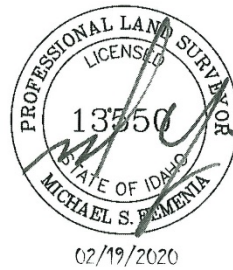
ANNEXATION
CALVARY CHAPEL TREASURE VALLEY INC.

A parcel of land as shown on Record of Survey Number 2880, recorded as Instrument Number 94050954, records of Ada County, situate in a portion of Government Lot 3, Section 4, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, being more particularly described as follows:

BEGINNING at the North Quarter Corner of said Section 4 (from which the Northwest Corner of said Section 4 bears South 89°56'28" West, 2651.66 feet distant);
Thence on the north/south midsection line of said Section 4, South 00° 37' 05" West, 1356.13 feet;
Thence leaving said north/south midsection line and on the southerly and westerly boundary of said parcel shown on Record of Survey Number 2880, South 89° 59' 56" West, 21.00 feet;
Thence North 28° 52' 16" West, 82.77 feet;
Thence North 34° 04' 12" West, 1548.37 feet to a point on the north section line of said Section 4;
Thence on said north Section line North 89° 56' 28" East, 943.00 feet to the **POINT OF BEGINNING**

The above described parcel contains 14.87 acres, more or less.

PREPARED BY:
The Land Group, Inc.



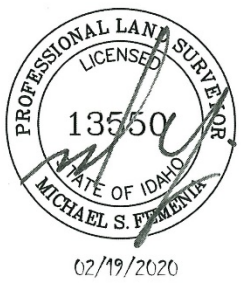
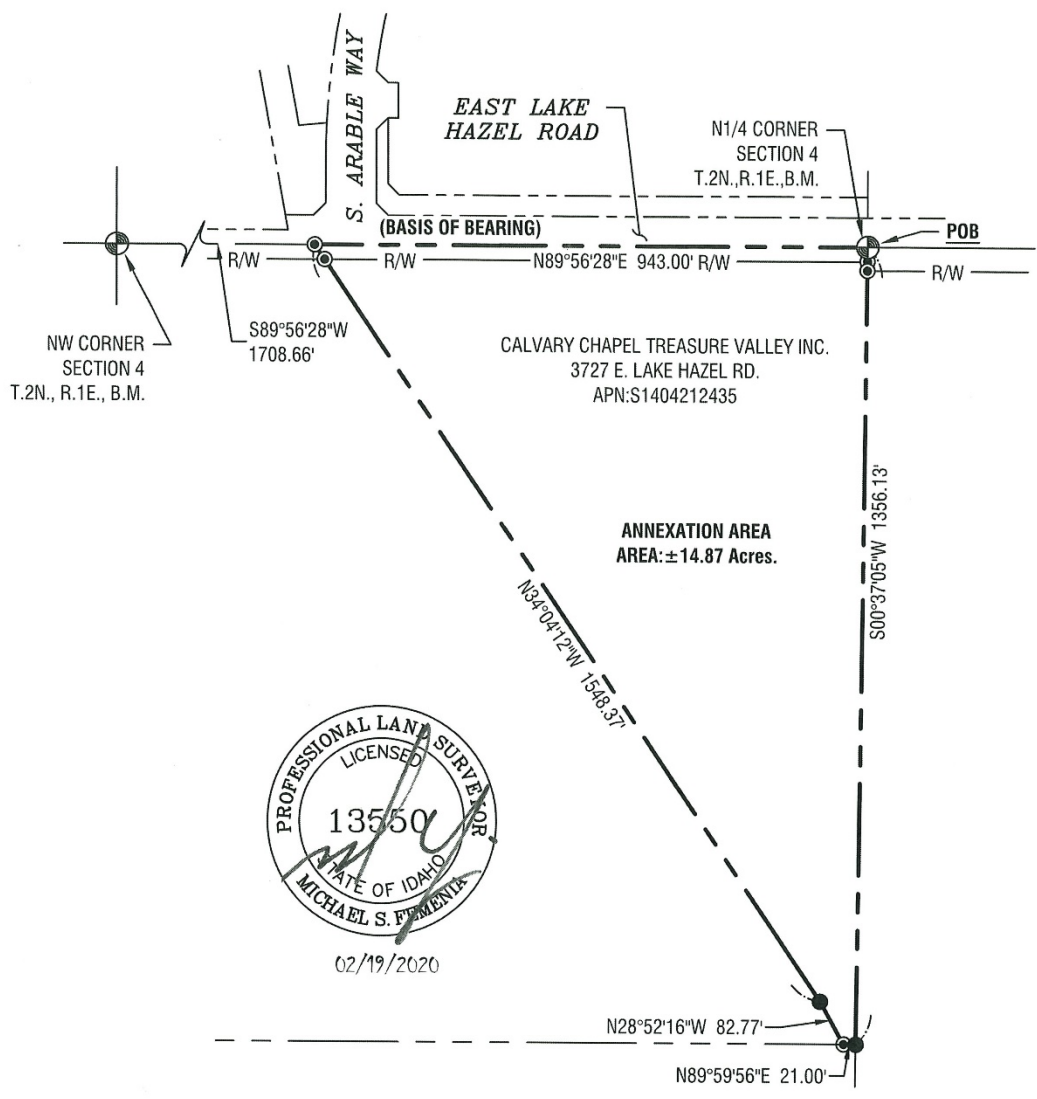


Exhibit "B"

Horizontal Scale: 1" = 250'



Project No.: 119022
Date of Issuance: February 19, 2020

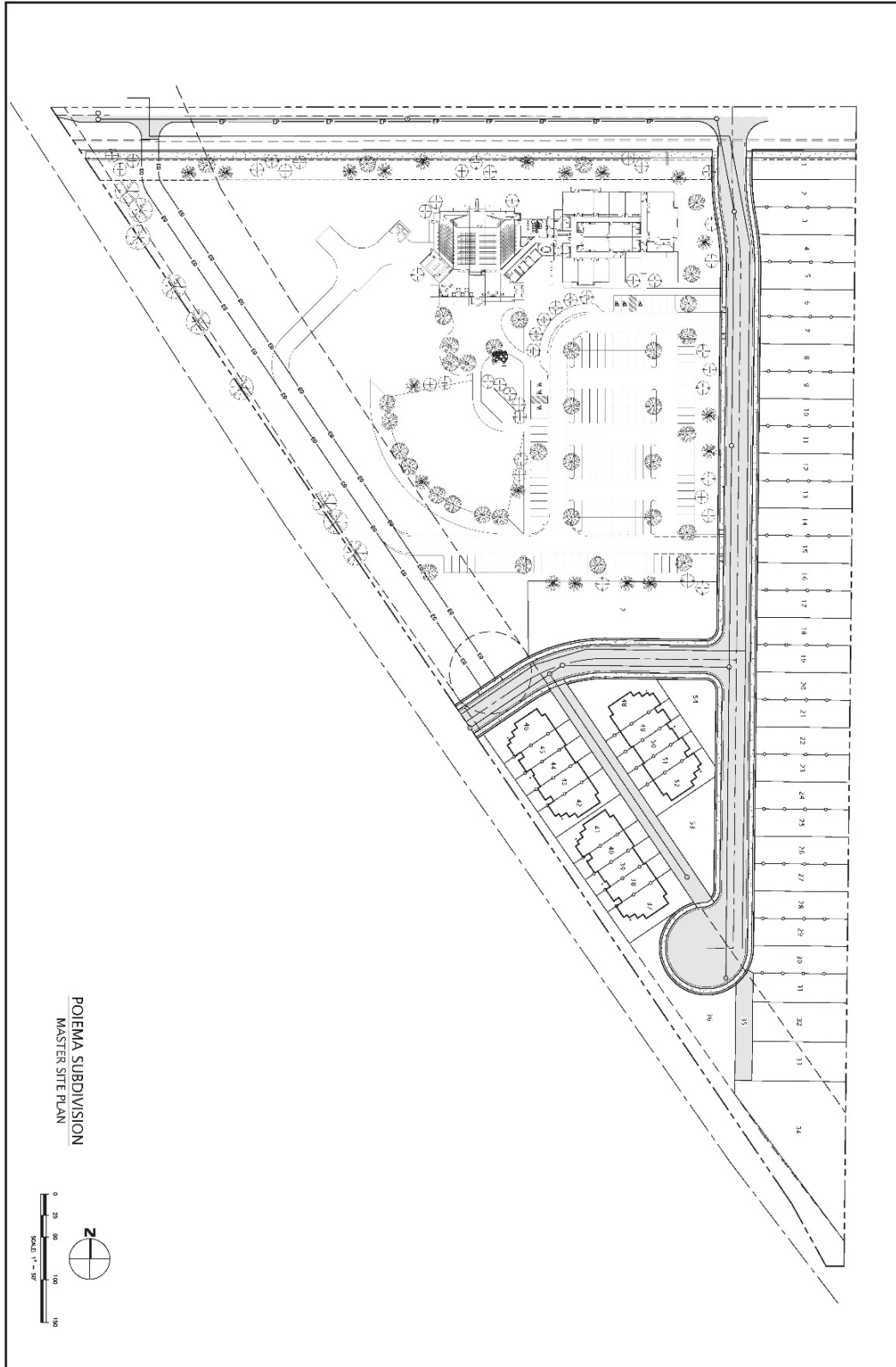


**Calvary Chapel Treasure Valley Inc.
Annexation**

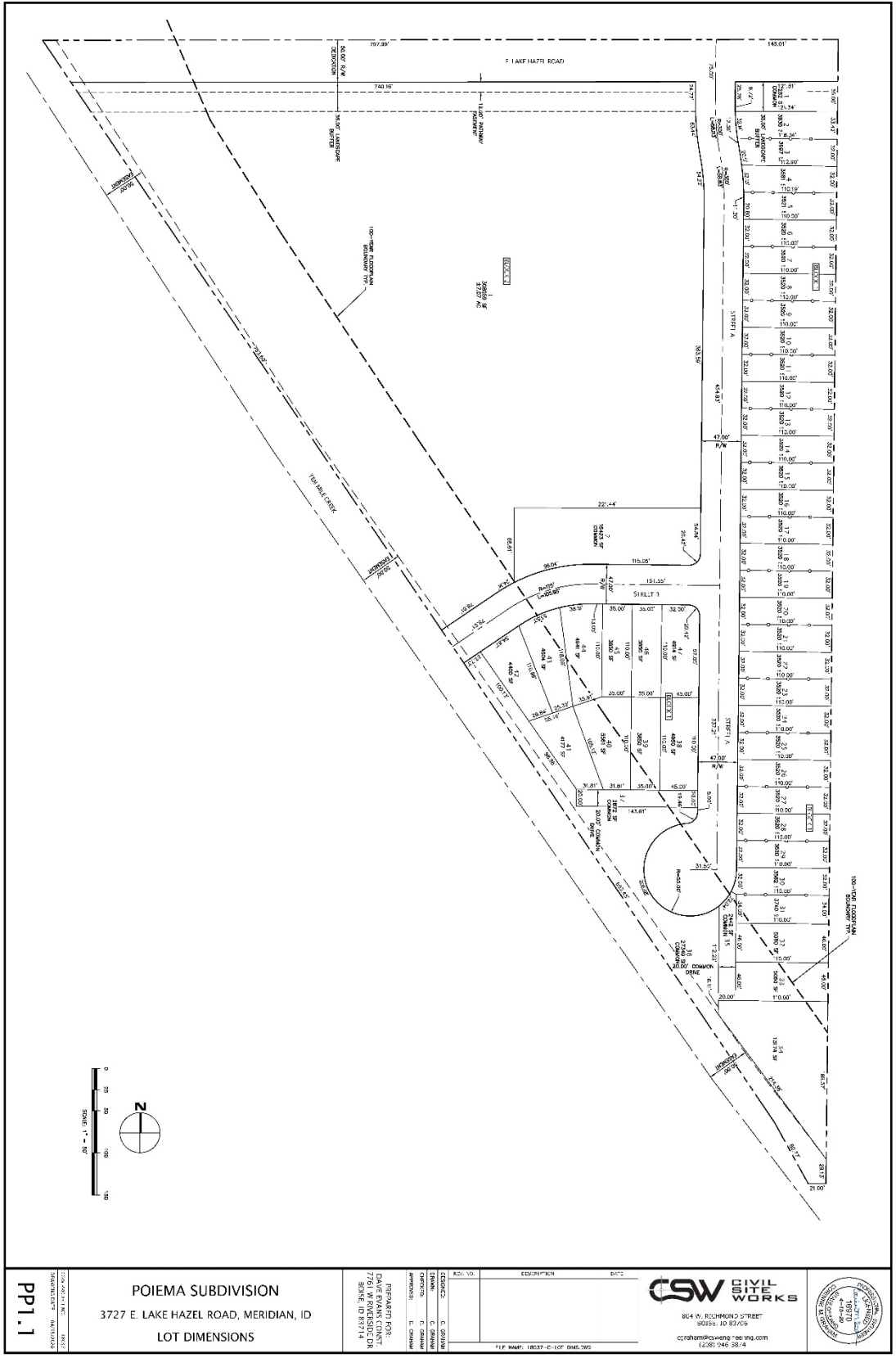
1 of 1

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User: m.fiermentia
Date Plotted: Wednesday, February 19, 2020 at 12:27 PM

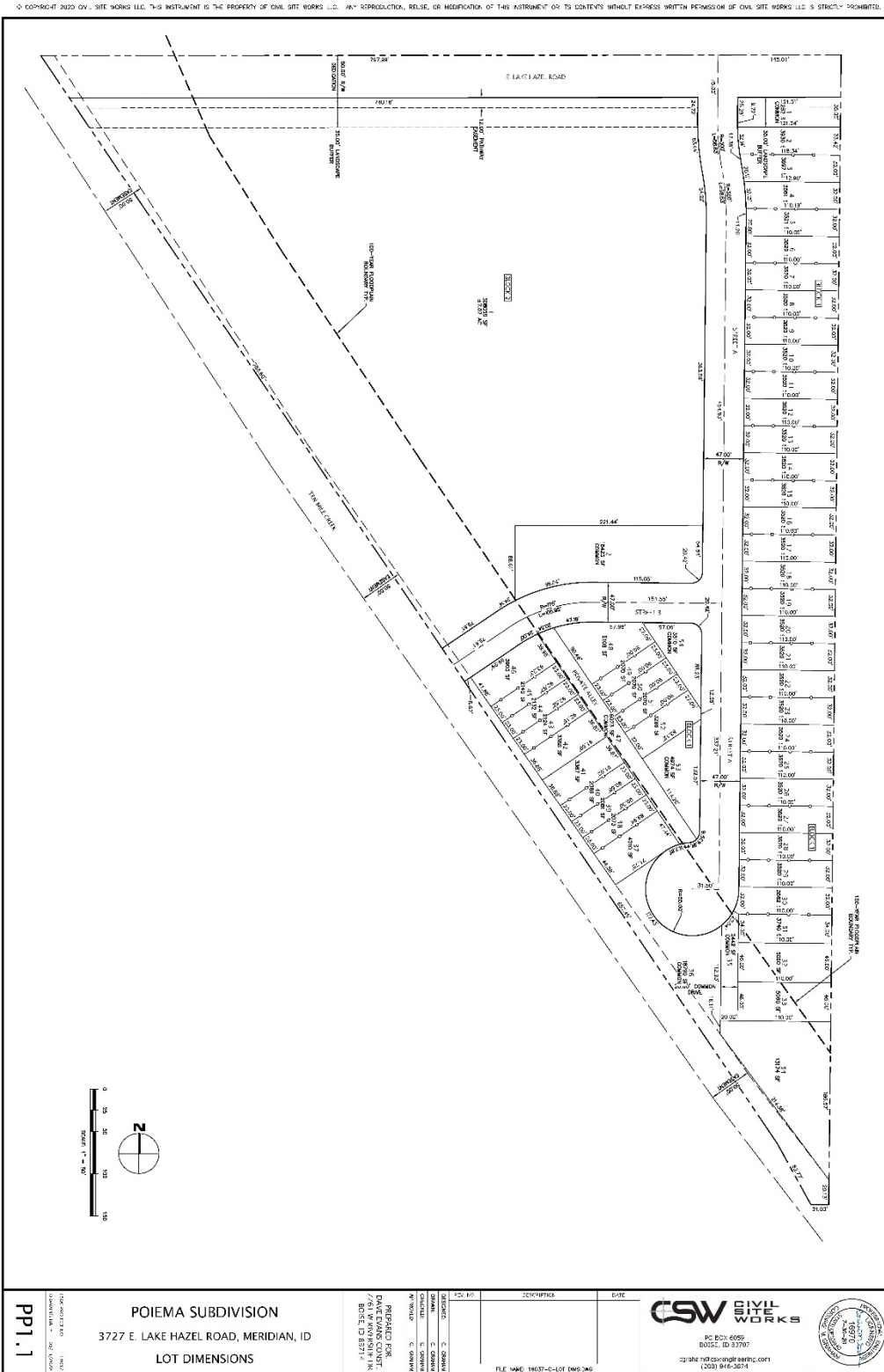
B. Master Development Concept Plan



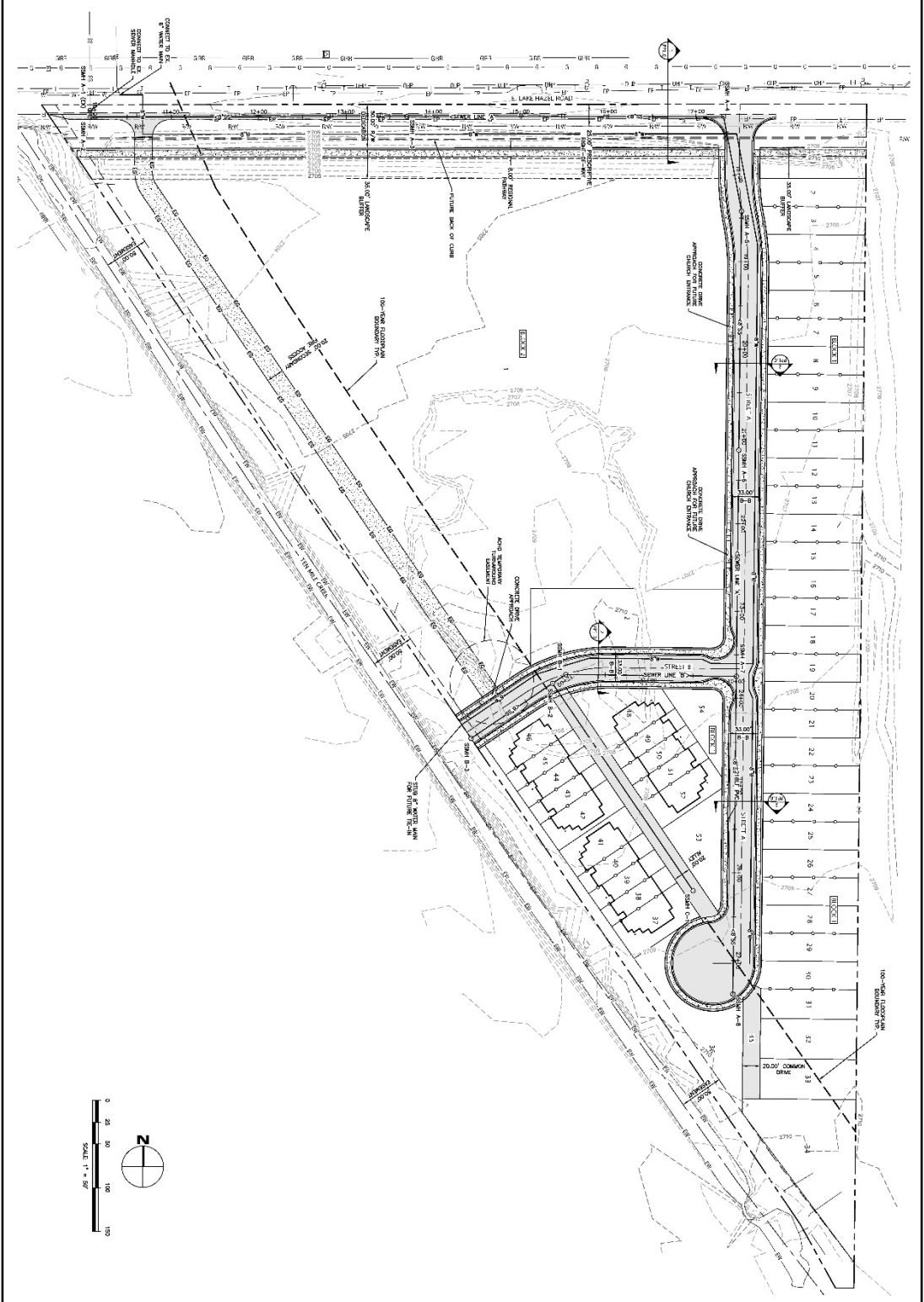
C. Original Preliminary Plat (date: 4/15/2020)



D. REVISED Plat (dated: 06/15/2020-7/30/2020)

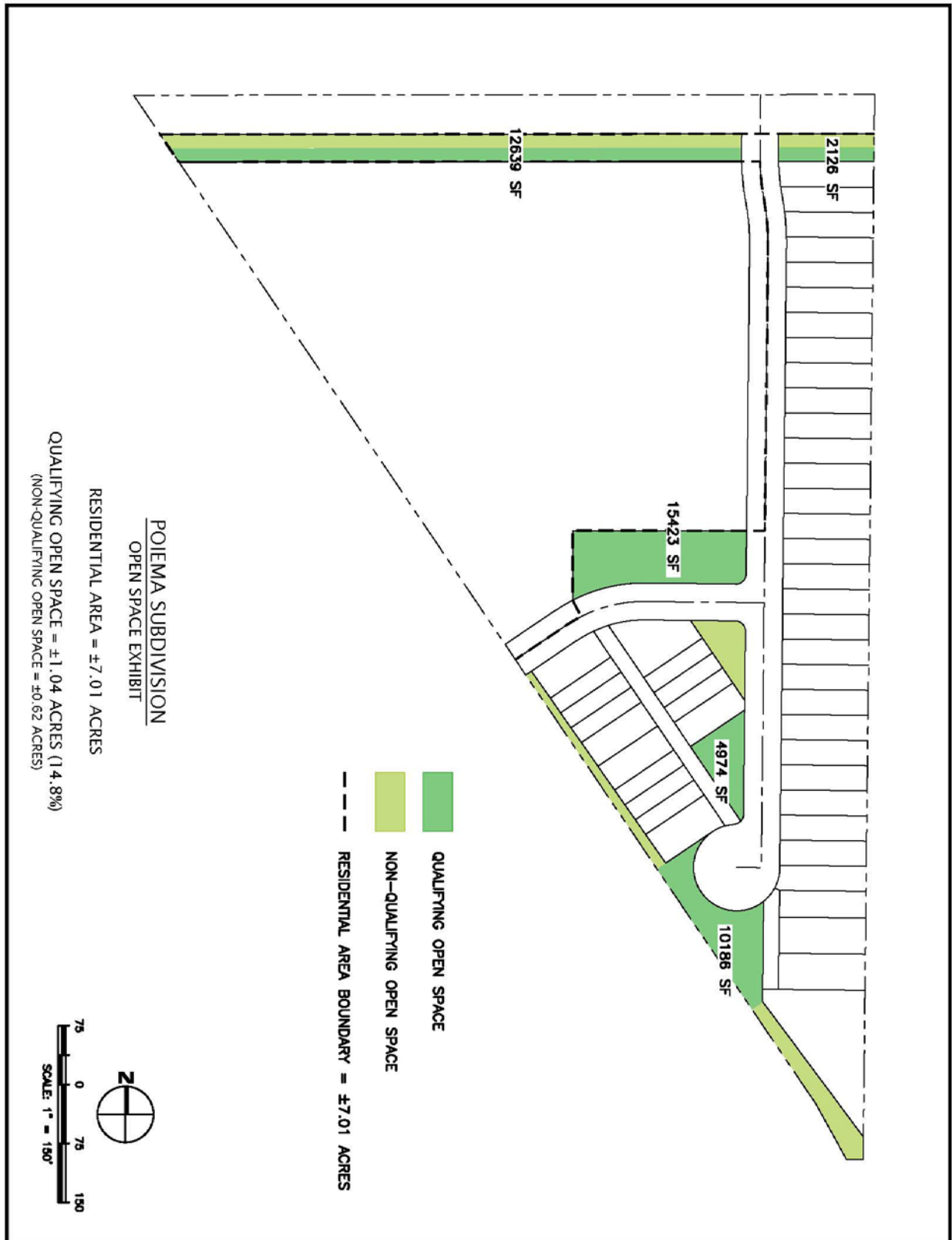


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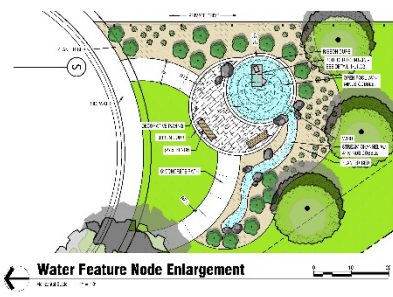
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|--|--|--|---|--|--|--|
| <p>PP2.0</p> <p>CIVIL SITE WORKS 1847 SANDWICH DRIVE SHELLEYSBURG, MD 21150</p> | <p>POIEMA SUBDIVISION 3727 E. LAKE HAZEL ROAD, MERIDIAN, ID CONCEPTUAL ENGINEERING PLAN</p> | | <p>PREPARED BY: DAVE EVANS CONSULTING 777 RIVERVIEW DRIVE RIVERVIEW, ID 83714</p> | <p>DATE: _____</p> <p>SCALE: _____</p> <p>PROJECT NO.: _____</p> | <p>CSW CIVIL SITE WORKS</p> <p>PO BOX 5059 BOISE, ID 83720</p> <p>cs@csworks.com csworks.com (208) 546-1074</p> | |
| | <p>1" = 50' PLANING</p> | | | <p>DATE: _____</p> | | |

E. Open Space Exhibit (dated: 06/15/2020-August, 2020)

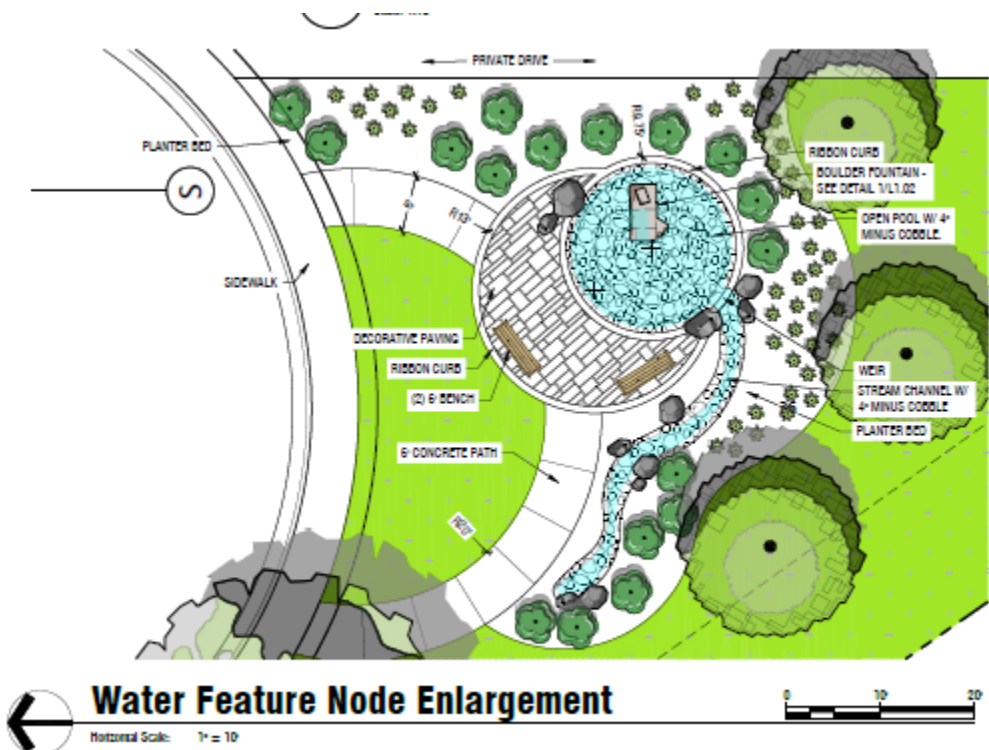




1 Boulder Fountain

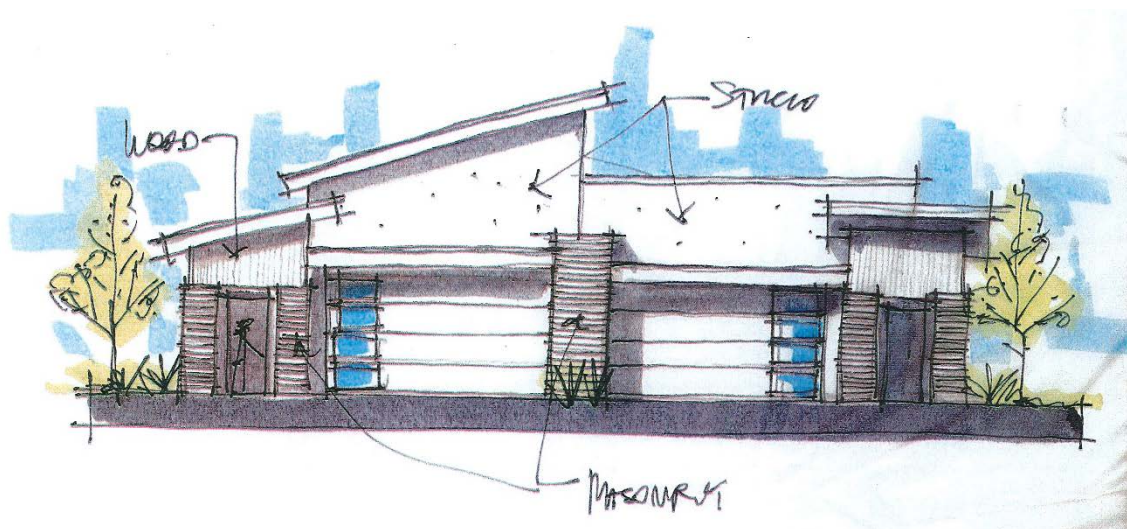
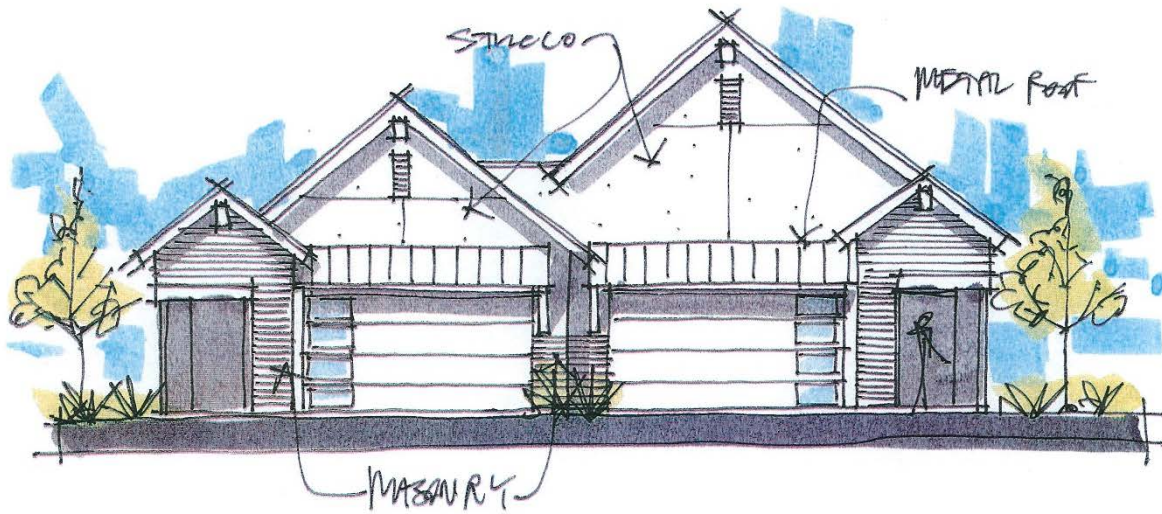
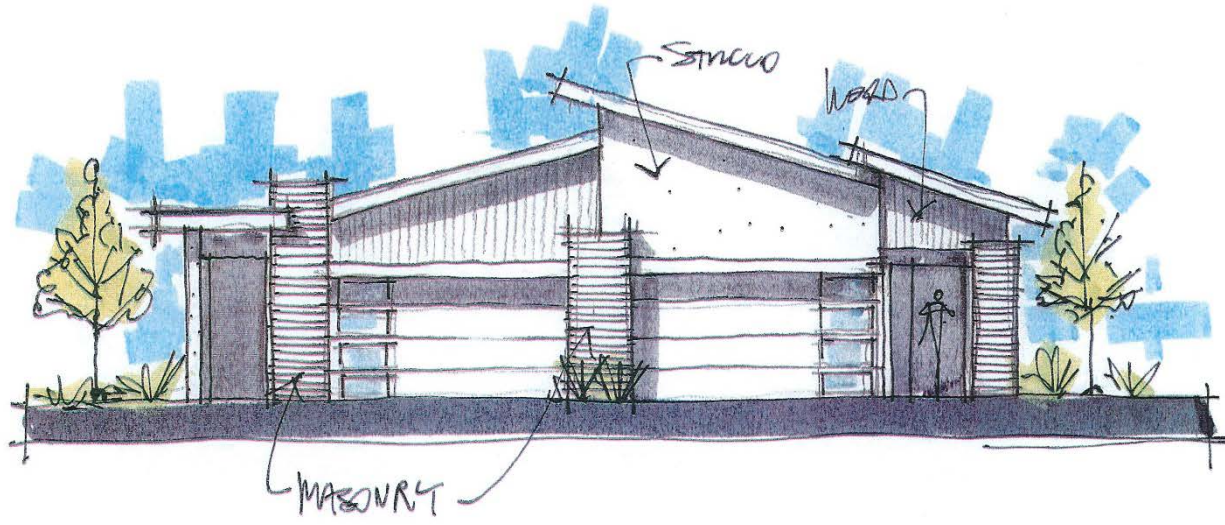


Water Feature Node Enlargement



Water Feature Node Enlargement

G. Conceptual Building Elevations





VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. A Development Agreement (DA) is required as a provision of annexation of this property. Prior to approval of the annexation ordinance, a DA shall be entered into between the City of Meridian, 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 submitted and revised plans and conceptual building elevations for the attached single-family and townhome dwellings included in Section VII and the provisions contained herein.
 - b. The Applicant shall comply with the ordinances in effect at the time of application submittal.
 - c. Direct lot access to E. Lake Hazel Road shall be prohibited.
 - d. The entire frontage improvements along E. Lake Hazel Road shall be completed with the first phase of development.
 - e. The proposed townhome units shall front on open space and not on the alleyway, especially those units facing the Ten Mile Creek.
 - f. Lot 2, Block 2 shall be a non-buildable lot in perpetuity owned and maintained by the future homeowner's association for the residential portion of this project and not owned and maintained by the future church, and the Church and future homeowner's association shall enter into a use agreement to ensure continued maintenance of this lot.
- ~~2. At least (10) days prior to the City Council hearing, the Applicant shall submit conceptual building elevations of the proposed townhome units.~~
 3. ~~Ten (10) days prior to the City Council hearing, the~~ The revised preliminary plat included in Section VII.CD, dated 04/15/2020 July 30, 2020, shall be revised as follows is approved as submitted.
 - ~~a. Add a note prohibiting direct lot access via E. Lake Hazel Road.~~
 - ~~b. Show Lot 34, Block 1, to include that common open space area outside of its fence, adding it to this lot and removing it from any common lot to eliminate a potential safety and crime hazard.~~
 - ~~c. Coordinate with the ACHD and Staff on the final position of the proposed alleyway for the townhome units that meets all required City and ACHD standards. This condition shall be satisfied at least ten (10) days prior to the City Council hearing or the project will be continued to a future date determined by Staff.~~

- ~~d. Provide traffic calming at the internal intersection to break up the block length of the proposed "Street A". Work with ACHD on appropriate measure to ensure pedestrian safety at this intersection.~~
4. ~~Ten (10) days prior to the City Council hearing, the The revised landscape plan included in Section VII.F, dated ~~05/04/2020~~ August 3, 2020, shall be revised as follows is approved.~~
 - a. ~~Label and depict the type of fencing proposed throughout the development; all fencing shall comply with the standards listed in UDC 11-3A-7.~~
 - b. ~~Revise the landscape plan to show the new layout and townhome units; any changes in landscape calculations shall also be reflected in the calculations table.~~
 - c. ~~Correct the landscape buffer along E. Lake Hazel to show the required 35 foot buffer width in accordance with the dimensional standards for R-15 zoning district, UDC 11-2A-7.~~
 5. ~~Ten (10) days prior to the City Council hearing, the open space exhibit included in Section VII.E shall be revised to show the required 35 foot landscape buffer along E. Lake Hazel and show this area in the calculations table.~~
 6. Future development shall be consistent with the R-15 dimensional standards listed in UDC Table 11-2A-7 for all buildable lots.
 7. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
 8. Staff recommends the Applicant work with ACHD on allowing the emergency only access as an additional access for the church site after the parcel to the west develops and provides a secondary access into the development.
 9. An exhibit shall 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 shall be depicted on the opposite side of the shared property line from the common driveway as set forth in UDC 11-6C-3D.
 10. The Applicant shall obtain Conditional Use Permit approval prior to development of the future church site, per UDC Table 11-2A-2.
 11. Administrative Design Review application is required to be submitted and approved prior to submittal of any building permit applications for single-family attached dwellings and townhomes, as applicable.
 12. Future homes along the proposed "Street A" shall provide variation in building setbacks to provide for an attractive streetscape. A master plan depicting varying building setbacks shall be submitted with the required design review applications.
 13. The Ten Mile Creek that abuts the subject site along its western boundary shall be protected during construction.
 14. 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.

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 very 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. ~~Prior to this application being considered by the Meridian City Council, the applicant shall be required to submit up to date ground water monitoring data based upon current adopted building codes, as well as any other updated geotechnical information or recommendations since the initial work by MTI back in 2003.~~
- 1.7 Due to the very 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-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 (MFD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=186859&dbid=0&repo=MeridianCity&cr=1>

D. POLICE DEPARTMENT (MPD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=186743&dbid=0&repo=MeridianCity>

E. BOISE PROJECT BOARD OF CONTROL (BPBC)

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

F. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188719&dbid=0&repo=MeridianCity>

G. CENTRAL DISTRICT HEALTH DEPARTMENT (CDH)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188182&dbid=0&repo=MeridianCity>

H. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190509&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

Council finds the proposed zoning map amendment to R-15 and proposed uses are consistent with the Comprehensive Plan, if all provisions of the Development Agreement and conditions of approval are complied with.

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

Council finds the proposed zoning map amendment will allow for the development of single-family detached homes which will contribute to the range of housing opportunities available within the City, consistent with the Comprehensive Plan, and the purpose statement of the residential districts.

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

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

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

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

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

Council finds the proposed annexation is in the best interest of the City per the Analysis in Section V.

B. Preliminary Plat Findings:

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

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

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

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

Council 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, Council 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;

Council 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,

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

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

Council is unaware of any significant natural, scenic or historic features that exist on this site that require preserving. The Ten Mile Creek does not reside on this property but its easement will be respected.



AGENDA ITEM

ITEM TOPIC: Development Agreement Between the City of Meridian and T&M Holdings, LLC (Owner/Developer) for Ascent Townhomes

DEVELOPMENT AGREEMENT

- PARTIES:**
1. City of Meridian
 2. T&M Holdings LLC, Owner/Developer

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this 6 day of August, 2020, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642 and **T&M Holdings LLC**, whose address is PO Box 2640, Eagle, ID 83616, hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner/Developer is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit "A", which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owners and/or Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code ("UDC"), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner/Developer have submitted an application for annexation and zoning of 5.25 acres of land with an R-15 (medium-high density residential) zoning district on the property listed in Exhibit "A" (attached), under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearing before the Meridian Planning and Zoning Commission and the Meridian City Council, as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested annexation and zoning before the Planning and Zoning Commission and the City Council, includes responses of government subdivisions providing services within the City of Meridian planning jurisdiction, and includes further testimony and comment; and

- 1.7 **WHEREAS**, on the 7th day of July, 2020, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.9 **WHEREAS**, Owner/Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation are in accordance with the amended Comprehensive Plan of the City of Meridian on October 11, 2016, Resolution No. 16-1173, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

- 2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.
- 3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:
 - 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
 - 3.2 **OWNER/DEVELOPER:** means and refers to **T&M Holdings LLC**, whose address is PO Box 2640, Eagle, ID 83616, the party that owns and is developing said Property and shall include any subsequent owners(s) or developer(s) of the Property.
 - 3.4 **PROPERTY:** means and refers to that certain parcel(s) of Property located in the County of Ada, City of Meridian as described in Exhibit “A” describing

the parcel to be bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owner/Developer shall develop the Property in accordance with the following special conditions:

- a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, qualified open space exhibit and conceptual building elevations included in Section VII of the Staff Report that attached to the Findings of Fact and Conclusions of Law attached as Exhibit “B” and the provisions contained therein.
- b. Future development shall comply with the design standards listed in the Architectural Standards Manual and the design guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP). An application for Design Review shall be submitted and approved for the single-family attached and townhome structures prior to submittal of building permit applications.
- c. The front yard of each individual lot shall be landscaped with a combination of lawn, groundcover, shrubs and trees as set forth in the TMISAP (see 3-37).
- d. The Homeowner’s Association shall be responsible for the maintenance of all landscaping within the development including that on individual homeowner lots as proposed by the Applicant.
- e. All structures in this development shall have pitched roofs with symmetrical hips or gables, with a pitch between 4:12 and 12:12 and have an overhang of at least 12 inches up to a maximum of 2.5 feet beyond the façade of the building. Roof brackets and rafter tails are encouraged as set forth in the TMISAP (see 3-41).
- f. Garages shall be designed with two (2) separate garage doors as set forth in the TMISAP (see 3-33).
- g. Public art with a high quality of design shall be incorporated into the design of streetscape along W. Franklin Rd. as set forth in the TMISAP (see 3-47).
- h. The temporary right-of-way easement via W. Franklin Rd. over the common lot (Lot 9, Block 6) shall be released when a local street connection is constructed to this site from a neighboring development; at such time, the easement shall be released and access will be restricted to emergency and pedestrian access only.

6. **COMPLIANCE PERIOD** This Agreement must be fully executed within six (6) months after the date of the Findings for the annexation and zoning or it is null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

- 7.1 **Acts of Default.** Either party's failure to faithfully comply with all of the terms and conditions included in this Agreement shall constitute default under this Agreement.
- 7.2 **Notice and Cure Period.** In the event of Owner/Developer's default of this Agreement, Owner/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.
- 7.3 **Remedies.** In the event of default by Owner/ Developer that is not cured after notice as described in Section 7.2, Owners/Developer shall be deemed to have consented to modification of this Agreement and de-annexation and reversal of the zoning designations described herein, solely against the offending portion of Property and upon City's compliance with all applicable laws, ordinances and rules, including any applicable provisions of Idaho Code §§ 67-6509 and 67-6511. Owners/Developer reserve all rights to contest whether a default has occurred. This Agreement shall be enforceable in the Fourth Judicial District Court in Ada County by either City or Owner/Developer, or by any successor or successors in title or by the assigns of the parties hereto. Enforcement may be sought by an appropriate action at law or in equity to secure the specific performance of the covenants, agreements, conditions, and obligations contained herein.
- 7.4 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.
- 7.5 **Waiver.** A waiver by City of any default by Owner/Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer’s inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the re-zoning of the Property by the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agree to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/ Developer agree to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:
City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

with copy to:
City Attorney
City of Meridian
33 E. Broadway Avenue
Meridian, Idaho 83642

OWNER/DEVELOPER:
T&M Holdings LLC
PO Box 2640
Eagle, ID 83616

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney's fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties' respective heirs, successors, assigns and personal representatives, including City's corporate authorities and their successors in office. This Agreement shall be binding on the Owner and/or Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner and/or Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, had determined that Owner and/or Developer have fully performed their obligations under this Agreement.

18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

20. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

21. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

21.1 No condition governing the uses and/or conditions governing re-zoning of the subject Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

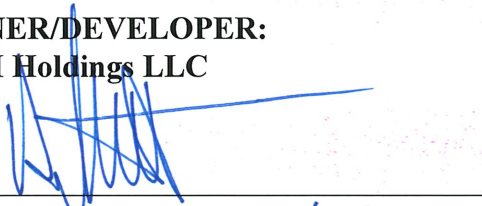
22. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective on the date the Meridian City Council shall adopt the amendment to the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property and execution of the Mayor and City Clerk.

[end of text; signatures, acknowledgements, and Exhibits A and B follow]

ACKNOWLEDGMENTS

IN WITNESS WHEREOF, the parties have herein executed this agreement and made it effective as hereinabove provided.

**OWNER/DEVELOPER:
T&M Holdings LLC**



By: _____
Its: *MANAGING MEMBER*

CITY OF MERIDIAN

ATTEST:

By: _____
Mayor Robert E. Simison

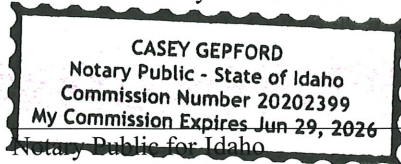
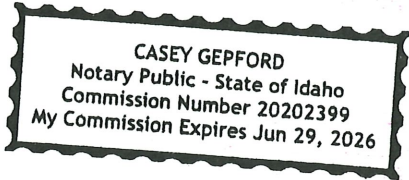
Chris Johnson, City Clerk

STATE OF IDAHO)
: ss:
County of Ada)

On this 6th day of Aug, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared **Douglas R McMaster**, known or identified to me to be the Manager of **TM Holdings LLC** and the person who signed above and acknowledged to me that he executed the same on behalf of said Corporation.

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

(SEAL)



Residing at: 1616 N 20th St Nampa ID 83687
My Commission Expires: 6/29/26

STATE OF IDAHO)
: ss:
County of Ada)

On this _____ day of _____, 2020, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the City of Meridian, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

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

(SEAL)

Notary Public for Idaho
Residing at: _____
Commission expires: _____

EXHIBIT A

EXHIBIT _____
Description For
**R-15 ZONE AND ANNEXATION
ASCENT SUBDIVISION**

A portion of the Southeast 1/4 of the Southwest 1/4 of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the S1/4 corner of said Section 10 from which the SW corner of said Section 10 bears North 89°15'34" West, 2640.54 feet;

thence along the South boundary line of said Section 10 North 89°15'34" West, 376.47 feet to the **REAL POINT OF BEGINNING**;

thence continuing along said South boundary line North 89°15'34" West, 366.65 feet;

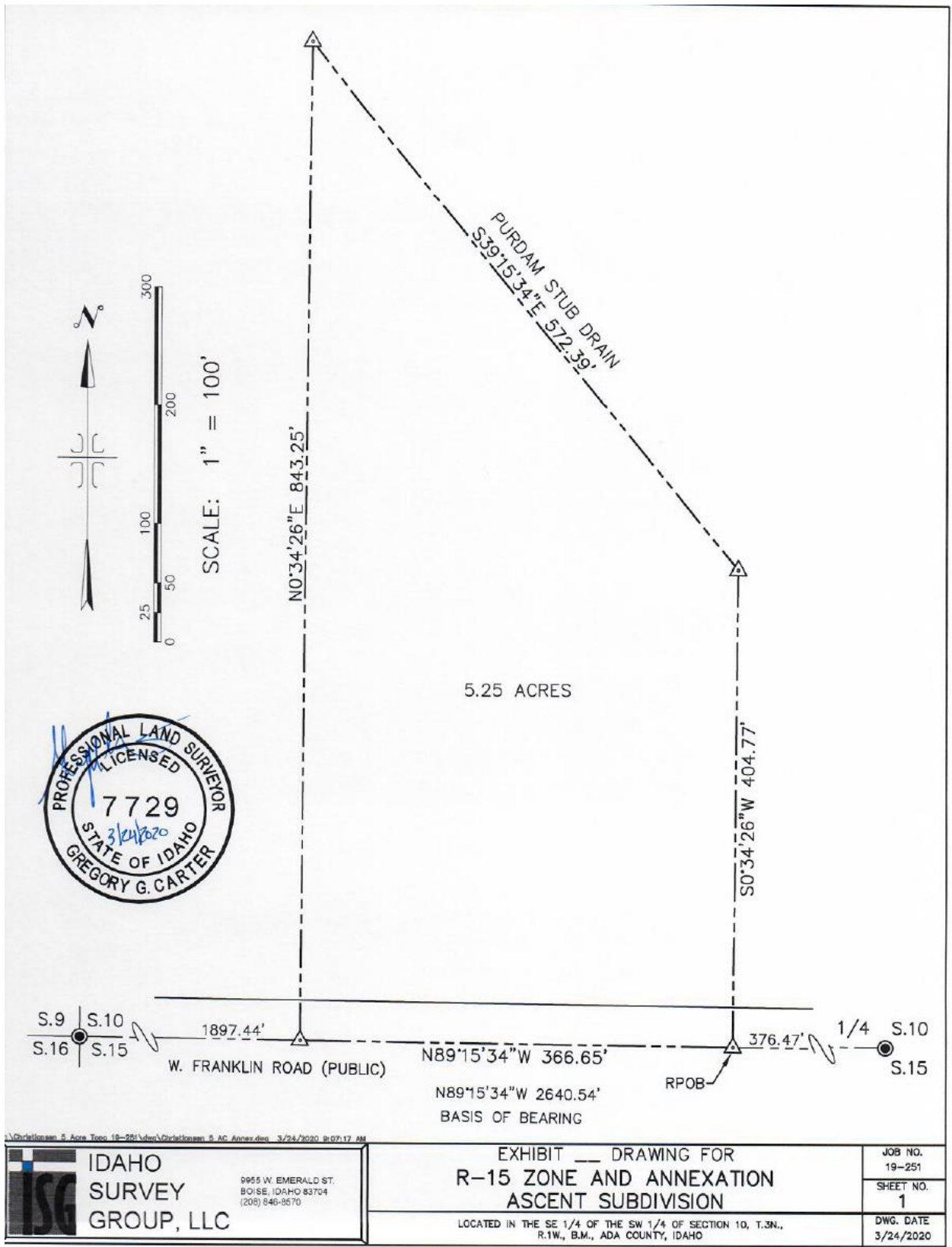
thence leaving said South boundary line North 00°34'26" East, 843.25 feet to a point on the approximate centerline of Purdam Stub Drain;

thence along said centerline South 39°15'34" East, 572.39 feet;

thence leaving said centerline South 00°34'26" West, 404.77 feet to the **REAL POINT OF BEGINNING**. Containing 5.25 acres, more or less.



EXHIBIT A



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



In the Matter of the Request for Annexation of 5.25 Acres of Land with an R-15 Zoning District; and Preliminary Plat Consisting of Forty-Three (43) Buildable Lots, Eleven (11) Common Lots and One (1) Other Lot on 4.97 Acres of Land in an R-15 Zoning District for Ascent Townhomes, by Matt Schultz, Schultz Development.

Case No(s). H-2020-0039

For the City Council Hearing Date of: June 23, 2020 (Findings on July 7, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of June 23, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of June 23, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of June 23, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of June 23, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of June 23, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for Annexation is hereby approved with the requirement of a Development Agreement; and Preliminary Plat is hereby approved per the provisions in the Staff Report for the hearing date of June 23, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the

agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

F. Attached: Staff Report for the hearing date of June 23, 2020

By action of the City Council at its regular meeting held on the 7th day of July, 2020.

COUNCIL PRESIDENT TREG BERNT VOTED YEA

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED YEA

COUNCIL MEMBER JESSICA PERREAULT VOTED -----

COUNCIL MEMBER LUKE CAVENER VOTED YEA

COUNCIL MEMBER JOE BORTON VOTED YEA


COUNCIL MEMBER LIZ STRADER VOTED YEA

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)



Mayor Robert E. Simison

Attest:



Chris Johnson
City Clerk



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

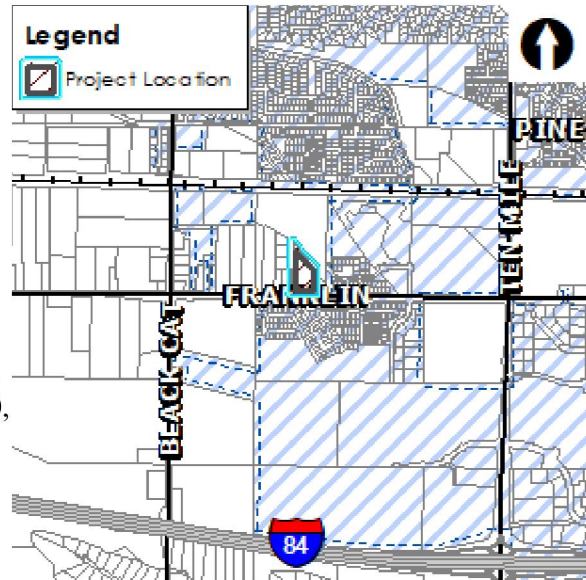
By: Charlene Way Dated: 7-7-2020
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: June 23, 2020
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2019-0122
 Ascent Subdivision
 LOCATION: North side of W. Franklin Rd., east of N. Black Cat Rd. in the SW ¼ of Section 10, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Annexation of 5.25 acres of land with an R-15 zoning district; and, Preliminary Plat consisting of 43 buildable lots, 11 common lots and 1 other lot on 4.97 acres of land in the R-15 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

| Description | Details | Page |
|---|--|------|
| Acreage | 4.97 (the configuration of the parcel has been verified to be an original parcel of record in accord with UDC 11-1A-1) | |
| Future Land Use Designation | MHDR (8-12 units/acre) in the TMISAP | |
| Existing Land Use | Agricultural | |
| Proposed Land Use(s) | Single-family attached and townhome dwellings | |
| Current Zoning | RUT in Ada County | |
| Proposed Zoning | R-15 | |
| Lots (# and type; bldg/common) | 43 building/11 common/1 other | |
| Phasing plan (# of phases) | 1 | |
| Number of Residential Units (type of units) | 43 units (4 attached units & 39 townhome units) | |
| Density (gross & net) | 8.65 gross/16.93 net | |
| Open Space (acres, total [%] / buffer / qualified) | 0.55 of an acre (11.5%) | |
| Amenities | Tot lot with a children's play structure | |
| Physical Features (waterways, hazards, flood plain, hillside) | The Purdam Stub Drain crosses the northeast boundary of this site | |

| | | |
|--|--|--|
| Neighborhood meeting date; # of attendees: | March 24, 2019; 4 attendees | |
| History (previous approvals) | H-2019-0122 Ascent Subdivision (withdrawn) | |

B. Community Metrics

| Description | Details | Page |
|--|---|------|
| Ada County Highway District | | |
| • Staff report (yes/no) | Yes (draft) | |
| • Requires ACHD Commission Action (yes/no) | No | |
| • Existing Conditions | Franklin Rd. was widened to 5-lanes in 2017 and fully improved with curb, gutter and sidewalk abutting the site; no ROW is required to be dedicated and no frontage improvements are required. | |
| • CIP/IFYWP | Capital Improvements Plan (CIP) / Integrated Five Year Work Plan (IFYWP): <ul style="list-style-type: none"> Black Cat Road is listed in the CIP to be widened to 5-lanes from Cherry Lane to Franklin Road between 2021 and 2025. Black Cat Road is listed in the CIP to be widened to 3-lanes from Overland Road to Franklin Road between 2026 and 2030. | |

| | | |
|---|--|--|
| Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed) | One temporary (1) access proposed via W. Franklin Rd., an arterial street | |
| Traffic Level of Service | Acceptable (Better than “E”) – Franklin & Ten Mile Roads | |
| Stub Street/Interconnectivity/Cross Access | 2 stub streets are proposed to the west and 2 stub streets are proposed to the east for future extension; no stub streets exist to this site | |
| Existing Road Network | None | |
| Existing Arterial Sidewalks / Buffers | Existing sidewalk on Franklin; no buffer | |
| Proposed Road Improvements | None | |

| | | |
|----------------------------|--|--|
| Fire Service | | |
| • Distance to Fire Station | 3.4 miles – split between Fire Stations #1 and #6 | |
| • Fire Response Time | Falls within 5 minute response time | |
| • Resource Reliability | 63% for Fire Station #1; unknown for Station #6 – does <i>not</i> meet the target goal of 80% or greater | |
| • Risk Identification | Risk factor of 2 – current resources would <i>not</i> be adequate to supply service to this project (see comments in Section VIII.C) | |
| • Accessibility | Project meets all required access, road widths and turnarounds | |
| • Special/resource needs | An aerial device is not required; the closest truck company is 6 minutes travel time (under ideal conditions) – Fire Dept. can meet this need in the required timeframe. | |
| • Water Supply | Requires 1,500 gallons per minute for 2 hours; may be less if building is fully sprinklered, which all are proposed to be | |
| • Other Resources | NA | |

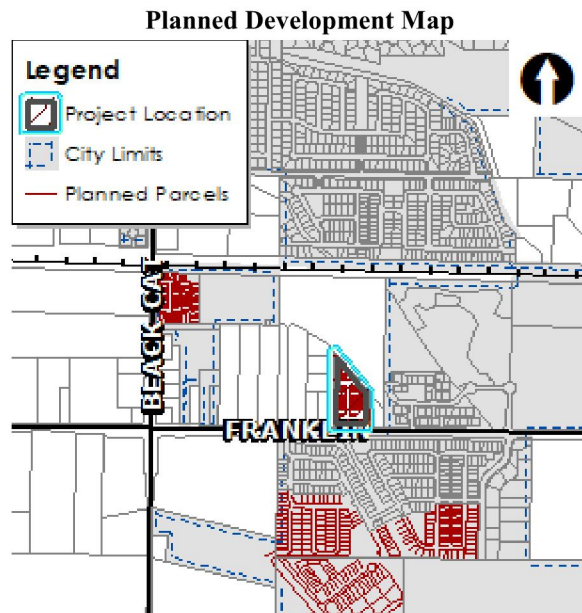
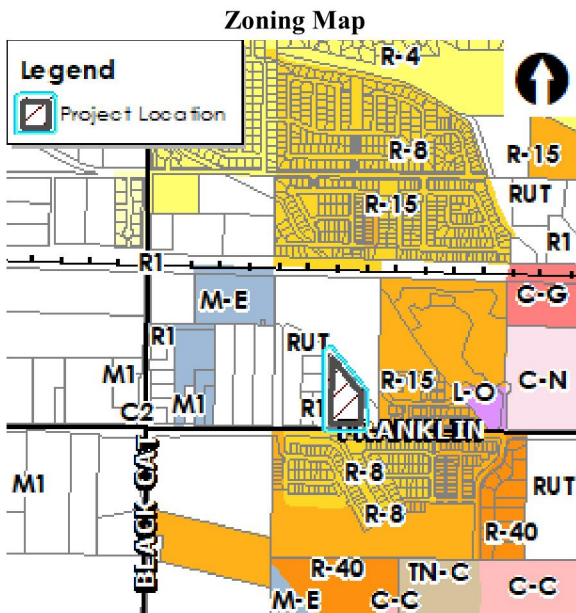
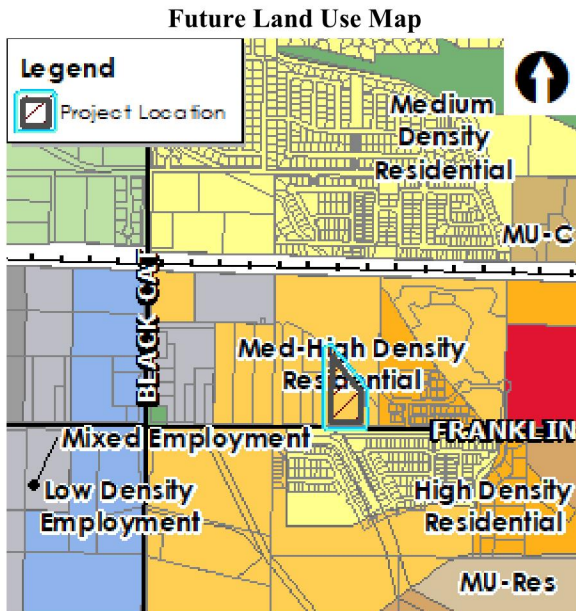
| Police Service | |
|------------------------------|---|
| • Distance to Police Station | 3.5 miles |
| • Police Response Time | 3:5 minutes |
| • Calls for Service | 1,372 within a mile of site (2/1/2019 – 1/31/2020) |
| • Accessibility | No issues with the proposed access |
| • Specialty/resource needs | No additional resources are required at this time; the PD already services the area |
| • Crimes | 141 within a mile of site (2/1/2020 – 1/31/2020) |
| • Crashes | 44 within a mile of site (2/1/2020 – 1/31/2020) |

| West Ada School District | | | | | | | | | | | | | | | | | |
|---|---|----------|-------------------------|----------|-------------------------|----------------------|-----|-----|-----|------------------------|------|------|-----|----------------------|------|------|-----|
| 1. Distance (elem, ms, hs) | <table border="1"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles (Dist. to School)</th> </tr> </thead> <tbody> <tr> <td>Peregrine Elementary</td> <td>562</td> <td>650</td> <td>2.3</td> </tr> <tr> <td>Meridian Middle School</td> <td>1192</td> <td>1250</td> <td>3.2</td> </tr> <tr> <td>Meridian High School</td> <td>1965</td> <td>2400</td> <td>1.9</td> </tr> </tbody> </table> | | Enrollment | Capacity | Miles (Dist. to School) | Peregrine Elementary | 562 | 650 | 2.3 | Meridian Middle School | 1192 | 1250 | 3.2 | Meridian High School | 1965 | 2400 | 1.9 |
| | Enrollment | Capacity | Miles (Dist. to School) | | | | | | | | | | | | | | |
| Peregrine Elementary | 562 | 650 | 2.3 | | | | | | | | | | | | | | |
| Meridian Middle School | 1192 | 1250 | 3.2 | | | | | | | | | | | | | | |
| Meridian High School | 1965 | 2400 | 1.9 | | | | | | | | | | | | | | |
| 2. Capacity of Schools | | | | | | | | | | | | | | | | | |
| 3. # of Students Enrolled | Due to the abundant amount of growth in the area, West Ada is actively building new schools, and boundaries are always changing. These future students could potentially attend Pleasant View Elementary, and Owyhee High School. | | | | | | | | | | | | | | | | |
| 4. # of students predicted for this development | 34 | | | | | | | | | | | | | | | | |

| Wastewater | |
|--|---------------------------|
| • Distance to Sewer Services | Directly adjacent |
| • Sewer Shed | South Black Cat Trunkshed |
| • Estimated Project Sewer ERU's | See application |
| • WRRF Declining Balance | 13.92 |
| • Project Consistent with WW Master Plan/Facility Plan | Yes |
| • Impacts/Concerns | None |

| Water | |
|---|-------------------|
| • Distance to Water Services | Directly adjacent |
| • Pressure Zone | 2 |
| • Estimated Project Water ERU's | See application |
| • Water Quality Concerns | None |
| • Project Consistent with Water Master Plan | Yes |
| • Impacts/Concerns | None |

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Matt Schultz, Schultz Development – PO Box 1115, Meridian, ID 83680

B. Owner:

Christiansen Family Limited Partnership – 576 E. Vivid Sky Dr., Meridian, ID 83642

C. Representative:
Same as Applicant

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|---|---|--------------------------------------|
| Newspaper notification published in newspaper | 5/13/2020 | 6/5/2020 |
| Radius notification mailed to property owners within 300 feet | 5/12/2020 | 6/2/2020 |
| Public hearing notice sign posted on site | 5/12/2020 | 6/10/2020 |
| Nextdoor posting | 5/12/2020 | 6/2/2020 |

V. COMPREHENSIVE PLAN ANALYSIS

Staff’s analysis on the project’s consistency with the guidelines in the TMISAP applicable to this development are in italics.

LAND USE:

This property is designated MHDR (Medium High Density Residential) on the Future Land Use Map in the [Comprehensive Plan](#) and is within the area governed by the Ten Mile Interchange Specific Area Plan ([TMISAP](#)).

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 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.

Per the TMISAP, MHDR designated areas should include a mix of housing types such as row houses, townhouses, condominiums and apartments with higher densities near MU-C and Employment designated areas transitioning to smaller-scale and lower density buildings as the distance increases from higher intensity uses. *The proposed development includes a mix of single-family attached dwellings and townhome units at a gross density of 8.65 units per acre is consistent with the mix of uses and density desired in MHDR designated areas. Part of the larger MHDR (& HDR) designated area to the east closer to MU-C designated land has already developed with apartments at a higher density as desired; the remainder of the MHDR designated area surrounding this site has not yet developed.*

TRANSPORTATION:

The ACHD Capital Improvements Plan (CIP)/Integrated Five Year Work Plan (IFYWP) lists Black Cat Rd. to be widened to 5 lanes from Cherry Ln. to Franklin Rd. between 2021 and 2025; and Black Cat Rd. to be widened to 3 lanes from Overland Rd. to Franklin Rd. between 2026 and 2030. Franklin Rd. was widened to 5 lanes in 2017 and fully improved with curb, gutter and sidewalk abutting the site.

Street Network (3-17): The Transportation System Map included in the TMISAP does not depict any streets planned through this site.

Connectivity (3-17): *Connectivity to adjacent parcels is proposed with two (2) stub streets to the west and two (2) stub streets to the east which will result in connected neighborhoods and better access for emergency personnel in accord with the Plan. Perugia St., a local street to the east should connect to the northern east/west street (W. Tomahawk St.) in this development when the property to the east redevelops, which will provide a connection to Franklin Rd. via Umbria Hills Ave.*

Access Control (3-17): *In order to move traffic efficiently through the Ten Mile area, direct access via arterial streets is prohibited except for collector street connections. Until the property to the north redevelops and a street network is established in this area, this site has no other access than W. Franklin Rd., an arterial street. A temporary access via Franklin is proposed until such time as access is available from the adjacent property then the access will be closed except for emergency and pedestrian access, in accord with the Plan.*

Complete Streets (3-19): *The TMISAP incorporates the concept of “complete streets,” meaning all streets should be designed to serve all users, including bicycles and pedestrians unless prohibited by law or where the costs are excessive or where there’s clearly no need (pg. 3-19). The proposed development includes attached and detached sidewalks for pedestrian use and on-street parking but no bicycle lanes; because no collector streets are proposed, Staff does not recommend bicycle lanes are required.*

Streetscape (3-25): *All streets should include street trees within the right-of-way. The proposed development incorporates tree-lined streets with detached sidewalks along the main north/south street (W. Chair Lift St.) through the development from Franklin Rd. adjacent to alley-loaded lots. The east/west streets (W. Chair Lift St. & W. Ski Hill St.) that provide access to front-loaded lots adjacent to Franklin Rd. (Lots 1-7, 11-14, Block 6 and Lots 3-4, Block 5) and two other front-loaded lots (Lots 2-3, Block 1) at the north end of the development have attached sidewalks. **To more closely comply with the Plan, Staff recommends detached sidewalks with 6’ (with root barriers) or 8’ wide landscaped parkways (without root barriers) are provided along both sides of W. Ski Hill St. and W. Chair Lift St. which could be accommodated through narrower streets in these areas consistent with Traditional Neighborhood design.***

DESIGN:

Street-Oriented Design – Residential Buildings (3-33): *Usable porches should be a dominant element of these building types. Porches should be located along at least 30% of the front façade of the buildings (the façade facing the primary street) although a higher percentage is recommended as is porches on one or more facades as well. When possible, garages should be loaded from a rear alleyway. **Where garages must be accessed from the front, the garages must be located no less than 20’ behind the primary façade of the residential structure. Front-loaded 2-car garages that are visible from the primary street must be designed with two (2) separate garage doors.***

*The proposed alley-loaded townhomes have porches along 40% of the street frontage; front-loaded townhomes and single-family attached dwellings do not have porches facing the internal street but do have covered patios facing Franklin Rd. at 56% of the street frontage although they won’t be visible because a 6’ tall solid vision fence is proposed to provide privacy of rear yards. **Front-loaded garages are not located 20’ behind the primary façade of the structure, nor do they have two (2) separate garage doors as required. With the current lot configuration, compliance with the garage setback requirement is not possible – lots would need to be widened and the number of units reduced to comply. If the number of units are reduced by 3 or fewer, the density of the development will still comply with that desired in the Ten Mile area; however, if reduced by 4 or more, the density will be below that desired in the Ten Mile area. Staff recommends the Applicant explore alternate design options to comply with this requirement while maintaining a gross density of at least 8 units per acre; an alternate plan should be submitted in accord with this provision prior to the City Council hearing.***

All of the proposed elevations for front-loaded homes depict one garage door instead of separate garage doors for each parking space as required – these elevations should be revised to reflect separate garage doors for each parking space in accord with the Plan.

Buildings to Scale (3-34): The key elements to consider are the continuity of building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space and public parking. Human-scale design is critical to the success of built places for pedestrians. *Staff believes the proposed 2-story homes demonstrate continuity of building sizes within the development; the street level and upper level architectural detailing corresponds with each other to unify the design, while the awnings and overhangs over the first story along with tree-lined streets and ground floor windows anchor and emphasize the pedestrian scale of the development as desired.*

Neighborhood Design (3-36): In the Ten Mile area, all residential neighborhoods should be developed in consideration of traditional neighborhood design principles and concepts, which include mixed housing stock, architecture and design, streetscapes and streets. A mix of housing stock is proposed consisting of single-family attached and townhome dwellings, which contribute to the diversity of housing stock desired in this area. Currently, front- and alley-loaded single-family detached homes, townhomes, and multi-family apartments exist in this area. Relatively short block lengths are proposed with several stub streets to adjacent properties, which allows for better and more convenient pedestrian and vehicle connectivity. **Staff recommends landscaped parkways are provided throughout the development for a streetscape consistent with the Ten Mile Plan and neighborhood design concepts.**

Building Form and Character (3-37): Architectural character should establish a clear sense of place and distinct identity in each activity center and neighborhood while each building should maintain a degree of individuality. *The proposed conceptual elevations demonstrate the coordination of key design elements, materials and colors, while maintaining individuality for each unit (see Section VIII.F).*

Building Facades: The primary facade of the structures should be placed at the minimum setback as close as possible to the street for a consistent street-scape. The primary façade should always include an entry into the building as close as possible from the primary street for direct access from adjacent public spaces. The space between a building facade and the adjacent sidewalk should be appropriately landscaped with a combination of lawns, groundcover, shrubs and trees. *The Applicant states the individual yards will be maintained by the HOA for a consistent appearance; Staff recommends a combination of lawn, groundcover, shrubs and trees are provided in each front yard as desired in the Plan.*

Building Heights: Low-rise buildings of 2-4 stories in height over much of the area is desired. *The proposed attached and townhome units are all 2-stories in height in accord with the Plan.*

Stoop Frontage: For street and block frontages along residential streets and areas with a moderate amount of pedestrian activity, it is *recommended* that ground floor elevations be 18 to 24 inches above sidewalk grade and that the individual units open directly onto adjacent rights-of-way. *Because this is a smaller development and isn't in a mixed use area, there won't be a lot of non-local pedestrian activity; therefore, Staff doesn't recommend required compliance with this guideline.*

Porch and Fence Frontage: The porch and fence frontage provides a building façade set back from the street to allow room for a private fenced yard, which signals the break between the public realm of the street and sidewalk to the private realm of the yard and porch. Porches along the front of the building allow residents the opportunity to interact and engage in activities in the public domain

while maintaining a level of privacy. *Although not a requirement, Staff recommends the Applicant consider this guideline in the design of the project.*

Roofs: Because the Ten Mile Area includes a wide variety of individual buildings, it's assumed there will be a mix of flat and pitched roofs. **Pitched roofs are required for MHDR designated areas and should be, where possible, symmetrical hips or gables, with a pitch between 4:12 and 12:12 and have an overhang of at least 12 inches. The overhang can extend to a maximum of 2.5' beyond the façade of the building. Roof brackets and rafter tails are encouraged. Staff recommends the proposed structures include roofs consistent with this guideline.**

Public Art (3-47): Public art with a high quality of design should be incorporated into the design of streetscapes. No public art is proposed. **Staff recommends public art is provided in the streetscape in accord with the Plan; this could be incorporated into the subdivision identification sign.**

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

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

The proposed medium high density attached and townhome units will contribute to the variety of residential categories in the Ten Mile area as desired.

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

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

- “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)

Two housing types (i.e. single-family attached and townhomes) are proposed in this development which contributes to the variety of housing types in this area. Lot sizes are proposed ranging in size from 2,057 to 6,036 with an average lot size of 2,492 square feet (s.f.) which will accommodate the proposed 2-story attached and townhome units.

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

The proposed residential dwellings and site design should be compatible with future development on adjacent properties that are also designated for MHDR uses.

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

The proposed plat depicts a large usable common open space area at the east boundary of the site with children’s play equipment as an amenity and detached sidewalks with landscaped parkways. Sidewalks are proposed along all stub streets to adjacent properties, which provide for pedestrian connectivity; no segments of the City’s regional pathway are planned on this site.

- “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 proposed to

be provided to and though this development in accord with current City plans.

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

Urban sewer and water infrastructure and curb, gutter and sidewalks is required to be provided with development as proposed.

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

The proposed development plan is consistent with the City’s vision in terms that medium high density residential uses are proposed. Public services and infrastructure are proposed to be provided.

In summary, Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation.

VI. STAFF ANALYSIS

A. ANNEXATION & ZONING

The Applicant requests annexation of 5.25 acres of land with an R-15 (Medium High-Density Residential) zoning district consistent with the Medium High Density Residential (MHDR) Future Land Use Map (FLUM) designation in the Comprehensive Plan. A preliminary plat, landscape plan and conceptual building elevations were submitted showing how the property is planned to develop with 39 townhome and 4 single-family attached units (see Section VIII).

Based on the analysis above in Section V, Staff is of the opinion the requested annexation with the R-15 zoning and proposed development is consistent with the MHDR FLUM designation for this site.

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 VII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section VIII.**

B. PRELIMINARY PLAT

The proposed preliminary plat consists of 43 building lots, 11 common lots and 1 other lot on 4.97 acres of land in the proposed R-15 zoning district. The minimum lot size proposed is 2,057 with an average lot size of 2,492 square feet (s.f.). The plat is proposed to develop in one phase.

Existing Structures/Site Improvements:

There are no existing structures on this site, the site is vacant/undeveloped.

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

The proposed subdivision and subsequent development is required to comply with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 district. Staff has reviewed the proposed plat and it complies with these standards. **Zero lot lines should be depicted on the plat where single-family attached and townhome structures are proposed to span across lot lines.**

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

One temporary right-of-way access easement is proposed on Lot 9, Block 6 via W. Franklin Rd., an arterial street; two (2) local stub streets are proposed to the west and two (2) are proposed to the east for

future extension and interconnectivity. The temporary right-of-way easement is required to be released when a local street connection is constructed to this site from a neighboring development; at such time, the access will be restricted to emergency and pedestrian access only.

Twenty (20) foot wide public alleys are proposed for access to rear-loaded units along N. Ascent Ave. in accord with the standards listed in UDC 11-6C-3B.5. **All alleys should be signed “No Parking Fire Lane” and have an address sign at each entrance to the alley; each residence that has a back to an alley should have an address posted on the front of the building as well as on the alley side.**

Secondary emergency access to the site is not required by the Fire Dept. because all of the structures will be sprinklered. This property does not have an access easement via Zimmerman Ln., the private lane along the west boundary of the site which is part of the property to the north.

Pathways (UDC 11-3A-8):

There are no pathways depicted on the Pathways Master Plan for this property.

Sidewalks (UDC 11-3A-17):

A detached sidewalk was recently constructed along the frontage of this site adjacent to W. Franklin Rd. when ACHD widened Franklin Rd. in accord with UDC standards. Detached sidewalks are proposed along the main north/south street (i.e. N. Ascent Ave.) in front of alley-loaded homes; **Staff recommends detached sidewalk are also provided along all other internal streets as well in accord with traditional neighborhood design guidelines in the Comprehensive Plan.**

Parkways (UDC 11-3A-17):

A 10-foot wide parkway with a drainage swale exists along Franklin Rd. between the curb and detached sidewalk constructed by ACHD with the road widening project; because this area is within the right-of-way, no trees are allowed. Native vegetation (grasses and flowers) was planted in this area and will be maintained by the HOA. **All parkways within the site adjacent to detached sidewalks shall be landscaped per the standards listed in UDC 11-3B-7C.**

Landscaping (UDC 11-3B):

A 25-foot wide street buffer is required along W. Franklin Rd. (measured from back of curb), landscaped per the standards in UDC Table 11-3B-7C. A 35-foot wide buffer is proposed with landscaping in accord with UDC standards.

Landscaping is required in common open space areas in accord with the standards listed in UDC 11-3G-3E. Trees are proposed exceeding UDC standards; however, **detailed calculations should be included in the Landscape Requirements table demonstrating compliance.**

Qualified Open Space & Site Amenities (UDC 11-3G):

Because the area of the preliminary plat is below 5 acres in size, the qualified open space and site amenity standards listed in UDC 11-3G-3 do not apply. However, the Applicant did submit a qualified open space exhibit, included in Section VIII.F, depicting 0.55 of an acre (or 11.5%) of qualified open space consisting of a large grassy common area, half the street buffer along Franklin Rd. and parkways along the detached sidewalk in front of alley-loaded homes. This calculation will actually be greater as Staff recommends parkways are provided along all internal streets.

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

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

A 6-foot tall open wrought iron fence is proposed along the northeast boundary adjacent to the Purdam Drain; and a 6-foot tall vinyl fence is proposed along the west, east and south boundaries in accord with UDC standards.

Parking: On-site parking for each unit is required per the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit. Two car garages with two (2) parking pads per unit are proposed in accord with UDC standards. A total of 32 on-street parking spaces are also available for guests per the exhibit in Section VIII.E.

Waterways: The Purdam Stub Drain, an NMID facility, runs along the northeast boundary of this site within a 65’ wide easement (25’ on this property). Any encroachment within this easement will require a License Agreement with NMID. The drain is proposed to be piped with this development in a common lot with an exclusive NMID access easement; the HOA will be responsible for maintenance of this lot. **The common lot should contain grass to prevent weeds if allowed by NMID. If not allowed, a letter to that affect should be submitted from NMID.**

Utilities (UDC 11-3A-21):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City’s adopted standards, specifications and ordinances. *See Section VIII.B below for Public Works comments/conditions.*

This project will be serviced by existing 8-inch water and sewer main stubs in W. Franklin Rd.

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for each lot within the development as set forth as set forth in UDC 11-3A-15.

Primary pressure irrigation will be provided by Nampa & Meridian Irrigation District (NMID) via an existing regional pump station for Baraya Subdivision directly south of this site across Franklin Rd.

Storm Drainage (UDC 11-3A-18):

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

Storm drainage will be mitigated by underground seepage beds and/or shallow landscaped retention areas. Drainage swales exist within the parkway along W. Franklin Rd.

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

Conceptual building elevations were submitted for the proposed 2-story townhome structures as shown in Section VII.F. Dwellings are proposed to be configured in 2, 3 and 4 attached units. Building materials are proposed to consist of a mix of horizontal and board & batten siding in a variety of colors with stone veneer accents. Dwelling units range in size from 1,400 to 1,600 square feet. Each alley-loaded unit has a front porch and each front-loaded unit has a covered patio but not a front porch as required.

Final design is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP as stated herein. Submittal and approval of a Design Review application is required prior to submittal of building permit application(s).

VII. DECISION

A. Staff:

Staff recommends approval of the proposed Annexation & Zoning with the requirement of a Development Agreement and Preliminary Plat per the conditions included in Section VIII in accord with the Findings in Section IX.

- B. The Meridian Planning & Zoning Commission heard these items on May 28, 2020. At the public hearing, the Commission moved to recommend approval of the subject AZ and PP requests.
1. Summary of Commission public hearing:
 - a. In favor: Matt Schultz, Applicant’s Representative
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Matt Schultz, Applicant’s Representative (response to the staff report)
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 2. Key issue(s) of public testimony:
 - a. None
 3. Key issue(s) of discussion by Commission:
 - a. Question regarding if there is a berm proposed within the street buffer along Franklin Rd. – the Applicant replied a 2-3’ tall berm is proposed;
 - b. In favor of the diversity of housing types proposed;
 - c. In favor of the open space & site amenity proposed which is above and beyond UDC requirements;
 - d. In support of the proposed design over that previously proposed.
 4. Commission change(s) to Staff recommendation:
 - a. Recommend approval of waiver to DA provision #A.f as requested by the Applicant;
 - b. Applicant to work with staff to determine the best type and placement of public art to be provided in the streetscape along Franklin Rd.
 5. Outstanding issue(s) for City Council:
 - a. The Applicant requests a waiver to DA provision #A.f, which requires front-loaded garages to be located no less than 20’ behind the primary façade of the residential structure.
- C. The Meridian City Council heard these items on June 23, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.
1. Summary of the City Council public hearing:
 - a. In favor: Matt Schultz, Applicant’s Representative
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Susan Quarnstrom
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 2. Key issue(s) of public testimony:
 - a. None
 3. Key issue(s) of discussion by City Council:
 - a. Discussion and questions pertaining to the Applicant’s request for a “waiver” to the recommended DA provision (#A.f) requiring the garages to be set back 20 feet behind the primary façade of the structure and the purpose of such requirement
 - b. The feasibility of providing more parking for the development – the Applicant stated more parking could possibly be provided in the common open space area on the east side of the site);
 4. City Council change(s) to Commission recommendation:
 - a. Council approved the Applicant’s request for a waiver of DA provision #A.f to not require garages to be set back behind the primary façade as desired in the TMISAP;

Item #9.

Council did not approve the Applicant's request for a waiver from the requirement for public art to be provided.

VIII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map

EXHIBIT ___
Description For
**R-15 ZONE AND ANNEXATION
ASCENT SUBDIVISION**

A portion of the Southeast 1/4 of the Southwest 1/4 of Section 10, Township 3 North, Range 1 West, Boise Meridian, Ada County, Idaho being more particularly described as follows:

Commencing at the S1/4 corner of said Section 10 from which the SW corner of said Section 10 bears North 89°15'34" West, 2640.54 feet;

thence along the South boundary line of said Section 10 North 89°15'34" West, 376.47 feet to the **REAL POINT OF BEGINNING**;

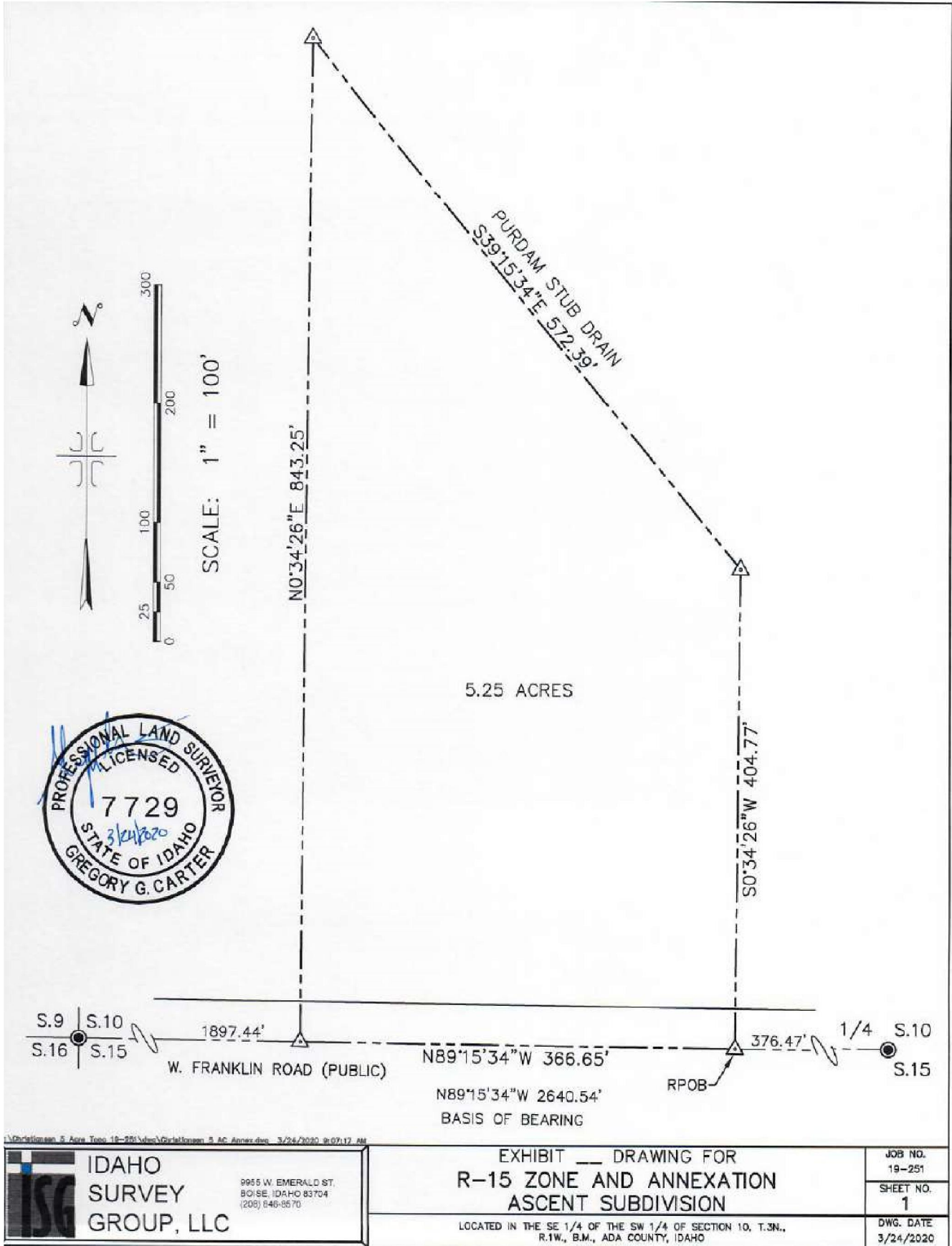
thence continuing along said South boundary line North 89°15'34" West, 366.65 feet;

thence leaving said South boundary line North 00°34'26" East, 843.25 feet to a point on the approximate centerline of Purdam Stub Drain;

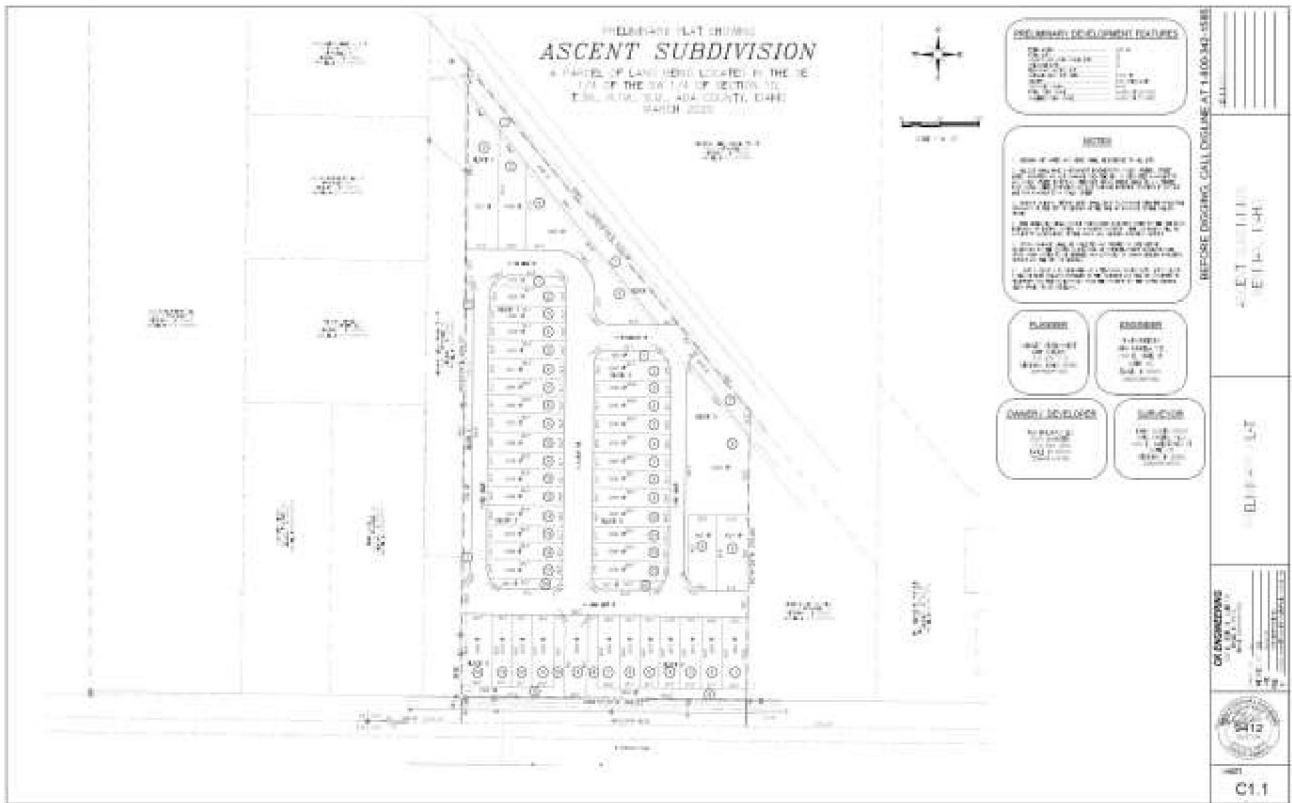
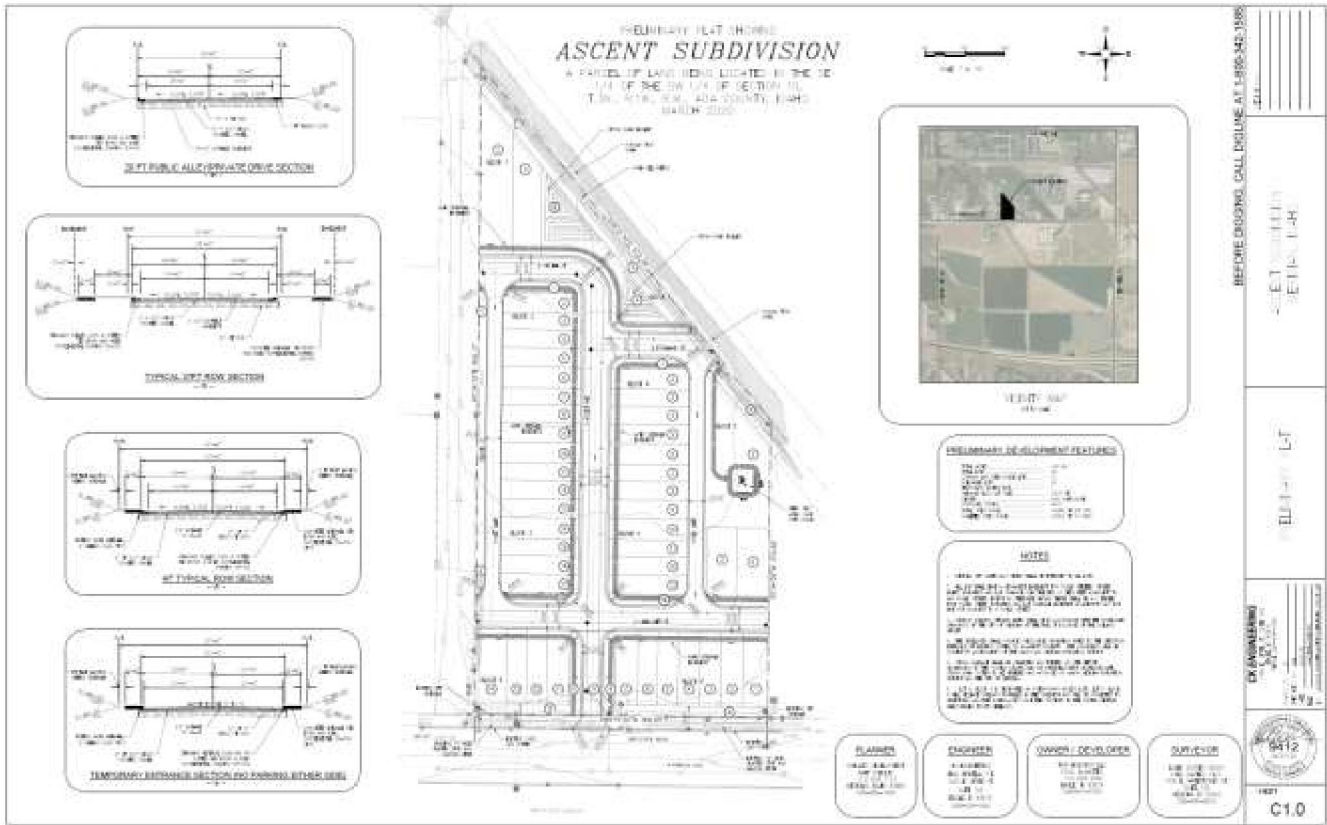
thence along said centerline South 39°15'34" East, 572.39 feet;

thence leaving said centerline South 00°34'26" West, 404.77 feet to the **REAL POINT OF BEGINNING**. Containing 5.25 acres, more or less.

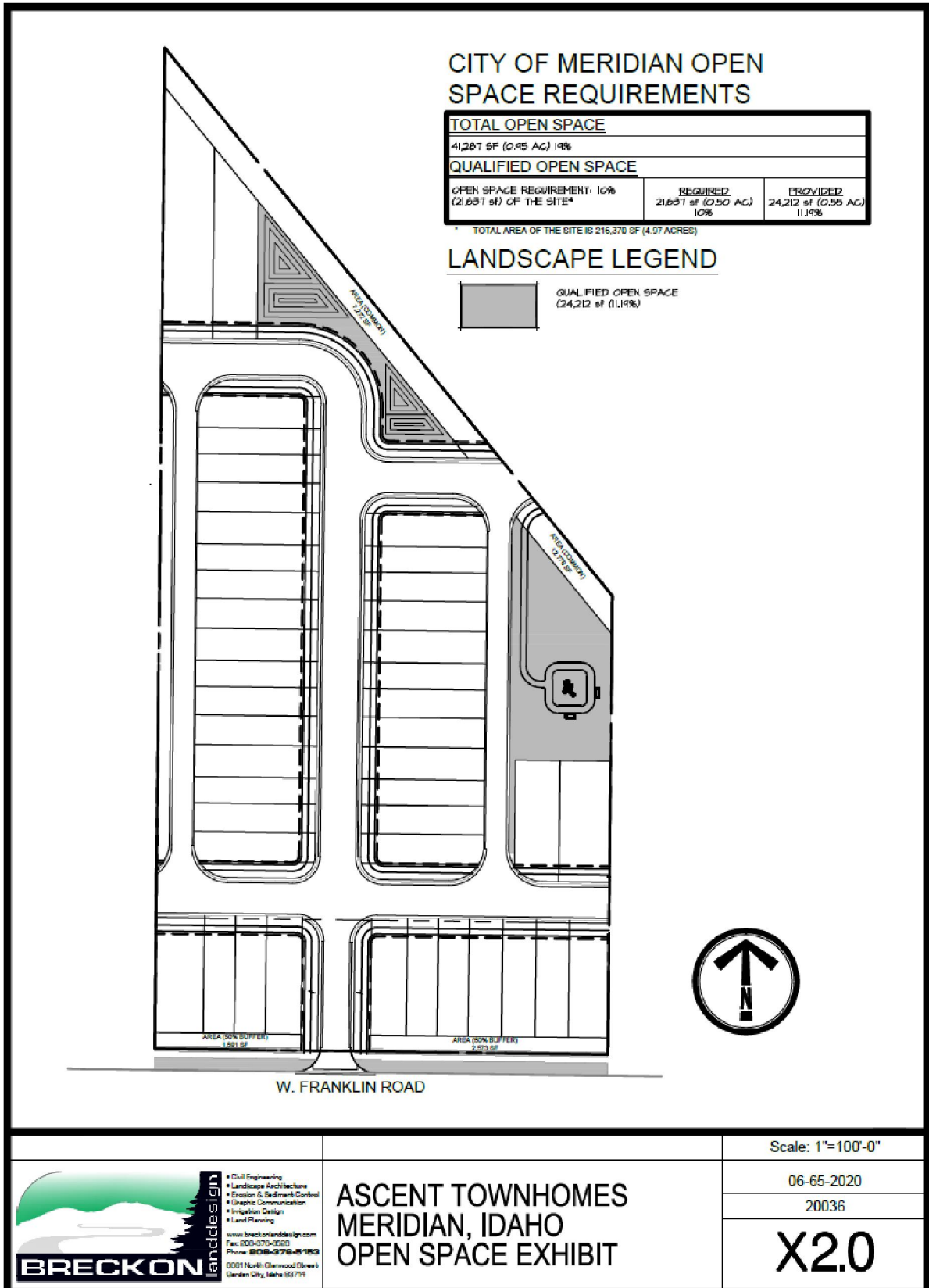




B. Preliminary Plat (date: 6/1/2020) - REVISED



D. Qualified Open Space Exhibit (REVISED) & Site Amenity Detail



• Civil Engineering
 • Landscape Arch/Structure
 • Erosion & Sediment Control
 • Graphic Communication
 • Irrigation Design
 • Land Planning
 www.breckonlandesign.com
 Fax: 208-378-8528
 Phone: 208-378-8188
 8881 North Glenwood Street
 Garden City, Idaho 83714

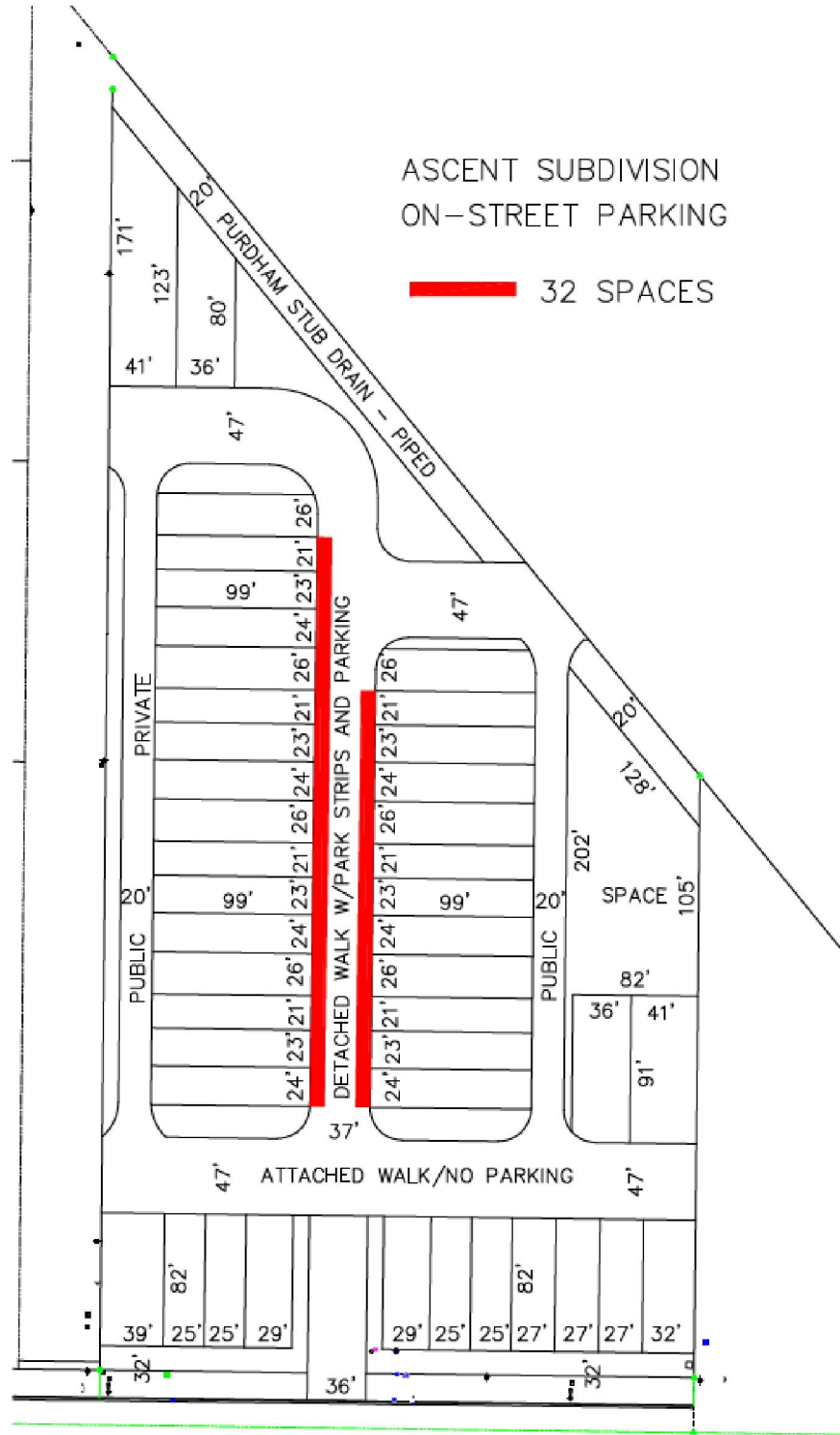
**ASCENT TOWNHOMES
MERIDIAN, IDAHO
OPEN SPACE EXHIBIT**



Compliance:
 This play structure has been designed to meet the safety requirements established in:
 • 2010 ADA Standard
 • ASTM F 1487
 • CPSC Pub #325
 when the play structure is installed over a properly maintained surfacing material which is in compliance with:
 • ASTM F 1292
 • ASTM F 1951
 and is appropriate for the highest designated play surface of the structure.

| | | | |
|--------------------|---------------------|--|--|
| Ascent Subdivision | Drawing No: KP-1614 | | Structure Size: 16'5" x 16'2" x 11' Recommended Use Zone: 28'5" x 28'2" Surface Area: 1092 sq ft |
| | Date: 26/03/2020 | | HDPS: 48" Age Group: 2-6 Capacity: 20-24 |
| | Scale: To Fit | | Recreation Today www.recreationtoday.net 800.481.8705 |

E. On-Street Parking Exhibit



F. Conceptual Building Elevations/Perspectives & Floor Plans – REVISED 5/21/20



1 FRONT ELEVATION



2 REAR ELEVATION

Front-Loaded Attached Homes

EXTERIOR COLOR SCHEME #3

- ROOF: DARK GRAY, 24 HOUR ARCHITECTURAL SHINGLES, BLACK
- METAL PANEL: STAINLESS STEEL METAL, ROOF PANEL, GRAY
- WALL PANEL: WHITE PANDA / BUTTERNUT, MULTI-FINISH & LUMBER, WHITE
- WALL PANEL: BLUE COLOR 1, SUGAR MAPLE, CROWN SUEDE, 2" EXPOSED LAP SIDING
- WALL PANEL: BLUE COLOR 2, SUGAR MAPLE, CROWN SUEDE, 2" EXPOSED LAP SIDING
- ACCENT COLOR 1: WOODSTONE SIDING, MULTI-FINISH LAP, SUMMER WHEAT, 2" EXPOSED LAP SIDING
- WALL PANEL: BOARD & BATTEN, CLASSICAL, WHITE SIDING
- ACCENT: ALWAYS SELECT GRIDS FOR PLAN ELEVATION
- EXTERIOR STONE: EL DORADO STONE, MEXICANAL LEON, 1/4" SECTION
- ACCENT: ALWAYS SELECT GRIDS FOR PLAN ELEVATION

PRELIMINARY NOT FOR CONSTRUCTION

ASCENT TOWNHOMES DUPLEX

COLOR ELEVATIONS

A4.2



1 LEFT ELEVATIONS COLOR - ASCENT



2 RIGHT ELEVATIONS COLOR - ASCENT

EXTERIOR COLOR SCHEME #3

- ROOF: DARK GRAY, 24 HOUR ARCHITECTURAL SHINGLES, BLACK
- METAL PANEL: STAINLESS STEEL METAL, ROOF PANEL, GRAY
- WALL PANEL: WHITE PANDA / BUTTERNUT, MULTI-FINISH & LUMBER, WHITE
- WALL PANEL: BLUE COLOR 1, SUGAR MAPLE, CROWN SUEDE, 2" EXPOSED LAP SIDING
- WALL PANEL: BLUE COLOR 2, SUGAR MAPLE, CROWN SUEDE, 2" EXPOSED LAP SIDING
- ACCENT COLOR 1: WOODSTONE SIDING, MULTI-FINISH LAP, SUMMER WHEAT, 2" EXPOSED LAP SIDING
- WALL PANEL: BOARD & BATTEN, CLASSICAL, WHITE SIDING
- ACCENT: ALWAYS SELECT GRIDS FOR PLAN ELEVATION
- EXTERIOR STONE: EL DORADO STONE, MEXICANAL LEON, 1/4" SECTION
- ACCENT: ALWAYS SELECT GRIDS FOR PLAN ELEVATION

PRELIMINARY NOT FOR CONSTRUCTION

ASCENT TOWNHOMES DUPLEX

COLOR ELEVATIONS

A4.3

Item #9.



1 FRONT ELEVATION



2 REAR ELEVATION



1 RIGHT ELEVATIONS - ASCENT



2 LEFT ELEVATIONS - ASCENT

PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES DUPLEX

BUILDING
ELEVATIONS

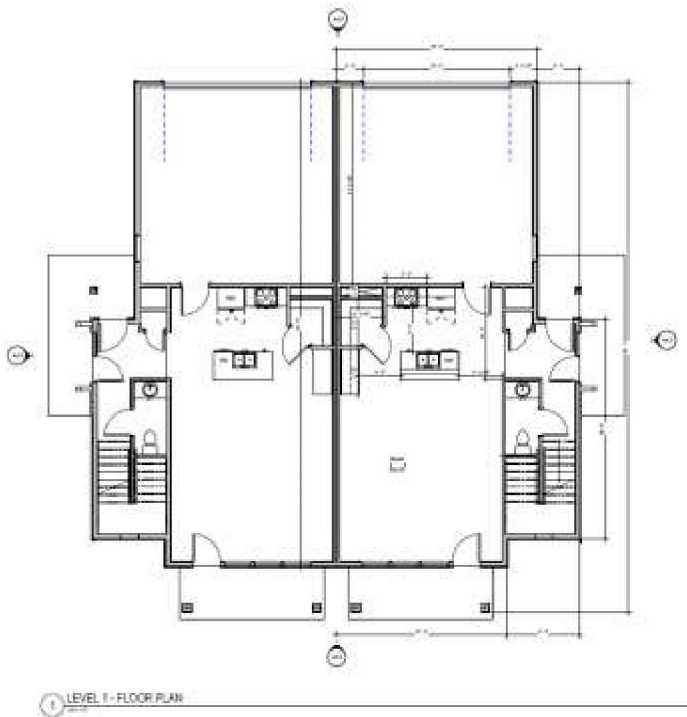
A4.0

PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES DUPLEX

BUILDING
ELEVATIONS

A4.1



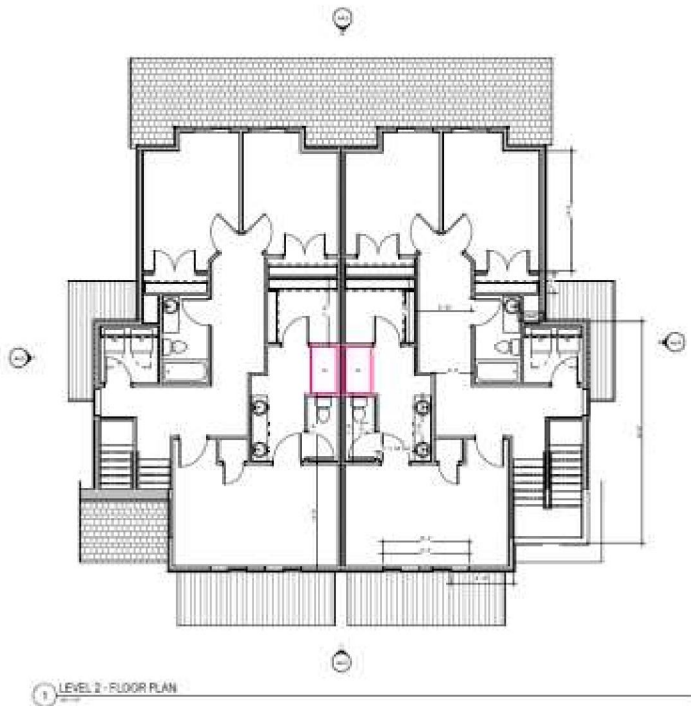
PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES DUPLEX

ARCHITECT: [unreadable]
DATE: [unreadable]

FLOOR PLAN

A2.0



PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES DUPLEX

ARCHITECT: [unreadable]
DATE: [unreadable]

FLOOR PLAN

A2.1



1 FRONT ELEVATION



2 REAR ELEVATION

Front-Loaded Townhomes

EXTERIOR COLOR SCHEME #1

- ROOF SINGLE: 20-YEAR ARCHITECTURAL SHINGLES SLATE
- TRIM PANEL: STANDING SEAM METAL ROOF PANEL SLATE
- GUTTER PANELS & GUTTERS: MATCH TO TRIM PANELS WHITE
- BODY COLOR 1: CHERRY BELLING DOWNWARD LAP SIDING 7" EXPOSED LAP SIDING
- BODY COLOR 2: CHERRY BELLING SHARDAL BLUE SIDING 7" EXPOSED LAP SIDING
- BODY COLOR 3: CHERRY BELLING ROCKWOLD BLUE SIDING 7" EXPOSED LAP SIDING
- BODY COLOR 4: CHERRY BELLING ROYALCOT COPPER RED SIDING 7" EXPOSED LAP SIDING
- ACCENT COLOR 1: MOUNTAIN LOGS RUSTIC SIDING LAP - SUMMER WHITE 7" EXPOSED LAP SIDING
- TRIM PANEL: SHARDAL BLUE CLASSICAL WHITE SIDING
- EXTERIOR STONE: MOUNTAIN LOGS SILVERSTONE

PRELIMINARY NOT FOR CONSTRUCTION

ASCENT TOWNHOMES 4 PLEX FRANKLIN ROAD

DESIGNED BY: J. B. BROWN ARCHITECTS, CHARTERED

DATE: 05/10/20

SCALE: 1/8" = 1'-0"

COLOR ELEVATIONS

A4.2



1 LEFT ELEVATIONS COLOR - ASCENT



2 RIGHT ELEVATIONS COLOR - ASCENT

EXTERIOR COLOR SCHEME #1

- ROOF SINGLE: 20-YEAR ARCHITECTURAL SHINGLES SLATE
- TRIM PANEL: STANDING SEAM METAL ROOF PANEL SLATE
- GUTTER PANELS & GUTTERS: MATCH TO TRIM PANELS WHITE
- BODY COLOR 1: CHERRY BELLING DOWNWARD LAP SIDING 7" EXPOSED LAP SIDING
- BODY COLOR 2: CHERRY BELLING SHARDAL BLUE SIDING 7" EXPOSED LAP SIDING
- BODY COLOR 3: CHERRY BELLING ROCKWOLD BLUE SIDING 7" EXPOSED LAP SIDING
- BODY COLOR 4: CHERRY BELLING ROYALCOT COPPER RED SIDING 7" EXPOSED LAP SIDING
- ACCENT COLOR 1: MOUNTAIN LOGS RUSTIC SIDING LAP - SUMMER WHITE 7" EXPOSED LAP SIDING
- TRIM PANEL: SHARDAL BLUE CLASSICAL WHITE SIDING
- EXTERIOR STONE: MOUNTAIN LOGS SILVERSTONE

PRELIMINARY NOT FOR CONSTRUCTION

ASCENT TOWNHOMES 4 PLEX FRANKLIN ROAD

DESIGNED BY: J. B. BROWN ARCHITECTS, CHARTERED

DATE: 05/10/20

SCALE: 1/8" = 1'-0"

COLOR ELEVATIONS

A4.3

Item #9.



1 FRONT ELEVATION



2 REAR ELEVATION



1 RIGHT ELEVATIONS - ASCENT



3 LEFT ELEVATIONS - ASCENT

PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES 4-PLEX
FRANKLIN ROAD

ARCHITECTURAL & INTERIORS
DESIGN, INC.
1000 N. 10TH ST., SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.AIDARCHITECTS.COM

| | |
|----------|-------------------|
| DATE | DESCRIPTION |
| 08/14/20 | ISSUE FOR PERMITS |
| 08/14/20 | ISSUE FOR PERMITS |
| 08/14/20 | ISSUE FOR PERMITS |

BUILDING
ELEVATIONS

A4.0

PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES 4-PLEX
FRANKLIN ROAD

ARCHITECTURAL & INTERIORS
DESIGN, INC.
1000 N. 10TH ST., SUITE 100
DENVER, CO 80202
TEL: 303.733.1111
WWW.AIDARCHITECTS.COM

| | |
|----------|-------------------|
| DATE | DESCRIPTION |
| 08/14/20 | ISSUE FOR PERMITS |
| 08/14/20 | ISSUE FOR PERMITS |
| 08/14/20 | ISSUE FOR PERMITS |

BUILDING
ELEVATIONS

A4.1

Item #9.



1 FRONT ELEVATION



2 REAR ELEVATION

Alley-Loaded Garage Units

EXTERIOR COLOR SCHEME #1

PRELIMINARY NOT FOR CONSTRUCTION

ASCENT TOWNHOMES 4-PLEX

COLOR ELEVATIONS

A4.2

ROOF SHINGLE: 1. 20 YEAR ARCHITECTURAL DIMENSIONAL SLATE
 METL PANEL: 1. STAINLESS STEEL METAL ROOF PANEL
 SOFFIT PANEL: 1. GUTTER: 1. WHITE POLYURETHANE ALUMINUM WHITE
 BODY COLOR 1: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 BODY COLOR 2: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 BODY COLOR 3: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 BODY COLOR 4: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 ALBERT COLOR 1: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 Siding Panel: 1. CLASSICAL WHITE SHEDDING
 EXTERIOR STONE: 1. CLASSICAL WHITE SHEDDING



3 SIDE ELEVATION 1



2 SIDE ELEVATION 2

EXTERIOR COLOR SCHEME #1

PRELIMINARY NOT FOR CONSTRUCTION

ASCENT TOWNHOMES 4-PLEX

COLOR ELEVATIONS

A4.3

ROOF SHINGLE: 1. 20 YEAR ARCHITECTURAL DIMENSIONAL SLATE
 METL PANEL: 1. STAINLESS STEEL METAL ROOF PANEL
 SOFFIT PANEL: 1. GUTTER: 1. WHITE POLYURETHANE ALUMINUM WHITE
 BODY COLOR 1: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 BODY COLOR 2: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 BODY COLOR 3: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 BODY COLOR 4: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 ALBERT COLOR 1: 1. CEDAR MILLING: 1. DOWNING SLAT: 1. BRNDR: 7. EXPOSED LAP SIDING
 Siding Panel: 1. CLASSICAL WHITE SHEDDING
 EXTERIOR STONE: 1. CLASSICAL WHITE SHEDDING



1 FRONT ELEVATION
W-112



2 REAR ELEVATION
W-112



1 SIDE ELEVATION 1
W-112



2 SIDE ELEVATION 2
W-112

PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES 4-PLEX

BUILDING ELEVATIONS

A4.0

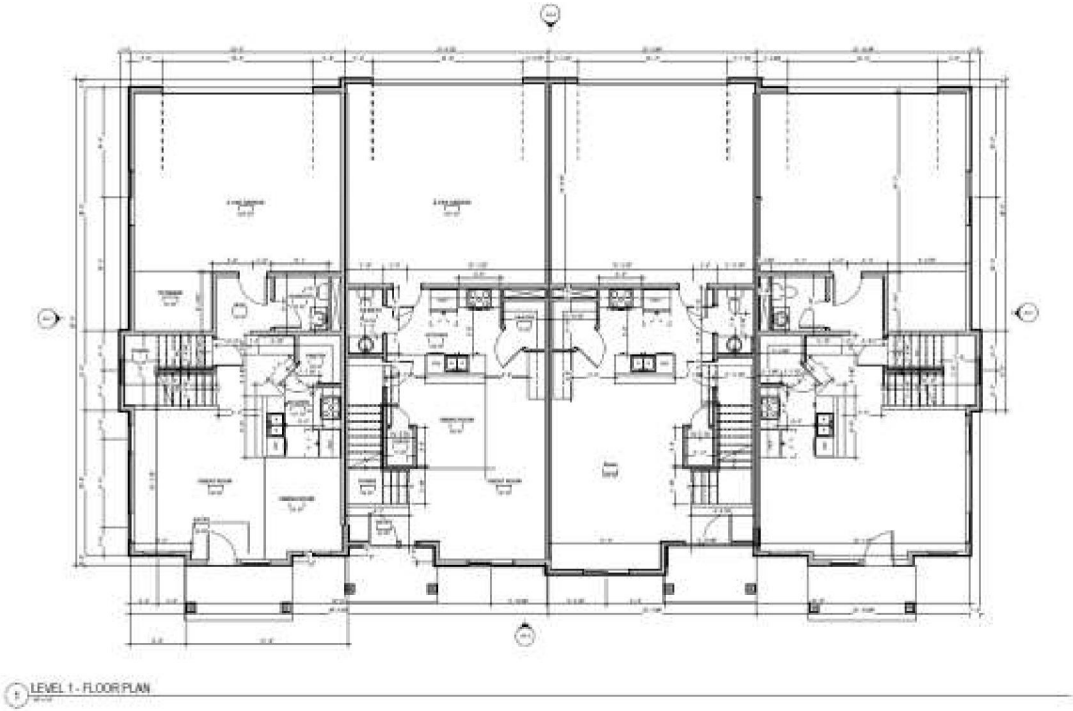
PRELIMINARY
NOT FOR
CONSTRUCTION

ASCENT TOWNHOMES 4-PLEX

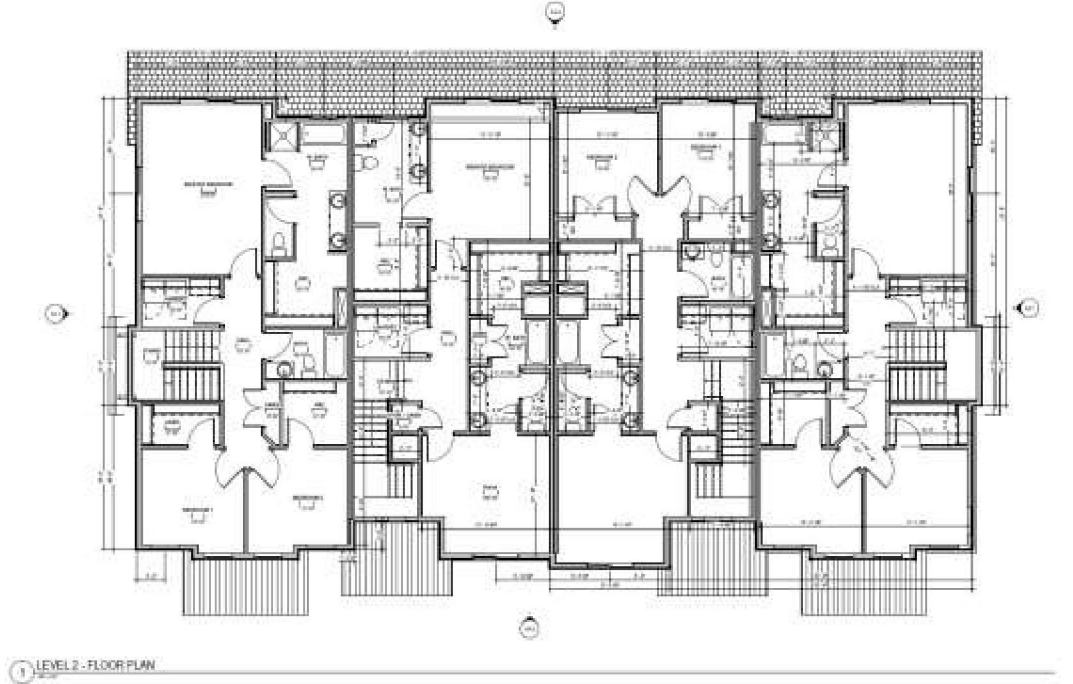
BUILDING ELEVATIONS

A4.1

Item #9.



LEVEL 1 - FLOOR PLAN



LEVEL 2 - FLOOR PLAN

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 preliminary plat, landscape plan, qualified open space exhibit and conceptual building elevations included in Section VII and the provisions contained herein.
 - b. Future development shall comply with the design standards listed in the Architectural Standards Manual and the design guidelines contained in the Ten Mile Interchange Specific Area Plan (TMISAP). An application for Design Review shall be submitted and approved for the single-family attached and townhome structures prior to submittal of building permit applications.
 - c. The front yard of each individual lot shall be landscaped with a combination of lawn, groundcover, shrubs and trees as set forth in the TMISAP (see 3-37).
 - d. The Homeowner’s Association shall be responsible for the maintenance of all landscaping within the development including that on individual homeowner lots as proposed by the Applicant.
 - e. All structures in this development shall have pitched roofs with symmetrical hips or gables, with a pitch between 4:12 and 12:12 and have an overhang of at least 12 inches up to a maximum of 2.5 feet beyond the façade of the building. Roof brackets and rafter tails are encouraged as set forth in the TMISAP (see 3-41).
 - f. ~~Where g~~Garages must be accessed from the front, the garages shall be located no less than 20 feet behind the primary façade of the residential structure and shall be designed with two (2) separate garage doors as set forth in the TMISAP (see 3-33).
 - g. Public art with a high quality of design shall be incorporated into the design of streetscape along W. Franklin Rd. as set forth in the TMISAP (see 3-47).
 - h. The temporary right-of-way easement via W. Franklin Rd. over the common lot (Lot 9, Block 6) shall be released when a local street connection is constructed to this site from a neighboring development; at such time, the easement shall be released and access will be restricted to emergency and pedestrian access only.
- 2. The final plat shall include the following revisions:
 - a. Provide detached sidewalks with 6’ (with root barriers) or 8’ (without root barriers) wide parkways along all internal streets in accord with the standards listed in UDC 11-3A-17E.
 - b. Zero lot lines should be depicted on the plat where single-family attached and townhome structures are proposed to span across lot lines.
 - c. Include a note that prohibits direct lot access via W. Franklin Rd. other than emergency access once local street access is available from an adjacent property.

3. The landscape plan submitted with the final plat shall include the following revisions:
 - a. Provide detached sidewalks with 6' (with root barriers) or 8' (without root barriers) wide parkways along all internal streets within the development in accord with the standards listed in UDC 11-3A-17E; landscaping shall be depicted in parkways in accord with the standards listed in UDC 11-3B-7C.
 - b. Depict grass within Lot 1, Block 1 and Lot 1, Block 5 where the Purdam Drain is located, if allowed by NMID. If not allowed, submit a letter from the Irrigation District to that effect.
 - c. Landscaping is required in common open space areas in accord with the standards listed in UDC 11-3G-3E. Trees are proposed exceeding UDC standards; however, detailed calculations should be included in the Landscape Requirements table demonstrating compliance.
4. The Applicant shall provide children's play equipment as an amenity for this development as proposed per the detail in Section VIII.D.
5. All alleys shall be constructed in accord with the standards listed in UDC 11-6C-3B.5. All alleys shall be signed "No Parking Fire Lane" and have an address sign at each entrance to the alley; each residence that has a back to an alley shall have an address posted on the front of the building as well as on the alley side.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Each individual townhouse unit shall be independently connected to sanitary sewer and water services.
- 1.2 After consultation with the applicant regarding the Geo Technical investigation, it is highly recommended that slab on grade foundations be installed within this development to avoid any groundwater intrusion.

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

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=186954&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=186904&dbid=0&repo=MeridianCity>

E. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187799&dbid=0&repo=MeridianCity>

F. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187420&dbid=0&repo=MeridianCity>

G. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187573&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187588&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189350&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;

The City Council finds the proposal to annex the subject 4.97 acre property with R-15 zoning and develop single-family attached and townhome dwellings on the site at a gross density of 8.65 units per acre is consistent with the associated MHDR 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;

The City Council finds the proposed map amendment and development complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities for the community consistent with the Comprehensive Plan.

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

The City Council finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent existing and future residential uses in the area.

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

The City Council finds City services are available to be provided to this development.

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

The City Council finds the proposed annexation is in the best interest of the City.

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

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

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

The City Council finds the proposed plat is generally in conformance with the UDC if the Applicant complies with the Development Agreement provisions and conditions of approval in Section VIII.

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

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

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

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

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

The City Council finds there is public financial capability of supporting services for the proposed development.

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

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

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

The City Council is unaware of any significant natural, scenic or historic features that need to be preserved with this development.



AGENDA ITEM

ITEM TOPIC: Development Agreement Between the City of Meridian and Justin Fishburn (Owner/Developer) for Lupine Cove

DEVELOPMENT AGREEMENT

- PARTIES:**
1. City of Meridian
 2. Justin Fishburn, Owner/Developer

THIS DEVELOPMENT AGREEMENT (this Agreement), is made and entered into this _____ day of _____, 2020, by and between **City of Meridian**, a municipal corporation of the State of Idaho, hereafter called CITY whose address is 33 E. Broadway Avenue, Meridian, Idaho 83642 and **Justin Fishburn**, whose address is 4000 N. McDermott Rd., Meridian, ID 83646 hereinafter called OWNER/DEVELOPER.

1. **RECITALS:**

- 1.1 **WHEREAS**, Owner is the sole owner, in law and/or equity, of certain tract of land in the County of Ada, State of Idaho, described in Exhibit “A”, which is attached hereto and by this reference incorporated herein as if set forth in full, herein after referred to as the Property; and
- 1.2 **WHEREAS**, Idaho Code § 67-6511A provides that cities may, by ordinance, require or permit as a condition of zoning that the Owners and/or Developer make a written commitment concerning the use or development of the subject Property; and
- 1.3 **WHEREAS**, City has exercised its statutory authority by the enactment of Section 11-5B-3 of the Unified Development Code (“UDC”), which authorizes development agreements upon the annexation and/or re-zoning of land; and
- 1.4 **WHEREAS**, Owner and/or Developer have submitted an application for an annexation and zoning of 7.09 acres of land with an R-8 (medium density residential) zoning district on the property listed in Exhibit “A” (attached), under the Unified Development Code, which generally describes how the Property will be developed and what improvements will be made; and
- 1.5 **WHEREAS**, Owner/Developer made representations at the public hearing before the Meridian Planning and Zoning Commission and the Meridian City Council, as to how the Property will be developed and what improvements will be made; and
- 1.6 **WHEREAS**, the record of the proceedings for requested annexation and zoning before the Planning and Zoning Commission and the City Council, includes responses of government subdivisions providing services within the

City of Meridian planning jurisdiction, and includes further testimony and comment; and

- 1.7 **WHEREAS**, on the 4th day of August, 2020, the Meridian City Council approved certain Findings of Fact and Conclusions of Law and Decision and Order (“Findings”), which have been incorporated into this Agreement and attached as Exhibit “B”; and
- 1.8 **WHEREAS**, the Findings require the Owner/Developer to enter into a Development Agreement before the City Council takes final action on final plat; and
- 1.9 **WHEREAS**, Owner/Developer deem it to be in its best interest to be able to enter into this Agreement and acknowledges that this Agreement was entered into voluntarily and at its urging and request; and
- 1.10 **WHEREAS**, City requires the Owner/Developer to enter into a development agreement for the purpose of ensuring that the Property is developed and the subsequent use of the Property is in accordance with the terms and conditions of this Agreement, herein being established as a result of evidence received by the City in the proceedings for zoning designation from government subdivisions providing services within the planning jurisdiction and from affected property owners and to ensure zoning designation are in accordance with the amended Comprehensive Plan of the City of Meridian on October 11, 2016, Resolution No. 16-1173, and the UDC, Title 11.

NOW, THEREFORE, in consideration of the covenants and conditions set forth herein, the parties agree as follows:

2. **INCORPORATION OF RECITALS:** That the above recitals are contractual and binding and are incorporated herein as if set forth in full.

3. **DEFINITIONS:** For all purposes of this Agreement the following words, terms, and phrases herein contained in this section shall be defined and interpreted as herein provided for, unless the clear context of the presentation of the same requires otherwise:

- 3.1 **CITY:** means and refers to the **City of Meridian**, a party to this Agreement, which is a municipal Corporation and government subdivision of the state of Idaho, organized and existing by virtue of law of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho 83642.
- 3.2 **OWNER/DEVELOPER:** means and refers to **Justin Fishburn**, whose address is 4000 N. McDermott Rd., Meridian, ID 83646, the party that owns and is developing said Property and shall include any subsequent owner/developer(s) of the Property.

3.4 **PROPERTY:** means and refers to that certain parcel(s) of Property located in the County of Ada, City of Meridian as described in Exhibit “A” describing the parcel to be bound by this Development Agreement and attached hereto and by this reference incorporated herein as if set forth at length.

4. **USES PERMITTED BY THIS AGREEMENT:** This Agreement shall vest the right to develop the Property in accordance with the terms and conditions of this Agreement.

4.1 The uses allowed pursuant to this Agreement are only those uses allowed under the UDC.

4.2 No change in the uses specified in this Agreement shall be allowed without modification of this Agreement.

5. **CONDITIONS GOVERNING DEVELOPMENT OF SUBJECT PROPERTY:**

5.1. Owner and/or Developer shall develop the Property in accordance with the following special conditions:

a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VIII and the provisions contained herein.

b. The rear and/or sides of 2-story structures on Lots 2-4, Block 1 and Lots 2, Block 2 that face N. McDermott Road shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement.

6. **COMPLIANCE PERIOD** This Agreement must be fully executed within six (6) months after the date of the Findings for the annexation and zoning or it is null and void.

7. **DEFAULT/CONSENT TO DE-ANNEXATION AND REVERSAL OF ZONING DESIGNATION:**

7.1 **Acts of Default.** Either party’s failure to faithfully comply with all of the terms and conditions included in this Agreement shall constitute default under this Agreement.

7.2 **Notice and Cure Period.** In the event of Owner/Developer’s default of this Agreement, Owners/Developer shall have thirty (30) days from receipt of written notice from City to initiate commencement of action to correct the breach and cure the default, which action must be prosecuted with diligence and completed within one hundred eighty (180) days; provided, however, that in the case of any such default that cannot with diligence be cured within such

one hundred eighty (180) day period, then the time allowed to cure such failure may be extended for such period as may be necessary to complete the curing of the same with diligence and continuity.

7.3 **Remedies.** In the event of default by Owner/Developer that is not cured after notice as described in Section 7.2, Owner/Developer shall be deemed to have consented to modification of this Agreement and de-annexation and reversal of the zoning designations described herein, solely against the offending portion of Property and upon City’s compliance with all applicable laws, ordinances and rules, including any applicable provisions of Idaho Code §§ 67-6509 and 67-6511. Owner/Developer reserve all rights to contest whether a default has occurred. This Agreement shall be enforceable in the Fourth Judicial District Court in Ada County by either City or Owners and/or Developer, or by any successor or successors in title or by the assigns of the parties hereto. Enforcement may be sought by an appropriate action at law or in equity to secure the specific performance of the covenants, agreements, conditions, and obligations contained herein.

7.4 **Delay.** In the event the performance of any covenant to be performed hereunder by either Owner/Developer or City is delayed for causes that are beyond the reasonable control of the party responsible for such performance, which shall include, without limitation, acts of civil disobedience, strikes or similar causes, the time for such performance shall be extended by the amount of time of such delay.

7.5 **Waiver.** A waiver by City of any default by Owners and/or Developer of any one or more of the covenants or conditions hereof shall apply solely to the default and defaults waived and shall neither bar any other rights or remedies of City nor apply to any subsequent default of any such or other covenants and conditions.

8. **INSPECTION:** Owner/Developer shall, immediately upon completion of any portion or the entirety of said development of the Property as required by this Agreement or by City ordinance or policy, notify the City Engineer and request the City Engineer’s inspections and written approval of such completed improvements or portion thereof in accordance with the terms and conditions of this Agreement and all other ordinances of the City that apply to said Property.

9. **REQUIREMENT FOR RECORDATION:** City shall record this Agreement, including all of the Exhibits, and submit proof of such recording to Owner/Developer, prior to the third reading of the Meridian Zoning Ordinance in connection with the re-zoning of the Property by the City Council. If for any reason after such recordation, the City Council fails to adopt the ordinance in connection with the annexation and zoning of the Property contemplated hereby, the City shall execute and record an appropriate instrument of release of this Agreement.

10. **ZONING:** City shall, following recordation of the duly approved Agreement, enact a valid and binding ordinance zoning the Property as specified herein.

11. **SURETY OF PERFORMANCE:** The City may also require surety bonds, irrevocable letters of credit, cash deposits, certified check or negotiable bonds, as allowed under the UDC, to insure the installation of required improvements, which the Owner/Developer agree to provide, if required by the City.

12. **CERTIFICATE OF OCCUPANCY:** No Certificates of Occupancy shall be issued in any phase in which the improvements have not been installed, completed, and accepted by the City, or sufficient surety of performance is provided by Owner/Developer to the City in accordance with Paragraph 11 above.

13. **ABIDE BY ALL CITY ORDINANCES:** That Owner/Developer agree to abide by all ordinances of the City of Meridian unless otherwise provided by this Agreement.

14. **NOTICES:** Any notice desired by the parties and/or required by this Agreement shall be deemed delivered if and when personally delivered or three (3) days after deposit in the United States Mail, registered or certified mail, postage prepaid, return receipt requested, addressed as follows:

CITY:
City Clerk
City of Meridian
33 E. Broadway Ave.
Meridian, Idaho 83642

with copy to:
City Attorney
City of Meridian
33 E. Broadway Avenue
Meridian, Idaho 83642

OWNER/DEVELOPER:
Justin Fishburn
4000 N. McDermott Rd.
Meridian, ID 83646

14.1 A party shall have the right to change its address by delivering to the other party a written notification thereof in accordance with the requirements of this section.

15. **ATTORNEY FEES:** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorney’s fees as determined by a Court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.

16. **TIME IS OF THE ESSENCE:** The parties hereto acknowledge and agree that time is strictly of the essence with respect to each and every term, condition and provision hereof, and that the failure to timely perform any of the obligations hereunder shall constitute a breach of and a default under this Agreement by the other party so failing to perform.

17. **BINDING UPON SUCCESSORS:** This Agreement shall be binding upon and inure to the benefit of the parties’ respective heirs, successors, assigns and personal representatives,

including City’s corporate authorities and their successors in office. This Agreement shall be binding on the Owner/Developer, each subsequent owner and any other person acquiring an interest in the Property. Nothing herein shall in any way prevent sale or alienation of the Property, or portions thereof, except that any sale or alienation shall be subject to the provisions hereof and any successor owner or owners shall be both benefited and bound by the conditions and restrictions herein expressed. City agrees, upon written request of Owner/Developer, to execute appropriate and recordable evidence of termination of this Agreement if City, in its sole and reasonable discretion, had determined that Owner and/or Developer have fully performed their obligations under this Agreement.

18. **INVALID PROVISION:** If any provision of this Agreement is held not valid by a court of competent jurisdiction, such provision shall be deemed to be excised from this Agreement and the invalidity thereof shall not affect any of the other provisions contained herein.

19. **DUTY TO ACT REASONABLY:** Unless otherwise expressly provided, each party shall act reasonably in giving any consent, approval, or taking any other action under this Agreement.

20. **COOPERATION OF THE PARTIES:** In the event of any legal or equitable action or other proceeding instituted by any third party (including a governmental entity or official) challenging the validity of any provision in this Agreement, the parties agree to cooperate in defending such action or proceeding.

21. **FINAL AGREEMENT:** This Agreement sets forth all promises, inducements, agreements, condition and understandings between Owner/Developer and City relative to the subject matter hereof, and there are no promises, agreements, conditions or understanding, either oral or written, express or implied, between Owner/Developer and City, other than as are stated herein. Except as herein otherwise provided, no subsequent alteration, amendment, change or addition to this Agreement shall be binding upon the parties hereto unless reduced to writing and signed by them or their successors in interest or their assigns, and pursuant, with respect to City, to a duly adopted ordinance or resolution of City.

21.1 No condition governing the uses and/or conditions governing re-zoning of the subject Property herein provided for can be modified or amended without the approval of the City Council after the City has conducted public hearing(s) in accordance with the notice provisions provided for a zoning designation and/or amendment in force at the time of the proposed amendment.

22. **EFFECTIVE DATE OF AGREEMENT:** This Agreement shall be effective on the date the Meridian City Council shall adopt the amendment to the Meridian Zoning Ordinance in connection with the annexation and zoning of the Property and execution of the Mayor and City Clerk.

[end of text; signatures, acknowledgements, and Exhibits A and B follow]

EXHIBIT A

Accurate Surveying & Mapping



A Professional Corporation
1602 W. Hays St., Suite 306
Boise, ID 83702
www accuratesurveyors.com

Land Description - Annexation

A parcel of land being a portion of the Southwest Quarter of the Northwest Quarter of Section 33, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho being more particularly described as follows:

BEGINNING at the found 2-inch aluminum cap monument in asphalt labeled PLS 7729 at the ¼ corner common to Sections 32 and 33 in said township from which the found 3-½ inch brass cap monument in asphalt with illegible labeling at the section corner common to Sections 28, 29, 32 and 33 in said township bears N 00° 32' 36" E a distance of 2633.71 feet;

Thence N 00° 32' 36" E along the section line and along the centerline of N. McDermott Road for a distance of 334.34 feet to a found 5/8th inch iron pin upon which a 2-inch aluminum cap labeled PLS 11463 was placed;

Thence N 85° 03' 27" E along the centerline of the McFadden Drain (aka Teeter Drain) for a distance of 751.67 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 13256;

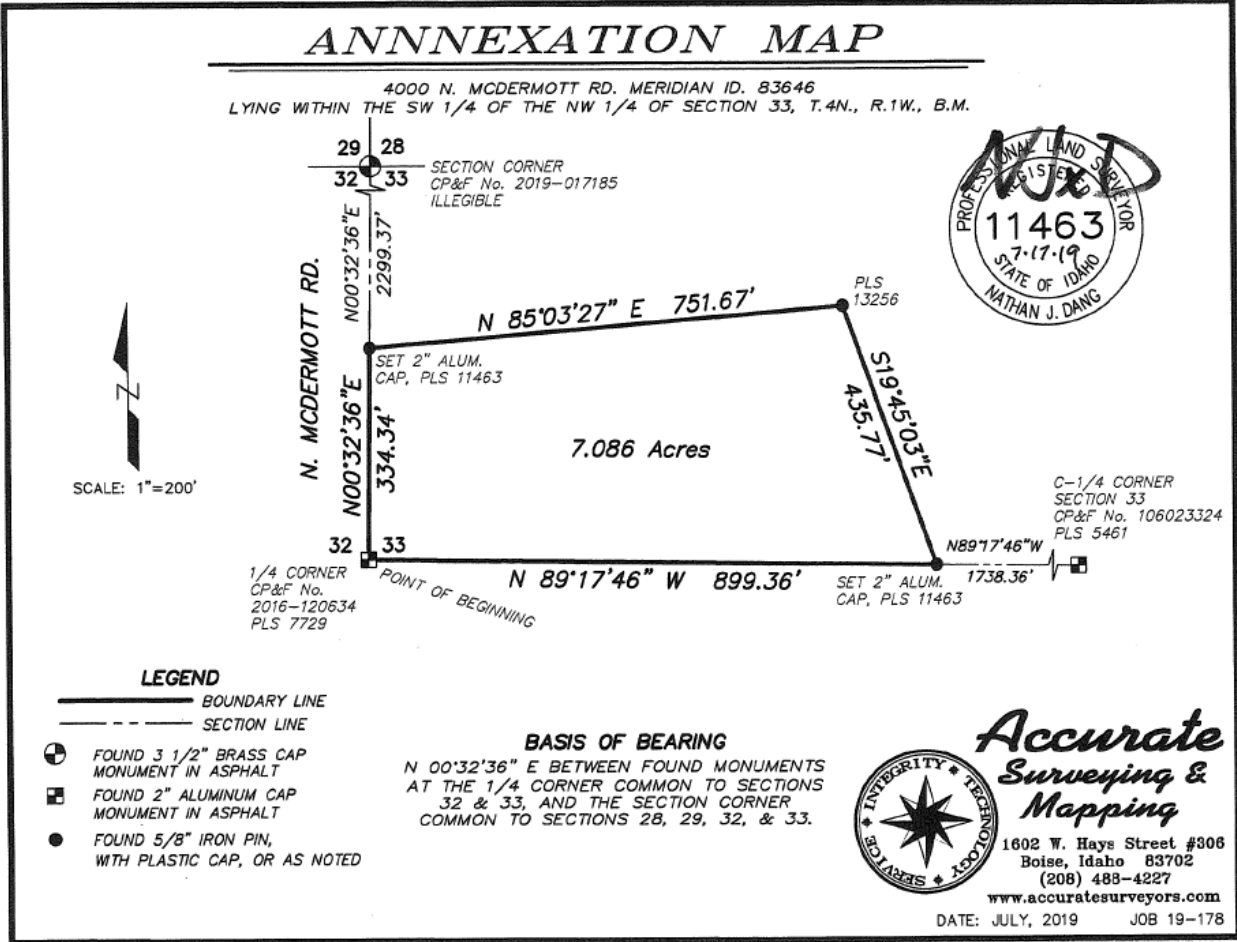
Thence S 19° 45' 03" E along said centerline and its extension for a distance of 435.77 feet to a found 5/8th inch iron pin upon which a 2-inch aluminum cap labeled PLS 11463 was placed;

Thence N 89° 17' 46" W along the center section line for a distance of 899.36 feet to the **POINT OF BEGINNING.**

Parcel contains 7.086 acres, more or less.



EXHIBIT A



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



In the Matter of the Request for Annexation of 7.09 Acres of Land with an R-8 Zoning District; and Preliminary Plat Consisting of 26 Residential Buildable Lots and 6 Common Lots on 7 Acres of Land in the Proposed R-8 Zoning District, by Penelope Constantikes, Riley Planning Services.

Case No(s). H-2019-0133

For the City Council Hearing Date of: July 21, 2020 (Findings on August 4, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 21, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 21, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 21, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 21, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the "Local Land Use Planning Act of 1975," codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.

- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 21, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for Annexation and Preliminary Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of July 21, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

A modification to the development agreement may be initiated prior to signature of the

agreement by all parties and/or may be requested to extend the time allowed for the agreement to be signed and returned to the city if filed prior to the end of the six (6) month approval period.

E. Notice of Final Action and Right to Regulatory Takings Analysis

1. The Applicant is hereby notified that pursuant to Idaho Code 67-8003, denial of a development application entitles the Owner to request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.
2. **Please take notice** that this is a final action of the governing body of the City of Meridian. When applicable and pursuant to Idaho Code § 67-6521, any affected person being a person who has an interest in real property which may be adversely affected by the final action of the governing board may within twenty-eight (28) days after the date of this decision and order seek a judicial review as provided by Chapter 52, Title 67, Idaho Code.

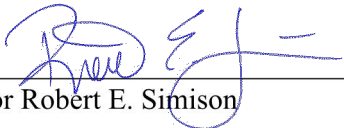
F. Attached: Staff Report for the hearing date of July 21, 2020

Item #10.

Item #8.

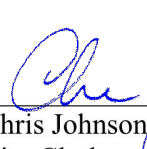
By action of the City Council at its regular meeting held on the 4th day of August, 2020.

| | |
|--|-------------------|
| COUNCIL PRESIDENT TREG BERNT | VOTED <u>AYE</u> |
| COUNCIL VICE PRESIDENT BRAD HOAGLUN | VOTED <u>AYE</u> |
| COUNCIL MEMBER JESSICA PERREAULT | VOTED <u>AYE</u> |
| COUNCIL MEMBER LUKE CAVENER | VOTED <u>AYE</u> |
| COUNCIL MEMBER JOE BORTON | VOTED <u>AYE</u> |
| COUNCIL MEMBER LIZ STRADER | VOTED <u>AYE</u> |
| MAYOR ROBERT E. SIMISON (TIE BREAKER) | VOTED <u> </u> |




 Mayor Robert E. Simison

Attest:



 Chris Johnson
 City Clerk



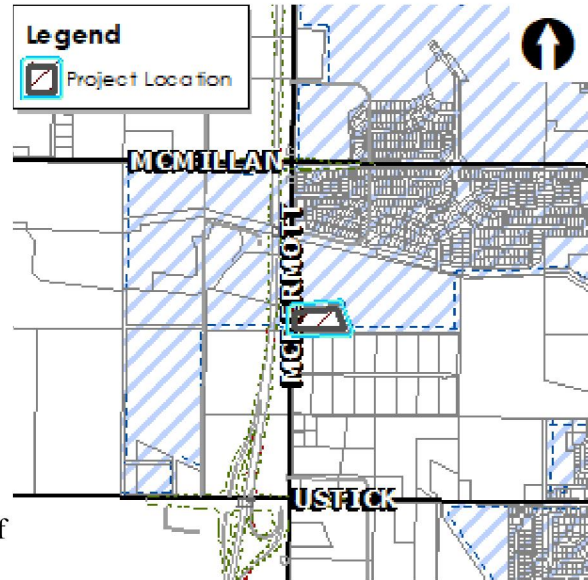
Copy served upon Applicant, Community Development Department, Public Works Department and City Attorney.

By:  _____ Dated: 8-4-2020
 City Clerk's Office

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: July 21, 2020
TO: Mayor & City Council
FROM: Bill Parsons, Current Planning Supervisor
208-884-5533
Bruce Freckleton, Development Services Manager
208-887-2211
SUBJECT: H-2019-0133
Lupine Cove
LOCATION: 4000 N. McDermott Rd., in the NW ¼ of Section 33, Township 4N., Range 1W.



I. PROJECT DESCRIPTION

NOTE: On April 28, 2020, City Council remanded this project back to Planning and Zoning Commission to provide a recommendation on a revised preliminary plat and landscape plan. Staff has updated the staff report in a strike-through and underline format to represent the proposed changes to the plans. Originally, Staff and the Commission had recommended denial based on previous versions of the plans. With the revisions to the plans, Staff is recommending approval of the project. Staff's recommended development agreement provisions and conditions of approval are provided below.

Annexation of 7.09 acres of land with an R-8 zoning district and Preliminary Plat consisting of twenty-six~~eight~~ (26~~8~~) buildable lots, six~~seven~~ (6~~7~~) common lots and two (2) other lots on 7 acres of land in the proposed R-8 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

| Description | Details | Page |
|--|--|------|
| Acreage | 7 acres | |
| Future Land Use Designation | Medium Density Residential (MDR) (3-8 units/acre) | |
| Existing Land Use | Residential/agricultural | |
| Proposed Land Use(s) | Single-family residential (SFR) development | |
| Current Zoning | RUT in Ada County | |
| Proposed Zoning | R-8 | |
| Lots (# and type; bldg/common) | 268 buildable; 67 common & 2 other | |
| Phasing plan (# of phases) | 1 | |
| Number of Residential Units (type of units) | 257 new and 1 existing (SFR detached homes) | |
| Density (gross & net) | 3.714 gross/7.46 net | |
| Open Space (acres, total [%] / buffer / qualified) | Based on the applicant's calculations 0.83± of an acre (12.05±1.7%) is being proposed. | |

| | | |
|---|---|--|
| Amenities | Children's play equipment and gazebo and basketball court | |
| Physical Features (waterways, hazards, flood plain, hillside) | The Five Mile Creek/McFadden Drain runs along the northern and eastern boundary of this site. | |
| Neighborhood meeting date; # of attendees: | August 28, 2019; 9 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) access proposed via N. McDermott Rd., a collector street | |
| Traffic Level of Service | | |
| Stub Street/Interconnectivity/Cross Access | A stub street was required to the subject property from the Aegean Subdivision to the north. <u>The revised plan depicts the extension of the stub street,</u> but the plan as submitted doesn't contemplate extension with this development. A stub street is proposed at the south boundary. | |
| Existing Road Network | None | |

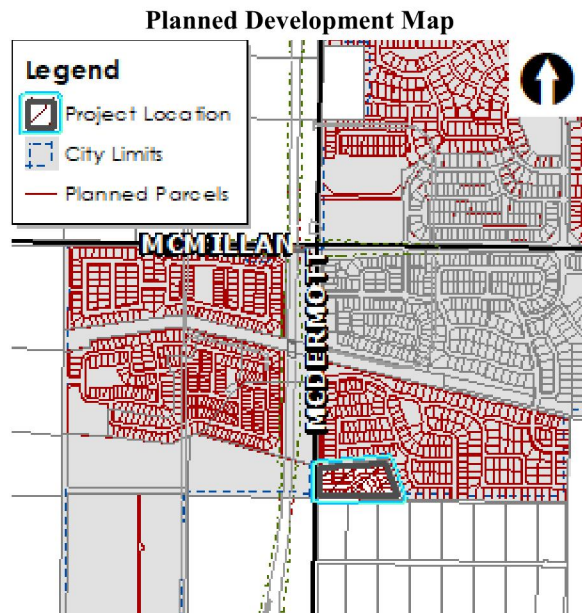
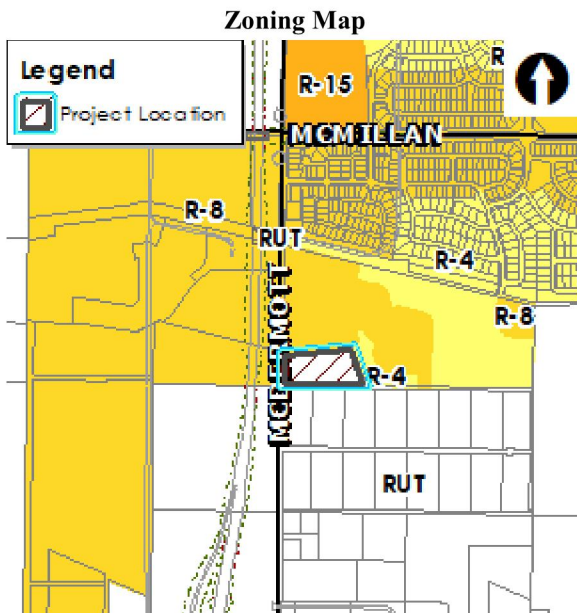
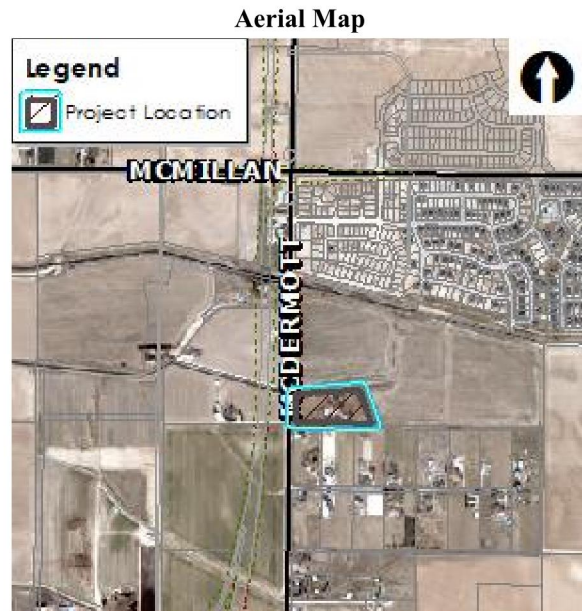
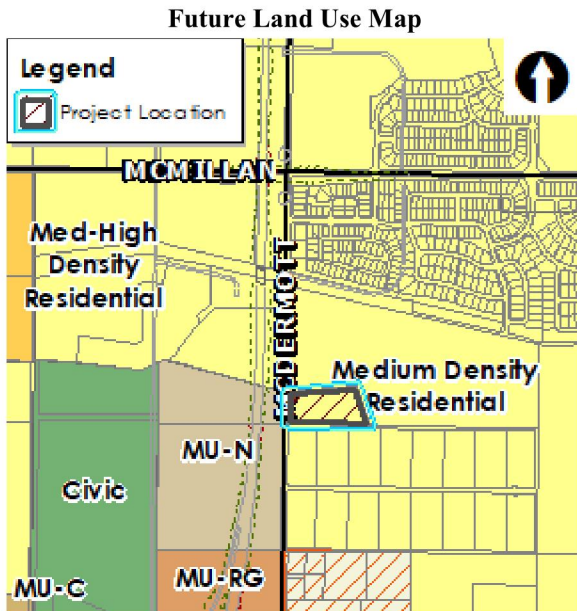
| Fire Service | |
|---------------------------------|---|
| • Distance to Fire Station | 3 miles from Fire Station #2 |
| • Fire Response Time | 5 minutes under ideal conditions; can meet the response time goals |
| • Resource Reliability | 81% from Fire Station #2 – does meet the target goal of 80% or greater |
| • Risk Identification | Risk factor of 2 – current resources would <i>not</i> be adequate to supply service to this project (see comments in Section VIII.C) |
| • Accessibility | Project meets all required access, road widths and turnarounds |
| • Special/resource needs | An aerial device is not required; the closest truck company is 12 minutes travel time (under ideal conditions) – Fire Dept. can meet this need in the required timeframe if needed. |
| • Water Supply | Requires 1,000 gallons per minute for 1 hour; may be less if buildings are fully sprinklered |
| • Other Resources | NA |
| Police Service | |
| • Distance to Police Station | 8.5 miles |
| • Police Response Time | 5:30 minutes |
| • Calls for Service | 241 for Reporting District M719 (1/1/2019 – 12/31/2019) |
| • Accessibility | No issues with the proposed access |
| • Specialty/resource needs | This proposed development is on the edge of the city limits. The Meridian Police Department already serves this area with the Oaks Development and Jump Creek. As of now no additional resources are needed at this time. Once all the surrounding developments build out such as Gander Creek, Aegean Estates and Owyhee High School it will require future additional police resources in this geographic area. |
| • Crimes | 241 (1/1/2019 – 12/31/2019) |
| • Crashes | 3 (1/1/2019 – 12/31/2019) |
| • Other | The Meridian Police Department has no outstanding issues concerning this development application. All qualified open space provided in the development, to include all amenities, must be in an open area in order to allow for natural observation opportunities. Pathways and landscaping should not create hiding spots or blind spots that would promote criminal opportunities. The Meridian Police Department will support all Community Development Staff recommendations, Traffic Impact Studies from ITD and or ACHD to improve access, roadways, intersections, pathways and sidewalks before the project if fully completed. |
| Wastewater | |
| • Distance to Sewer Services | Directly adjacent to McDermott Road |
| • Sewer Shed | North McDermott Trunkshed |
| • Estimated Project Sewer ERU's | See application |
| • WRRF Declining Balance | 13.81 |

Item #10.

Item #8.

| | | |
|--|---|--|
| • Project Consistent with WW Master Plan/Facility Plan | Yes | |
| • Impacts/Concerns | The maximum slope of sewer mainlines is 5.0% due to limitations on our collections televising equipment. Please revise sewer grade between existing SSMH (within McDermott) and the upstream manhole, SSMH A1. | |
| Water | | |
| • Distance to Water Services | 0 feet | |
| • Pressure Zone | 1 | |
| • Estimated Project Water ERU's | See application | |
| • Water Quality Concerns | Yes - this development results in a long deadend water main which may result in poor water quality. This deadend won't be eliminated until the Count parcels to the south are developed. | |
| • Project Consistent with Water Master Plan | Yes | |
| • Impacts/Concerns | The water mainline in McDermott Road must be extended to the southern property line extended. Water mainline sizes were not indicated on the plans, however the McDermott line must be 12-inch diameter and the Lupine Lane line as shall be 8-inch diameter. | |

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

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

B. Owner:

Justin Fishburn

4000 N. McDermott Rd.
Meridian, ID 83646

C. Representative:

Same as Applicant

IV. NOTICING

| | Planning & Zoning Posting Date | City Council Posting Date |
|---|--------------------------------|---------------------------|
| Newspaper notification published in newspaper | 5/29/2020 | 7/3/2020 |
| Radius notification mailed to property owners within 300 feet | 5/26/2020 | 7/1/2020 |
| Public hearing notice sign posted on site | 6/5/2020 | 7/8/2020 |
| Nextdoor posting | 5/27/2020 | 7/1/2020 |

V. COMPREHENSIVE PLAN ANALYSIS (*Comprehensive Plan*)

(Note: This project was submitted prior to the new Comprehensive Plan being adopted; therefore, this project is being evaluated under the previous Plan.)

The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates this property as Medium Density Residential (MDR).

The purpose of the MDR designation is to allow small lots for residential purposes within City limits. Uses may include single-family homes at gross densities of 3 to 8 dwelling units per acre. As noted above, the submitted plat consists of 268 building lots on approximately 7 acres of land which is 3.714 dwelling units to the acre. Staff finds the proposed density is within the density parameters of the MDR land use designation.

The following Comprehensive Plan Policies are applicable to this development:

- “Support a variety of residential categories (low-, medium-, medium-high and high-density single-family, multi-family, townhouses, duplexes, apartments, condominiums, etc.) for the purpose of providing the City with a range of affordable housing opportunities.” (3.07.01E)

The proposed single-family detached homes will contribute to the variety of residential categories in the City; Staff is unaware how “affordable” the units will be.

- “Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City.” (3.01.01F)

City services are available and will be extended by the developer to the proposed lots upon development of the site in accord with UDC 11-3A-21.

- “Require useable open space be incorporated into new residential subdivision plats.” (3.07.02A)

The proposed plat depicts a total of 0.831 of an acre (or 12.054.7%) of qualified open space. To increase the usability of the open space, staff recommends that the applicant relocate the temporary turnaround proposed on Common Lot 10 on the east side of Lupine Lane, however much of the qualified open space is ether developed with imperious surface or ponds which lacks creativity in the design per the purpose statement in UDC 11-6A-1. The applicant has redesigned the open space

- “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)

*On the south boundary are rural county lots in excess of 4 acres. **The applicant has not provided any real transitional lot sizes along this boundary. The two (2) most impacted rural lots have a 5:1 and 3:1 lot ratio respectively.***

- “Require new urban density subdivision which abut or are proximal to existing low density residential land uses to provide landscaped screening or transitional densities with larger, more comparable lot sizes to buffer the interface between urban level densities and rural residential densities.” (3.05.02F)

Staff does not believe the transition proposed is adequate to the rural residential lots to the south. Commission should determine if the applicant’s revisions to plan provide a transition as desired by the Comprehensive Plan.

- “Review new development for appropriate opportunities to connect local roads and collectors to adjacent properties (stub streets).” (3.03.020)

*A stub street was approved at the north boundary of this property with the Aegean Subdivision preliminary plat which is required to be extended on this property with development. This street ~~would~~ provides local street access to this development in accord with UDC 11-3A-3. **The proposed plat does not depict a stub street in the location of the stub street approved with the Aegean Subdivision.***

- “Incorporate creek corridors as an amenity in development design.” (5.09.01E)

*The City’s mapping depicts the Five Mile Creek on the north boundary and the McFadden Drain on the east boundary of the development. **The submitted plans depicts minimal improvements or enhancements in these areas. Staff believes these areas should be improved as an amenity for the development. Both the Parks Department and NMID are not opposed to a pathway in the easement area, however the City’s master pathways plan does not specifically call out one in this area. NMID is amenable to a pathway if the City is willing to amend the master agreement with the district. The Parks Department has indicated a pathway is not desired at this location and one is not required to be constructed with this development. The applicant is proposing to enhance this area with native grasses to preserve as many trees as possible to leave the area undisturbed and natural. This area is designated as common lots so the maintenance of the area is the responsibility of the HOA. Staff is supportive of this area remaining in a natural state however, the applicant should construct an internal pathway network through the internal common lots internal to the development that ties in the creek area for residents use as a recreational amenity (see analysis below for more information).***

- “Develop and implement programs to encourage and promote tree health and preservation throughout the City, including along waterways and within proposed development.” (5.01.01E)

*The subject property contains many mature trees that will be retained or removed with development of the subdivision. The previous landscape plan indicates that 1,958 caliper inches of mature trees exist on the site. Many of them will be removed for various reasons. **The plan indicates of the 1,958 caliper inches, only 184 caliper inches will be mitigated and 134 caliper inches of existing will be retained on the site. If The plat were has been designed with less density, so staff believes more of the existing mature trees can ~~could~~ be preserved with the development. The applicant is indicated that the landscape plan will be updated with a new mitigation plan prior to the City Council hearing.***

Staff believes the ~~proposed~~ revised development plan is generally consistent with the vision of the Comprehensive Plan in regards to land use, open space, connectivity and density; ~~However,~~ **because the plat still lacks transitional lots sizes on the south boundary.**

VI. UNIFIED DEVELOPMENT CODE ANALYSIS

A. ANNEXATION & ZONING

The Applicant requests annexation of 7.09 acres of land, which includes land to the section line of N. McDermott Rd., with an R-8 zoning district consistent with the Medium Density Residential (MDR) Future Land Use Map (FLUM) designation in the Comprehensive Plan. The legal description and exhibit map for the area proposed to be annexed is included in Section VIII.A below.

Proposed Use:

The Applicant proposes to develop the site with 257 new single-family detached homes; the existing home is proposed to remain on a lot in the proposed subdivision.

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

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 VII.A. **A development agreement is not being recommended as part of the annexation request because staff is recommending denial.**

B. PRELIMINARY PLAT

The proposed preliminary plat consists of 268 buildable lots (include the lot where the existing home is proposed to remain) and 67-common lots and 2 other lots on 7 acres of land in the proposed R-8 zoning district. Lots range in size from 4,353,500 to 13,924,126,74-square feet (s.f.). The plat is proposed to develop in one phase.

Existing Structures/Site Improvements:

There is one (1) existing home and some accessory structures on this site; the existing home is proposed to remain on Lot 113, Block 2 – all accessory structures that don't comply with the setbacks of the district are required to be removed prior to signature on the final plat by the City Engineer. If the annexation and subdivision is approved, the existing residence should connect to City services and obtain a new address with development of the property.

Dimensional Standards:

Compliance with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 district is required. The minimum property size in the R-8 district is 4,000 square feet with a minimum street frontage of 40 feet. All of the lots conform the dimensional standards in UDC Table 11-2A-6.

Access (UDC 11-3A-3):

One access is proposed via N. McDermott Rd., a collector street; local street access is not available to this property at this time, however a local stub street was planned from the Aegean Subdivision to the north. The applicant is ~~not~~ proposing the extension of the roadway for interconnectivity between the two developments in accord with the Plan and UDC. ~~due to the cost associated with crossing over the Five Mile Creek for the extension of the roadway. ACHD did not require half the cost of the crossing from the developer of the Aegean project. Therefore, the crossing half the cost would be absorbed by the subject developer with long term maintenance by ACHD. ACHD is requiring the extension of the road consistent with their policy. Staff believes these two projects should be connected with a public street connection.~~

UDC 11-3A-3 requires access to local streets when available and the Comprehensive Plan requires interconnectivity and the extension of stub streets with development. The stub street to the north is not shown on the proposed plat which is not consistent with the UDC or the Plan.

The local street being proposed (Lupine Lane) does stub at the south boundary. This street does not meet the naming convention of the City and "Lane" should be removed from the street name as this nomenclature is reserved for private streets, not public streets. **The street does exceed 150 feet, therefore a temporary turnaround is required. The applicant is proposing to construct a temporary turnaround on a common lot (Lot 10, Block 2), which decreases the usability of the area. Staff recommends that the applicant construct the temporary turnaround on Lots 13 and 14 in the southeast corner of the development to increase the open space for development. The reason for this recommendation is to ensure open space for the development remains intact without placing a burden on the HOA to remediate the removal of the turnaround area. In discussions with ACHD, this would not violate any of their policies.**

In addition to the stub street not being extended, approximately half of the residential lots take access from common driveways. The long term maintenance of the common driveways will be the responsibility of the HOA. Further, Public Works Department is being less supportive of common driveways because of the separation requirements between the services. They also oppose the extension of any mains (water or sewer) in said driveways as currently proposed by the applicant.

~~Per UDC 11-6A-1, one of the objectives of subdividing land is to promote the extension public streets to improve vehicular network. Staff finds excluding the extension of the stub street and the excessive number of common driveways does not meet this objective of the subdivision regulations in the UDC.~~

Pathways (UDC 11-3A-8):

There are no pathways depicted on the Pathways Master Plan for this property. **As noted above, the applicant is making an attempt to incorporate the irrigation facilities into the boundary of the plat. This area will remain a natural waterway that will be maintained by the future HOA. Staff believes the applicant could enhance this development if an internal pedestrian network were provided in the development. Staff recommends that the applicant include a 5-foot wide pathway within the following common lots - Lot 5 and Lot 10 AND provide another micropath lot at south boundary of Lot 14 in the SEC of the development. Further, the 5-foot wide pathway in Lot 10 should stub to southern property boundary for pedestrian connectivity when the property to the south re-develops.** The applicant is proposing a mireopath (Lot 7, Block 2) along the south boundary, preserving pedestrian connectivity in the future. Common Lot 7, Block 2 must be developed in accord with UDC 11-3A-8 and UDC 11-3B-12.

Sidewalks (UDC 11-3A-17):

A 5-foot wide detached sidewalk is required along the frontage of this site adjacent to N. McDermott Rd. The proposed plat depicts the 5-foot wide sidewalk outside of the required landscape buffer adjacent to McDermott Road. The applicant should relocate the sidewalk in the 35-foot wide landscape buffer to ensure compliance with the UDC. The plat as submitted complies with this requirement of the UDC.

Landscaping (UDC 11-3B):

A 35-foot wide street buffer is required along N. McDermott Rd. (measured from back of curb), landscaped per the standards in UDC Table 11-3B-7C. The proposed landscape plan depicts the buffer in a common lot as required by the UDC and landscaped in accord with UDC 11-3B-7C.

Landscaping is required in common open space areas in accord with the standards listed in UDC 11-3G-3E. Trees are proposed far exceeding UDC standards.

Tree mitigation is required in accord with the standards listed in UDC 11-3B-10C. As noted above, the property contains many mature trees that are proposed to be removed or retained as part of

the project (approximately 1,958 caliper inches). With the redesign of the plat, the applicant intends to retain more of the mature trees on the site as desired by the City. However, the revised landscape plan does not depict the number of caliper inches that may be retained as part of the development. The applicant has informed staff that it is their desire to update the plan with the mitigation plan prior to the City Council hearing. Staff is amenable to this request and recommends that 10 days prior to City Council hearing, the applicant should provide a revised landscape plan that includes the caliper inches that are to be retained and removed as part of the development. Further, this should be ~~The applicant is proposing to retain 134 caliper inches in the form of existing trees and mitigate 184 caliper inches. The remaining 1,320 caliper inches are not being mitigated. UDC 11-3B-10C.5(a) requires 100% replacement of the caliper inches. The mitigation plan as proposed by the applicant depicts mitigation of 184 caliper inches which does not comply with UDC standards. The applicant should~~ coordinated with the City Arborist ~~on the mitigation plan~~ to ensure the development can accommodate as many caliper inches as possible.

Qualified Open Space & Site Amenities (UDC 11-3G):

Because the area of the preliminary plat is approximately 7 acres in size, the qualified open space and site amenity standards listed in UDC 11-3G-3 apply. The applicant is proposing to approximately 0.83 of an acre of qualified open space in accord with UDC standards. However, as noted above, staff has concerns with the temporary turnaround on Common Lot 10. If the temporary turnaround encumbered buildable lots as recommended above, there would be more useable open space provided within the development. Further, staff is recommending that the applicant provide an additional amenity in the form of an internal walking path system to integrate the irrigation facilities into the proposed development (see pathway analysis above). With the relocation of the turnaround and the inclusion of the internal walking paths, staff is supportive of the open space and amenities proposed for the development.

The applicant has also indicated that a tot lot is proposed on Common Lot 10 however, the revised plan does not provide any details of this amenity. During the public hearing the applicant should clarify if a tot lot is proposed for this development. If one is proposed, the applicant should revise the landscape plan to include details of this amenity. ~~The applicant has provided an open space exhibit to show how she derived at the qualified open space for the development. In reviewing the submitted plan, some of the areas, the applicant is counting towards qualified open space does not meet UDC standards as follows:~~

- ~~1. Lot 7, Block 2 is not landscaped in accord with UDC 11-3B-12.~~
- ~~2. Lot 6, Block 1 is not improved with an amenity (parking lot does not count as an amenity) or meet the dimensional standards (50' X 100') to count towards qualified open space.~~
- ~~3. Lot 15, Block 2 is proposed to be developed with ACHD temporary turnaround. This area must be removed from the open space calculations. If this area is not dimensioned 50' x 100' with the removal of imperious surface, this area does not meet the City's open space standards.~~
- ~~4. Lot 13, Block 1 depicts a pond greater than 25% of the common lot and does not meet UDC standards in accord with UDC 11-3G-3B.7 and 8.~~
- ~~5. Lot 1, Block 1 is not included in the open space calculation. If this area was enhanced and improved in accord with City and the irrigation standards and integrated in the subdivision design as envisioned by the Comprehensive Plan, the applicant could include this lot in the open space calculations. Without this lot, staff finds that the qualified open space proposed with this project does not comply with the standards set forth in UDC 11-3G-3.~~

Amenities for the development include a gazebo, tot lot and basketball court in excess of UDC standards.

Waterways (UDC 11-3A-6):

The Five Mile Creek/Mcfadden Drain runs along the northern and eastern perimeter of the property. The applicant is seeking Council waiver to allow the irrigation facilities remain open. This area will be contained in common lot to be owned and maintained by a future HOA. Further, the applicant is proposing to hydroseed this area with native drought tolerant fescue to enhance the area. Although it will not be improved with a pathway, staff finds that the proposed vegetation and retention of existing trees will complement the development and may provide passive open space to be used by future residents who are fond of wildlife viewing.

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

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-6 and 11-3A-7. The master fence plan complies with UDC standards.

The landscape plan submitted with the application details the fencing proposed for the project. Six-foot tall vinyl fencing is proposed along the west, south and a portion of the north boundary. The portion of 6-foot solid fencing along the north boundary is adjacent to a common lot and cannot be 6-foot tall solid fencing as proposed by the applicant. **The fencing along the entire north boundary of the buildable lots, including Lot 14 and 15, Block 1, must be constructed as a 6-foot tall semi-privacy fence** as proposed along the interior common lots within the subdivision.

Six foot tall semi-privacy fencing is proposed along the internal common lots and the northern boundary of Lots 16-22, Block 1 in accord with UDC standards.

Utilities (UDC 11-3A-21):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City’s adopted standards, specifications and ordinances. See Section VIII.B below for Public Works comments/conditions.

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for each lot within the development as set forth as set forth in UDC 11-3A-15. If a PI pump station is required on the developed property, such station shall be on a lot solely dedicated to that pump station and shall be owned by the entity that owns and maintains the PI system as set forth in UDC 11-3B-6E.

Storm Drainage (UDC 11-3A-18):

An adequate storm drainage system is required in all developments in accord with the City’s adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

Storm drainage will be mitigated with private drainage ponds at the end of the proposed common driveways and public street drainage is proposed to accommodate in common Lots 2 and 13, Block 1. Because ACHD drainage ponds are proposed within common lots, the proposed ponds must be designed in accord with UDC 11-3B-11 or removed from the open space calculations.

Building Elevations:

Conceptual building elevation photos were submitted for the proposed homes, as shown in Section VII.E. Building materials are proposed to consist of a mix of stucco, wood, and stone wainscot. Field and trim materials are distinguished by color and texture; window and door openings are accentuated with trim.

Because the rear and/or side of 2-story structures on lots that abut N. McDermott Rd. will be highly visible, Staff recommends those elevations incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. *Single-story structures are exempt from this requirement.*

VII. DECISION

A. Staff:

Staff recommends ~~approval~~**denial** of the proposed Annexation and Preliminary Plat in accord with the Findings in Section IX.

B. The Meridian Planning and Zoning Commission heard these items on June 18, 2020. At the public hearing, the Commission voted to recommend approval of the subject AZ and PP requests.

1. Summary of Commission public hearing:
 - a. In favor: Penelope Constantikes and Derritt Kerner
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Sue Wag
 - e. Staff presenting application: Bill Parsons
 - f. Other Staff commenting on application: Adrienne Weatherly
2. Key issue(s) of public testimony:
 - a. Will the proposed development affect the wells and water quality of the Apple Valley residents.
3. Key issue(s) of discussion by Commission:
 - a. Lot transition on the south boundary
 - b. Coordination with NMID on allowing the walking path connections to the Five Creek/McFadden Drain easement area
 - c. Relocation of the temporary turnaround on lots 13 and 14
 - d. Future extension of the stub street on the south boundary
4. Commission change(s) to Staff recommendation:
 - a. Struck condition 2e and 3c requiring the relocation of the temporary turnaround on buildable lots on the east side of Lupine Lane
 - b. Modify condition of approval 2b. requiring the pathway connections to the irrigation facilities if allowed by the NMID
5. Outstanding issue(s) for City Council:
 - a. Applicant is seeking Council waiver to keep the waterways (Five Mile Creek/McFadden Drain) open in accord with UDC 11-3A-6.

C. The Meridian City Council heard these items on July 21, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.

1. Summary of the City Council public hearing:
 - a. In favor: Penelope Constantikes
 - b. In opposition: None
 - c. Commenting: Gennie Fishburn
 - d. Written testimony: None
 - e. Staff presenting application: Bill Parsons
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. None

3. Key issue(s) of discussion by City Council:
 - a. Fencing along the open waterway(s).
 - b. Landscaping proposed in the NMID easement area.
 - c. Methods for restricting access from residents recreating in the NMID easement area.
4. City Council change(s) to Commission recommendation:
 - a. Council granted the waiver to allow the Five Mile Creek/McFadden Drain to remain an open waterway in accord with UDC 11-3A-6.

VIII. EXHIBITS

A. Annexation & Zoning Legal Description and Exhibit Map

Accurate Surveying & Mapping

A Professional Corporation
1602 W. Hays St., Suite 306
Boise, ID 83702
www accuratesurveyors.com



Land Description - Annexation

A parcel of land being a portion of the Southwest Quarter of the Northwest Quarter of Section 33, Township 4 North, Range 1 West of the Boise Meridian, Ada County, Idaho being more particularly described as follows:

BEGINNING at the found 2-inch aluminum cap monument in asphalt labeled PLS 7729 at the ¼ corner common to Sections 32 and 33 in said township from which the found 3-½ inch brass cap monument in asphalt with illegible labeling at the section corner common to Sections 28, 29, 32 and 33 in said township bears N 00° 32' 36" E a distance of 2633.71 feet;

Thence N 00° 32' 36" E along the section line and along the centerline of N. McDermott Road for a distance of 334.34 feet to a found 5/8th inch iron pin upon which a 2-inch aluminum cap labeled PLS 11463 was placed;

Thence N 85° 03' 27" E along the centerline of the McFadden Drain (aka Teeter Drain) for a distance of 751.67 feet to a found 5/8th inch iron pin with a plastic cap labeled PLS 13256;

Thence S 19° 45' 03" E along said centerline and its extension for a distance of 435.77 feet to a found 5/8th inch iron pin upon which a 2-inch aluminum cap labeled PLS 11463 was placed;

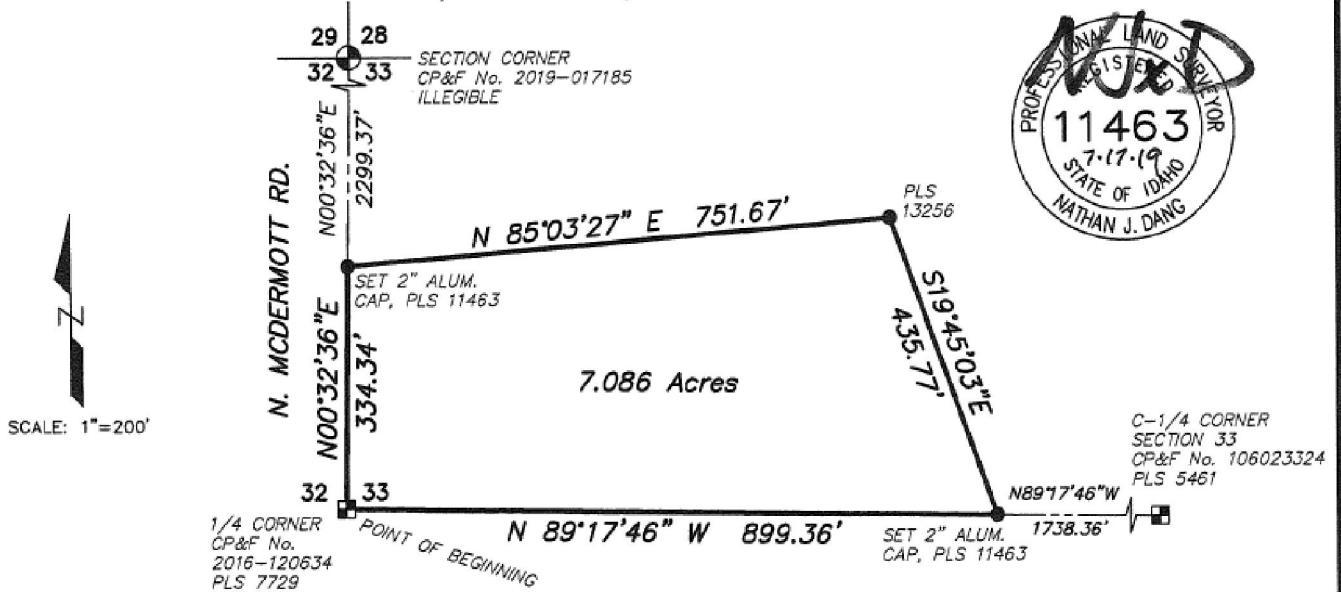
Thence N 89° 17' 46" W along the center section line for a distance of 899.36 feet to the **POINT OF BEGINNING.**

Parcel contains 7.086 acres, more or less.



ANNEXATION MAP

4000 N. McDERMOTT RD. MERIDIAN ID. 83646
LYING WITHIN THE SW 1/4 OF THE NW 1/4 OF SECTION 33, T.4N., R.1W., B.M.



LEGEND

- BOUNDARY LINE
- SECTION LINE
- FOUND 3 1/2" BRASS CAP MONUMENT IN ASPHALT
- FOUND 2" ALUMINUM CAP MONUMENT IN ASPHALT
- FOUND 5/8" IRON PIN, WITH PLASTIC CAP, OR AS NOTED

BASIS OF BEARING

N 00°32'36" E BETWEEN FOUND MONUMENTS AT THE 1/4 CORNER COMMON TO SECTIONS 32 & 33, AND THE SECTION CORNER COMMON TO SECTIONS 28, 29, 32, & 33.

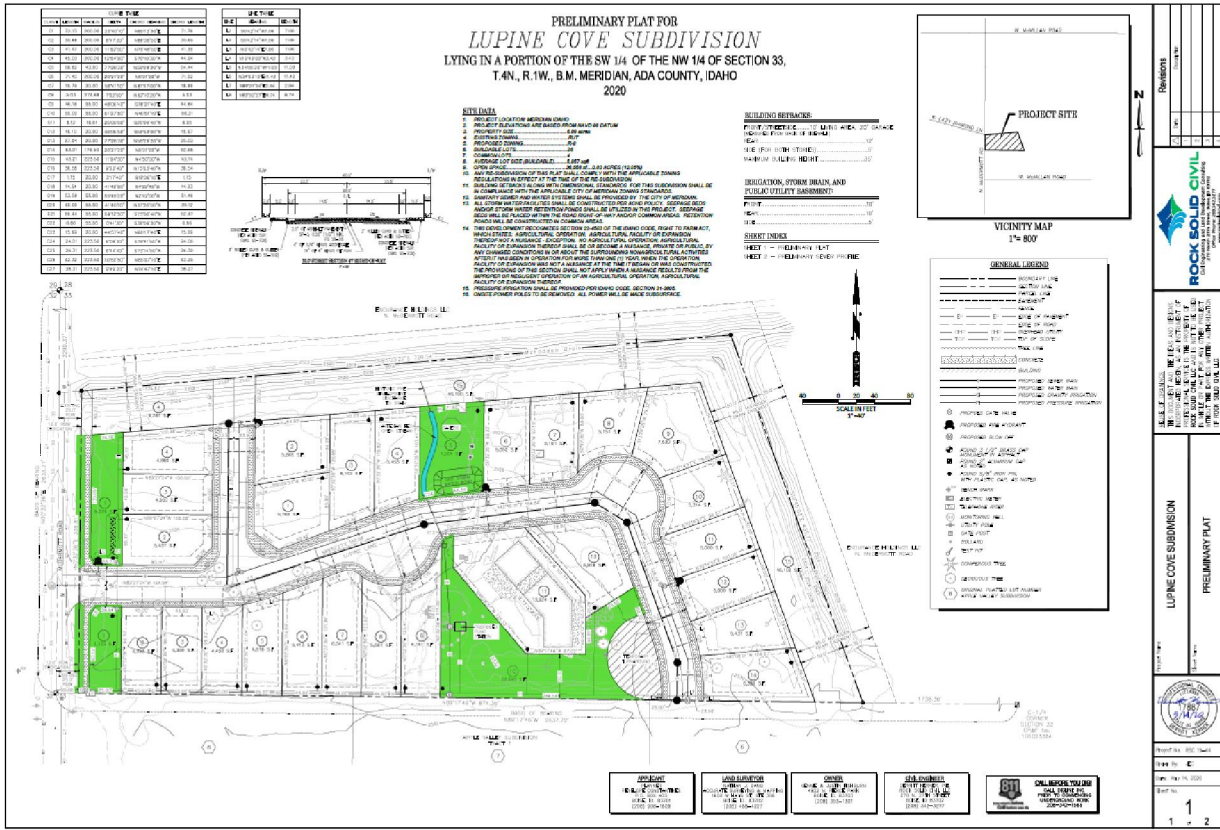


Accurate Surveying & Mapping

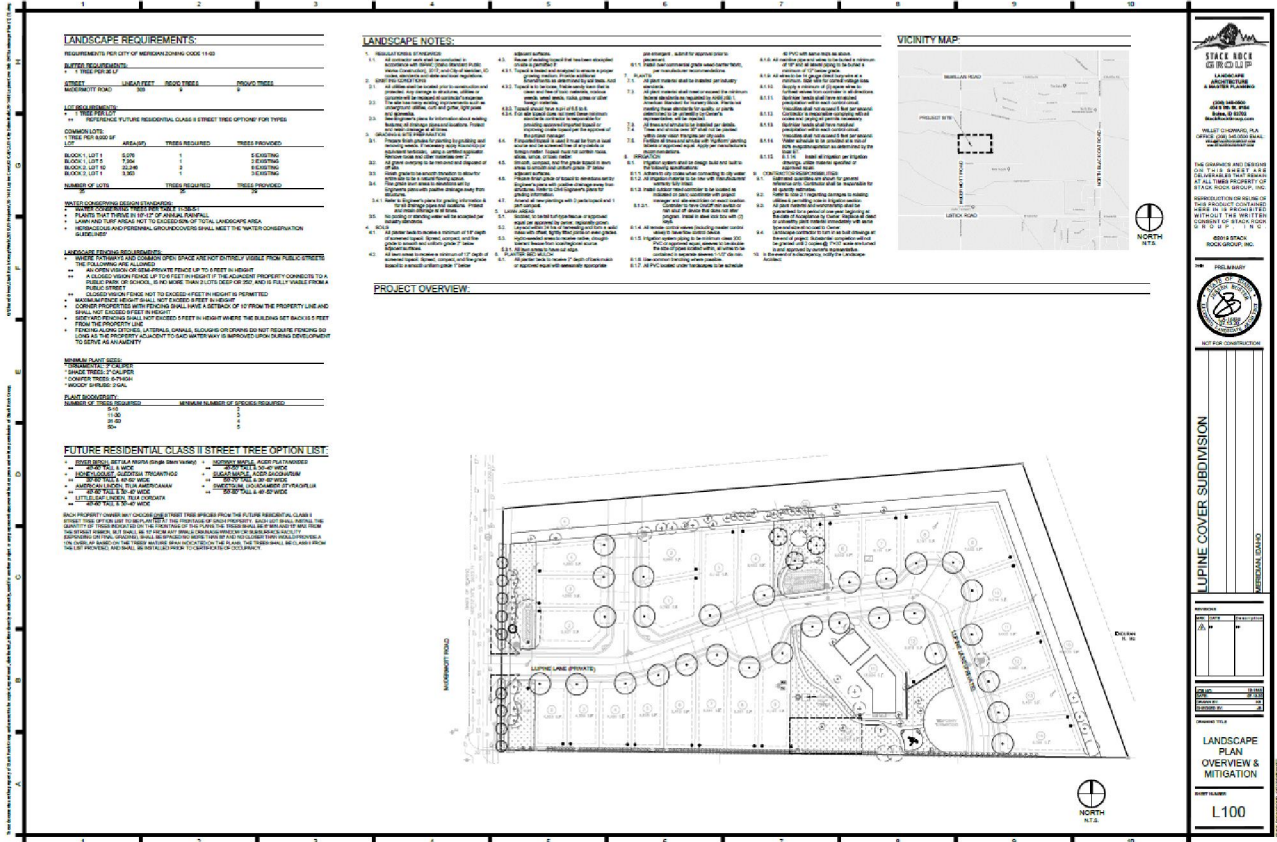
1602 W. Hays Street #306
Boise, Idaho 83702
(208) 488-4227
www accuratesurveyors.com

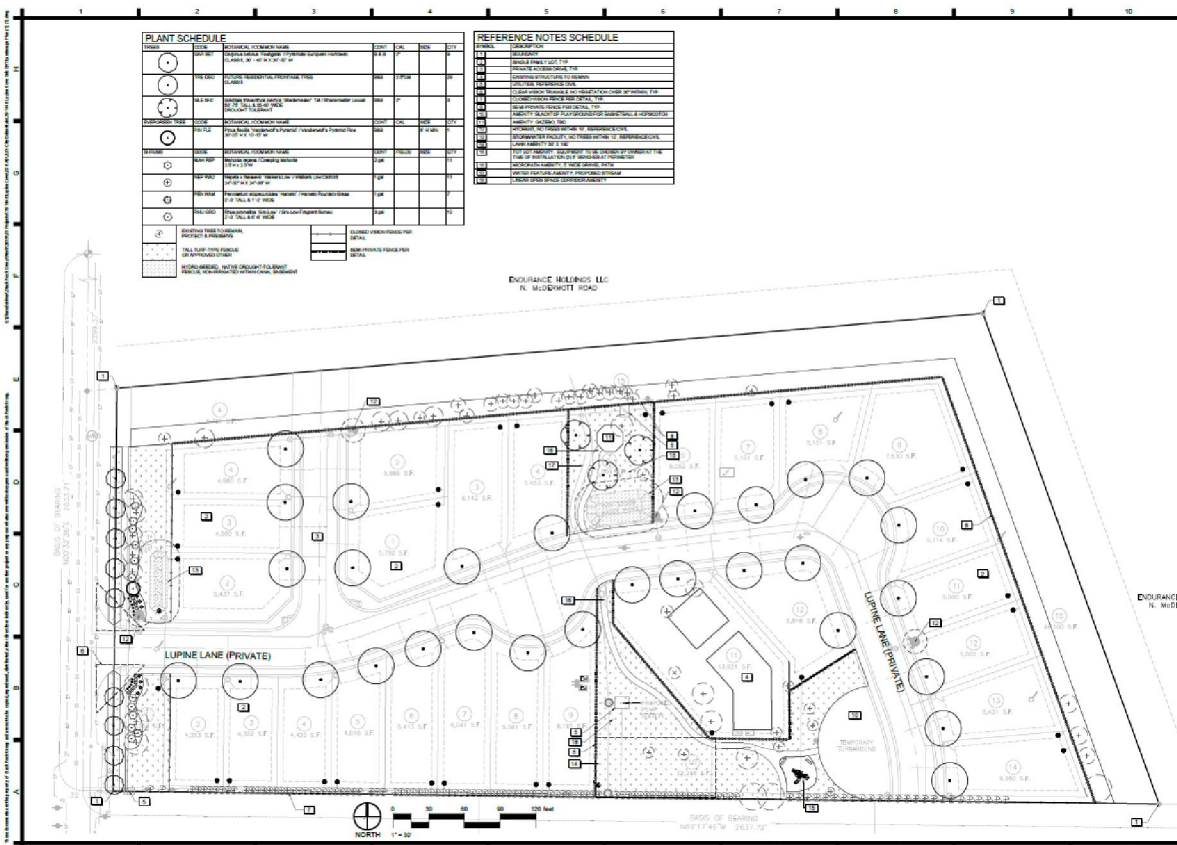
DATE: JULY, 2019 JOB 19-178

B. Preliminary Plat (date: 11/7/2019 05/14/2020)



C. Landscape Plan (date: 10/16/2019 05/20/2020 07/13/2020)



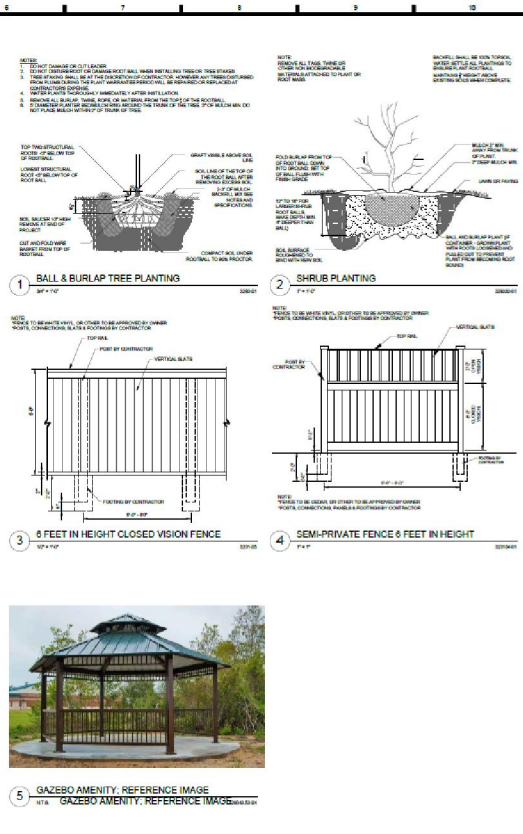
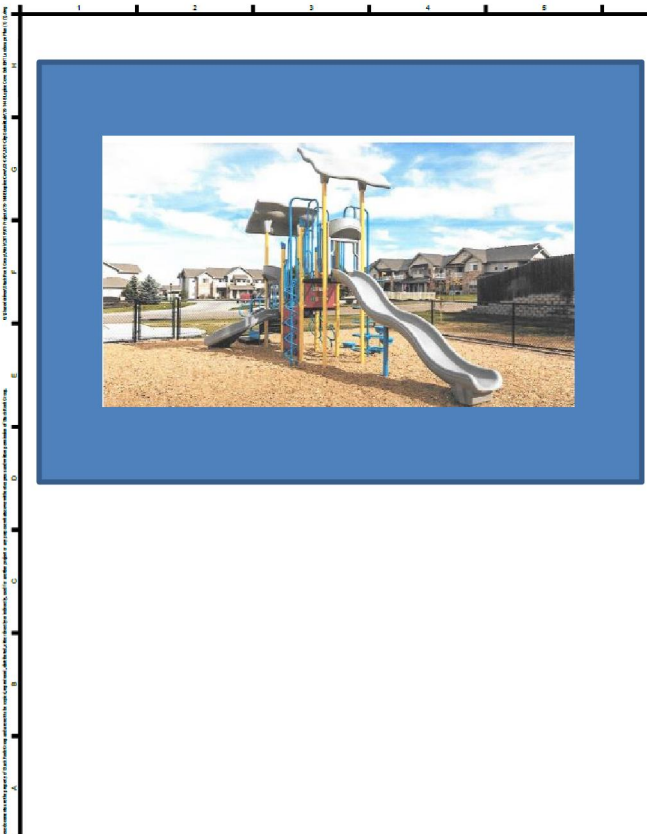


STACK EDGE
OR (R) (L) (U) (P)

LANDSCAPE ARCHITECTURE
LUPINE COVER SUBDIVISION

DATE: 01/11/2024
SCALE: AS SHOWN
PROJECT: LUPINE COVER SUBDIVISION
SHEET: L101 OF 101

LANDSCAPE PLAN
L101



STACK EDGE
OR (R) (L) (U) (P)

LANDSCAPE ARCHITECTURE
LUPINE COVER SUBDIVISION

DATE: 01/11/2024
SCALE: AS SHOWN
PROJECT: LUPINE COVER SUBDIVISION
SHEET: L102 OF 101

LANDSCAPE PLAN & DETAILS
L102

Item #10.

Item #8.

D. Conceptual Building Elevation Photos



Item #10.



Item #8.



IX. CITY/AGENCY COMMENTS & CONDITIONS (~~NO CONDITIONS OF APPROVAL DUE TO STAFF'S RECOMMENDATION OF DENIAL~~)

A. PLANNING DIVISION

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

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

- a. Future development of this site shall be generally consistent with the preliminary plat, landscape plan and conceptual building elevations for the single-family dwellings included in Section VIII and the provisions contained herein.
 - b. The rear and/or sides of 2-story structures on Lots 2-4, Block 1 and Lots 2, Block 2 that face N. McDermott Road shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement.
2. The preliminary plat included in Section VII.B, dated 05/14/2020, shall be revised as follows:
- a. Add a note to the final plat that prohibits direct lot access to N. McDermott Road.
 - b. Add a micropath lot on the south boundary of Lot 14, Block 1 in the SEC of the development in accord with UDC 11-3A-8 and 11-3B-12, if allowed by NMID.
 - c. The internal streets proposed within the development shall comply with the street naming standards in Title 8.
 - d. The existing residence on Lot 13, Block 2 shall connect to City services and obtain a new address with development of the property.
 - e. ~~The temporary turnaround on Common Lot 10 shall be relocated on the east side of Lupine Lane and encumber buildable lots.~~
3. The landscape plan included in Section VII.C, dated ~~05/20/2020~~ 07/13/2020, shall be revised ~~ten (10) days~~ prior to the City Council hearing as follows:
- a. The applicant shall coordinate with the City Arborist on the tree mitigation plan to ensure the development can accommodate as many caliper inches as possible.
 - b. The applicant shall construct ~~a 5-foot wide pathway within Common Lots 5 and 10 AND provide another~~ micropath lot at south boundary of Lot 14 in the SEC of the development, if allowed by NMID. ~~Further, the 5-foot wide pathway in Common Lot 10 must stub to southern property boundary for pedestrian connectivity when the property to the south develops.~~

- ~~e. The temporary turnaround area on Common Lot 10 shall be landscaped in accord with UDC 11-3G-3E.~~
- ~~d. During the public hearing the applicant shall clarify if a tot lot is proposed for this development. The applicant shall provide a detail of the children’s play structure proposed on Common Lot 10.~~
- 4. Future development shall be consistent with the R-8 dimensional standards listed in UDC Table 11-2A-6.
- 5. 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.
- 6. Applicant shall construct homes consistent with the homes elevation in Exhibit VII (D).
- 7. Developer shall comply with all ACHD conditions of approval.
- 8. The Applicant shall have a maximum of two (2) years to obtain City Engineer’s signature on a final plat in accord with UDC 11-6B-7.
- 9. Staff’s failure to cite specific ordinance provisions does not relieve the applicant of responsibility for compliance.
- 10. 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.
NOTE: The applicant is seeking City Council waiver to leave the adjacent waterways open. The City Council approved the Five Mile Creek and McFadden Drain to remain open.

B. PUBLIC WORKS

1. Site Specific Condition of Approval

- 1.1 The applicant shall be required to pay the Oaks Lift Station and Pressure Sewer Reimbursement Fees in the amount of \$265.25 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid with the first final plat application.
- 1.2 The applicant shall be required to pay the Oaks Lift Station Pump Upgrades Reimbursement Fees in the amount of \$185.43 per building lot. The aggregate amount of the reimbursement fees for the entire preliminary plat area must be paid with the first final plat application.
- 1.3 As designed, the water mainline will be a long dead-end main, which may result in poor water quality. This dead-end situation won't be eliminated until the parcels to the south are developed.
- 1.4 The water mainline in McDermott Road must be extended to the southern property line extended. Water mainline sizes were not indicated on the preliminary development plans, however the McDermott mainline must be 12-inch diameter and the Lupine Lane mainline shall be 8-inch diameter.

- 1.5 The maximum slope of sewer mainlines is 5.0% due to limitations on our collections televising equipment. Please revise sewer grade between existing SSMH (within McDermott) and the upstream manhole, SSMH A1.
- 1.6 The geotechnical investigative report prepared by SITE Consulting, LLC indicates some very specific construction considerations. The applicant shall be responsible for the adherence of these recommendations to help ensure that groundwater does not become a problem within crawlspaces of homes, and that storm drainage systems function properly. Applicant shall be required to submit updated groundwater monitoring data and any new geotechnical investigative information that has been derived since the initial investigation efforts of April 20, 2019.

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 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.
- 2.3 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.
- 2.4 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.
- 2.5 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.
- 2.6 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.

- 2.7 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.
- 2.8 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.
- 2.9 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.
- 2.10 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.
- 2.11 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.
- 2.12 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.
- 2.13 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.14 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.15 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.16 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
- 2.17 The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
- 2.18 The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
- 2.19 At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

- 2.20 A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 2.21 The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 2.22 The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=181295&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=182011&dbid=0&repo=MeridianCity>

E. NAMPА & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=182431&dbid=0&repo=MeridianCity>

F. CENTRAL DISTRICT HEALTH DEPARTMENT (CDHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=181358&dbid=0&repo=MeridianCity>

G. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=181368&dbid=0&repo=MeridianCity&cr=1>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=183096&dbid=0&repo=MeridianCity>

I. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=183480&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;

The Council finds the proposed development is consistent with the vision of the Comprehensive Plan in regards to land use, open space, transportation and density however, the plat lacks transitional lots sizes on the south boundary. (See section V. above for more information.)

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

The Council finds the proposed map amendment and development complies with the purpose statements of the residential districts in that it will contribute to the range of housing opportunities for the community consistent with the Comprehensive Plan.

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

The Council finds the proposed map amendment should not be detrimental to the public health, safety and welfare as the proposed residential uses should be compatible with adjacent existing and future residential uses in the area, if transitional lot sizes are provided along the south boundary.

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

The Council finds City services are available to be provided to this development.

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

The Council finds the proposed annexation is in the best interest of the City as the proposed development is consistent with the Comprehensive Plan and UDC standards.

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

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

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

The Council finds the proposed plat is generally in conformance with the Comprehensive Plan and UDC if the Applicant complies with the conditions of approval in Section VIII.

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

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

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

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

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

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

- 5. The development will not be detrimental to the public health, safety or general welfare; and**
The Council finds the proposed development will not be detrimental to the public health, safety or general welfare.
- 6. The development preserves significant natural, scenic or historic features.**
The Council finds there are natural features (Five Mile Creek and McFadden Drain) that need to be preserved and enhanced as part of the development.



AGENDA ITEM

ITEM TOPIC: Parks and Recreation Department: Pedestrian Bridge Construction Agreement Between Open Door Rentals and the City of Meridian to Connect Pathway Segments and Traverse Ten Mile Creek



MEMO TO CITY COUNCIL

Request to Approve Topic on the City Council Consent Agenda

From: Kim Warren, Parks and Recreation **Meeting Date:** August 25, 2020
Presenter: Kim Warren **Estimated Time:** Consent Agenda
Topic: Parks and Recreation Department: Pedestrian Bridge Construction Agreement Between Open Door Rentals and the City of Meridian to Connect Pathway Segments and Traverse Ten Mile Creek

Recommended Council Action:

As pathways project manager, I respectfully request that Council approve this Bridge Acceptance agreement for the purpose of establishing a pedestrian connection over Ten Mile Creek. This project will facilitate student access to Peregrine Elementary School from the new Twelve Oaks Villas project and enhance connectivity for the pathway system in this area.

Background:

This bridge crossing is planned across Ten Mile Creek southwest of Linder and Franklin Roads. The original Development Agreement for Twelve Oaks Villas, executed on October 27, 2006, required the developer to provide a pedestrian connection across Ten Mile Creek.

Nampa and Meridian Irrigation District will only allow the bridge crossing if the City will own and maintain the bridge in perpetuity, per the terms of our December 19, 2000 Master Pathways Agreement.

Therefore, in order for the developer to carry out this provision of the Development Agreement, the City has completed the following:

- Secured an easement on the south side of the proposed pedestrian bridge from Whitestone HOA (already approved and recorded)
- Made arrangements to remove encroachments on the existing common lot at the bridge landing
- Secured an estimate of \$4,750.00 to construct an 'outflow' pathway segment so this bridge can make a valid pedestrian connection.
- Included cost to construct this short pathway segment in our pathways budget request for FY 2021. Also include in our FY21 budget is the cost to build 150 +/- ft. of open vision yard fencing - estimated cost not to exceed \$4,000.00.
- Worked with Legal to develop the attached Bridge Acceptance Agreement so that the bridge, once installed, will meet established standards for public safety and minimize the impacts of long-term maintenance. In short, this agreement guarantees that the City is provided with a quality structure that will last.

The developer has satisfied all other terms required by Nampa and Meridian Irrigation District.

The City's formal acceptance of this pedestrian bridge will enable the processing of License Agreements and other permissions required for this project to move forward.

This bridge will be an asset to the pathway system at large and make possible a Safe Route to School for any elementary school children living north of Ten Mile Creek.

PEDESTRIAN BRIDGE CONSTRUCTION AGREEMENT

This PEDESTRIAN BRIDGE CONSTRUCTION AGREEMENT (“Agreement”), is made and entered into this 18 day of August, 2020 by and between Open Door Rentals LLC (“Developer”) and the City of Meridian, a municipal corporation organized under the laws of the State of Idaho (“City”) (collectively, “Parties”).

WHEREAS, via development agreement between the City of Meridian and Franklin Centre, LLC executed on October 27, 2006 and recorded with the Ada County Recorder as instrument no. 106180812 (“DA”), conditions of development of the property located at 1961 W. Franklin Road, Meridian, Idaho, Ada County parcel no. R8580480020 (“Property”) include installation of a multi-use pathway segment connecting the pathway at Property and the pathway at Whitestone Estates, to include a pedestrian bridge traversing Ten Mile Creek (“Bridge”), at the location depicted in *Exhibit A*;

WHEREAS, Developer is Franklin Centre, LLC’s successor in interest, and, being bound by the terms of the DA, seeks to develop the Property in accordance therewith;

WHEREAS, City has obtained from Whitestone Homeowners Association an easement for the pathway abutting the south side of the Bridge, a copy of which is attached hereto as *Exhibit B*, and Developer has reserved to City an easement for the pathway abutting the north side of the Bridge, a copy of which is attached hereto as *Exhibit C*; and

WHEREAS, by this Agreement City wishes to engage Developer, as an independent contractor, to construct and install the Bridge on City’s behalf, and in consideration of the fulfillment of Developer’s commitments under the DA, Developer wishes to be so engaged;

NOW, THEREFORE, for and in consideration of the covenants, agreements and conditions hereinafter set forth, the parties mutually agree as follows:

I. DEVELOPER’S OBLIGATIONS

- A. Developer has provided to City a plan for design of the Bridge, as set forth in *Exhibit D* hereto, and City has approved such design.
- B. Developer shall, at Developer’s sole expense, obtain all necessary building permits, plan reviews, and inspections from the Meridian Community Development Department, Division of Building Services (“Building Services”) as may be necessary to construct the Bridge, and shall fulfill all requirements of Building Services and of all applicable codes and laws.
- C. Developer shall, at Developer’s sole expense, negotiate and enter into a license agreement with the Nampa & Meridian Irrigation District allowing Developer to construct the Bridge within the District’s easement, at the location depicted in *Exhibit A*. Developer shall provide a copy of such license agreement to City.

- D. Developer shall, at Developer’s sole expense, at the location set forth in *Exhibit A*, construct the Bridge in accordance with the plans attached hereto as *Exhibit D*, with any and all modifications as may be required by Building Services.
- E. Developer shall notify City, in writing, of Developer’s Final Completion of Bridge construction, which completion shall be signified by:
 - 1. Completed construction and installation of the Bridge, in accordance with the plans attached hereto as *Exhibit D*, at the location set forth in *Exhibit A*.
 - 2. Final inspection and approval of the Bridge by Building Services.
 - 3. Developer’s submission to City Contact of copies of full releases and waivers of lien from any and all subcontractors and/or suppliers involved with the construction of the Bridge.

II. CITY’S OBLIGATIONS

- A. Pursuant to the December 19, 2000 Master Pathway Agreement for Developing and Maintaining Pathways between City and the Nampa & Meridian Irrigation District (“Master Pathways Agreement”), City shall obtain from the Nampa & Meridian Irrigation District a license agreement allowing City to operate and maintain the Bridge during and after its construction.
- B. Pursuant to the Master Pathways Agreement, City shall obtain from the Nampa & Meridian Irrigation District a license agreement allowing City to operate and maintain the pathway abutting the north side of the Bridge.
- C. Following Developer’s fulfillment of all aspects of Final Completion as set forth in section I.E., above, City shall execute Final Acceptance of the Bridge, which shall be signified by adoption of a resolution indicating Meridian City Council’s acceptance of the delivery of the Bridge as constructed.
- D. Upon Final Acceptance of the Bridge as set forth in section II.B., above, City shall assume responsibility for operation, maintenance, and repair of the Bridge.

IV. GENERAL PROVISIONS.

- A. **Day-to-day contacts.** The following persons shall serve as the primary contact persons for Developer and City, respectively, for all day-to-day matters regarding design, construction, Final Completion, and Final Acceptance of the Bridge. Communication between City Contact and Developer Contact shall occur via e-mail or telephone.

Developer Contact:
 JIJ, Inc (Jim Jewett, Project Manager)
 me@mauijim.realtor
 (208) 794-0070

City Contact:
 Mike Barton
 mbarton@meridiancity.org
 208-884-5533

B. Notice. All other notices required to be given by either of the parties hereto shall be in writing and be deemed communicated when personally served, or mailed in the United States mail, addressed as follows:

Developer:
Open Door Rentals, LLC
1977 E. Overland Road
Meridian, ID 83642

City:
Meridian City Clerk
33 E. Broadway Avenue
Meridian ID 83642

C. Liability insurance. Developer shall maintain, and specifically agrees that Developer will maintain throughout the term of this Agreement, liability insurance, in which City shall be named an additional insured in the minimum amount as specified in the Idaho Tort Claims Act set forth in Title 6, Chapter 9 of the Idaho Code. The limits of insurance shall not be deemed a limitation of the covenants to indemnify and save and hold harmless City; and if City becomes liable for an amount in excess of the insurance limits herein provided, Developer covenants and agrees to indemnify and save and hold harmless City from and for all such losses, claims, actions, or judgments for damages or liability to persons or property. Developer shall provide City with a certificate of insurance or other proof of insurance evidencing Developer’s compliance with the requirements of this paragraph. In the event the insurance minimums are changed, Developer shall immediately submit proof of compliance with the changed limits.

D. Indemnification. Developer specifically indemnifies City and holds City harmless from any loss, liability, claim, judgment, or action for damages or injury to Developer, to Developer’s personal property or equipment, and/or to Developer’s employees, agents, guests or invitees arising out of or resulting from any condition or circumstance not caused by or arising out of the tortious conduct of City or its employees. Developer further agrees to indemnify and hold City harmless from any loss, liability, claim or action from damages or injuries to persons or property in any way arising out of or resulting from this Agreement or any activities related thereto and not caused by or arising out of the tortious conduct of City or its employees. If any claim, suit or action is filed against City for any loss or claim described in this paragraph, Developer, at City’s option, shall defend City and assume all costs, including attorney’s fees, associated with the defense or resolution thereof, or indemnify City for all such costs and fees incurred by City in the defense or resolution thereof. Developer acknowledges that activities undertaken pursuant to this Agreement carry risks, some of which are unknown, and accepts any and all such risks.

E. Compliance with laws. In performing the scope of services required hereunder, Developer shall comply with all applicable laws, ordinances, and codes of Federal, State, and local governments.

F. Assignment. Neither party shall assign or sublet all or any portion of its respective interest in this Agreement or any privilege or right hereunder, either voluntarily or involuntarily, without the prior written consent of the other party. This Agreement and each and all of the terms and conditions hereof shall apply to and are binding upon the respective organizations, legal representatives, successors, and assigns of the Parties.

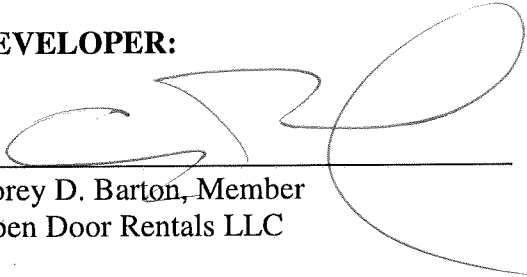
- G. No agency.** For purposes of or in furtherance of this Agreement, neither party nor its respective employees, agents, contractors, officials, officers, servants, guests, and/or invitees shall be considered agents of the other in any manner or for any purpose whatsoever.
- H. Attorney fees.** Should any litigation be commenced between the parties hereto concerning this Agreement, the prevailing party shall be entitled, in addition to any other relief as may be granted, to court costs and reasonable attorneys' fees as determined by a court of competent jurisdiction. This provision shall be deemed to be a separate contract between the parties and shall survive any default, termination or forfeiture of this Agreement.
- I. Time of the essence.** The parties shall fulfill obligations described in this Agreement in a timely manner, as set forth herein. The parties acknowledge and agree that time is strictly of the essence with respect to this Agreement, and that the failure to timely perform any of the obligations hereunder shall constitute a default of this Agreement.
- J. Termination.**
- 1. Grounds.** Grounds for termination of this Agreement shall include, but shall not be limited to: an act or omission by either party which materially breaches any term of this Agreement; an act of nature or other unforeseeable event which precludes or makes impossible the performance of the terms of this Agreement by either party; or a change in or occurrence of circumstances that renders the performance by either party a detriment to the public health, safety, or welfare.
 - 2. Process.** Either party may terminate this Agreement by providing thirty (30) days' notice of intention to terminate. Such notice shall include a description of the breach or circumstances providing grounds for termination. A fourteen (14) day cure period shall commence upon provision of the notice of intention to terminate. If, upon the expiration of such cure period, cure of the breach or circumstances providing grounds for termination has not occurred, this Agreement may be terminated upon mailing of notice of termination.
- K. Construction and severability.** If any part of this Agreement is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this Agreement so long as the remainder of the Agreement is reasonably capable of completion.
- L. Non-waiver.** Failure of either party to promptly enforce the strict performance of any term of this Agreement shall not constitute a waiver or relinquishment of any party's right to thereafter enforce such term, and any right or remedy hereunder may be asserted at any time after the governing body of either party becomes entitled to the benefit thereof, notwithstanding delay in enforcement.
- M. Approval required.** This Agreement shall not become effective or binding until approved by the respective governing bodies of both Parties. The parties signatory hereto represent

and warrant that each is duly authorized to bind, respectively, City and Developer to this Agreement in all respects.

N. Entire Agreement. This Agreement contains the entire agreement of the parties and supersedes any and all other agreements or understandings, oral or written, whether previous to the execution hereof or contemporaneous herewith.

IN WITNESS WHEREOF, the parties shall cause this Agreement to be executed by their duly authorized officers to be effective as of the day and year first above written.

DEVELOPER:



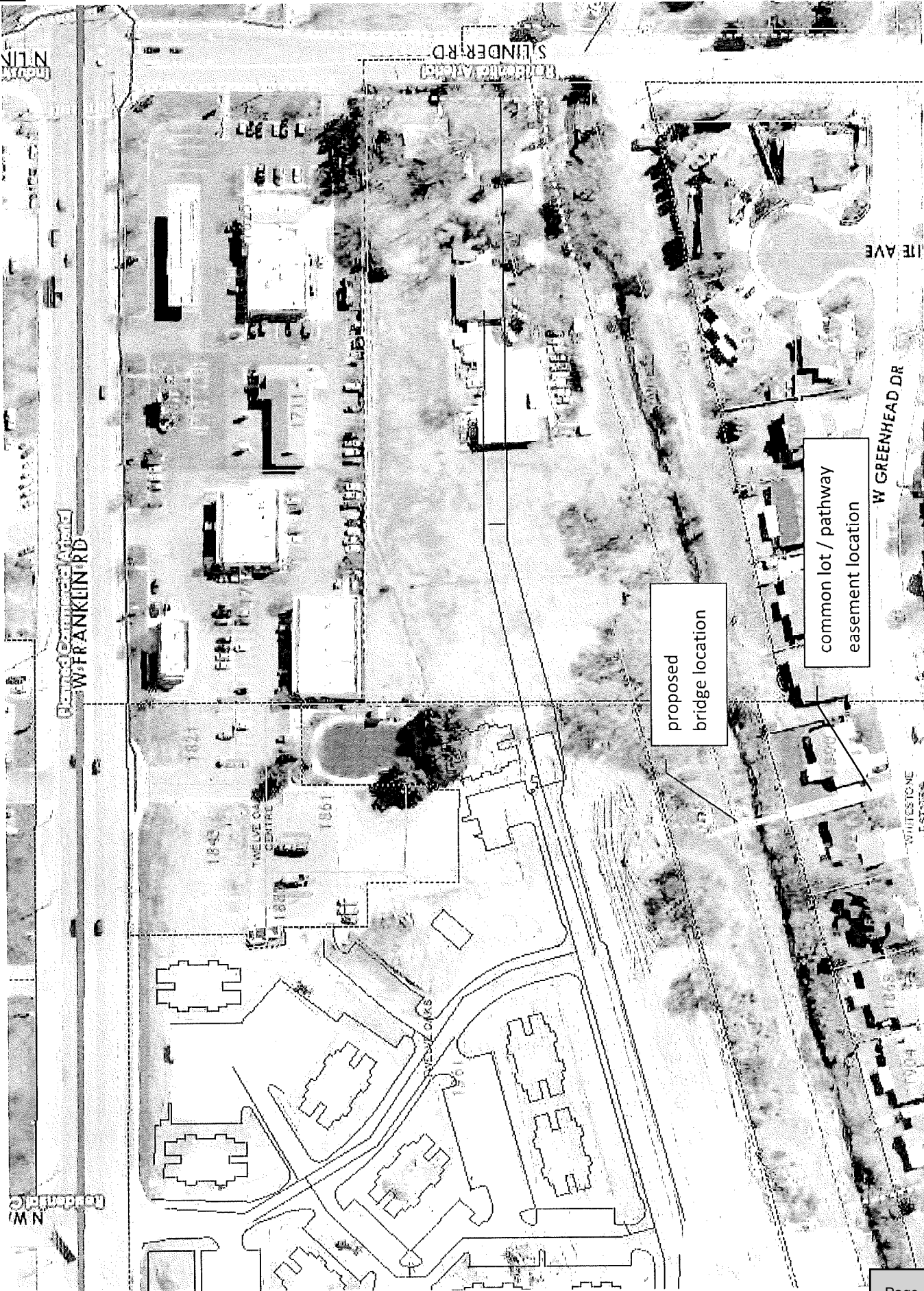
Corey D. Barton, Member
Open Door Rentals LLC

CITY OF MERIDIAN:

Attest:

BY: _____
Robert E. Simison, Mayor

Chris Johnson, City Clerk



Item #11.

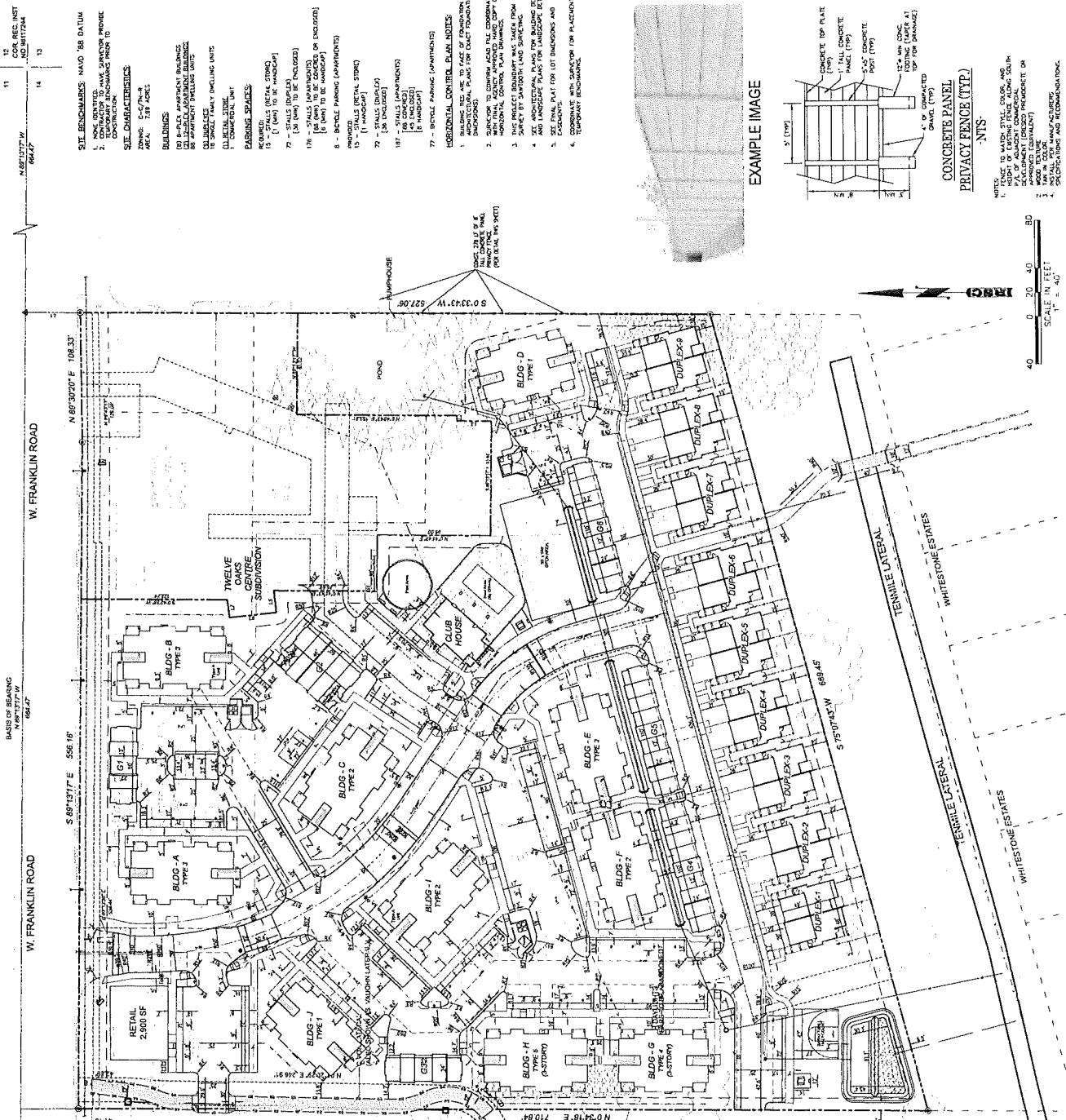
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ROCK SOLID CIVIL
 2100 S. 27th Street, Suite 100
 Phoenix, AZ 85041
 (602) 998-1111
 www.rocksolidcivil.com

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THE VILLAS AT TWELVE OAKS
 1845 W. FRANKLIN RD. / MERIDIAN
 HORIZONTAL CONTROL PLAN

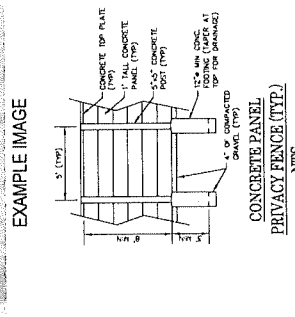
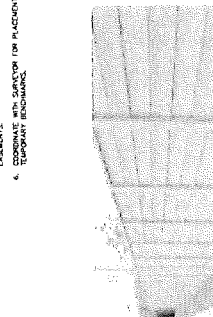
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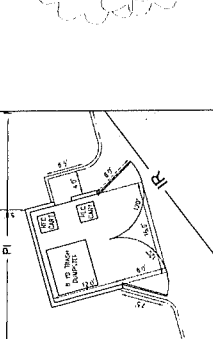
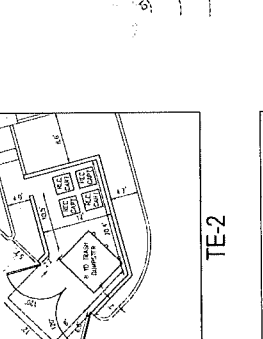
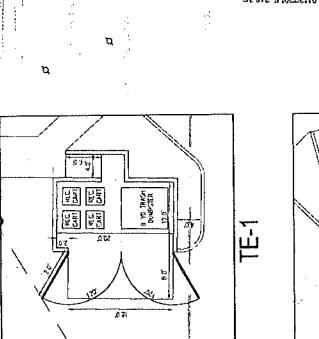
- SITE BENCHMARKS** NAVD 86 DATUM
1. NAIL IDENTIFIED MARK STATIONARY POINT
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- SITE CHARACTERISTICS**
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- FABRICATION NOTES**
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 94. ALL CONCRETE SHALL BE 12" WIDE
 95. ALL CONCRETE SHALL BE 12" WIDE
 96. ALL CONCRETE SHALL BE 12" WIDE
 97. ALL CONCRETE SHALL BE 12" WIDE
 98. ALL CONCRETE SHALL BE 12" WIDE
 99. ALL CONCRETE SHALL BE 12" WIDE
 100. ALL CONCRETE SHALL BE 12" WIDE



SCALE IN FEET
 1" = 40'

11 12
 COR. REC. INST.
 11/23/16



CURVE TABLE

| DATE | ARC LENGTH | DELTA ANGLE | BEARING | COORDINATE | COORDINATE |
|------|------------|-------------|---------------|------------|------------|
| 01 | 24.30' | 10.72° | N 89°13'17" E | 108.33' | 108.33' |
| 02 | 78.90' | 32.16° | N 89°13'17" E | 108.33' | 108.33' |

LINE TABLE

| LINE | BEARING | DISTANCE |
|------|---------------|----------|
| 11 | N 89°13'17" E | 108.33' |
| 12 | N 89°13'17" E | 108.33' |
| 13 | N 89°13'17" E | 108.33' |
| 14 | N 89°13'17" E | 108.33' |
| 15 | N 89°13'17" E | 108.33' |
| 16 | N 89°13'17" E | 108.33' |
| 17 | N 89°13'17" E | 108.33' |
| 18 | N 89°13'17" E | 108.33' |
| 19 | N 89°13'17" E | 108.33' |
| 20 | N 89°13'17" E | 108.33' |

CALL BEFORE YOU DIG!
 LOCAL BIDDING AND
 UNDERGROUND UTILITY
 INFORMATION SERVICE
 1-800-4-A-DIG

Item #11.

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=5 BONNIE OBERBILLIG
CITY OF MERIDIAN, IDAHO
2020-091679
07/22/2020 01:13 PM
NO FEE

Project Name (Subdivision):
Whitestone Pathway Easement from Proposed Twelve Oaks Pof Dislp

PEDESTRIAN PATHWAY EASEMENT

THIS AGREEMENT, made this 21st day of July, 2020, between Whitestone Homeowners Association hereinafter referred to as "Grantor", and the City of Meridian, an Idaho municipal corporation, hereinafter referred to as "Grantee";

WITNESSETH:

WHEREAS, Grantor is the owner of real property on portions of which the City of Meridian desires to establish a public pathway; and

WHEREAS, the Grantor desires to grant an easement to establish a public pathway and provide connectivity to present and future portions of the pathway; and

WHEREAS, Grantor shall construct the pathway improvements upon the easement described herein; and

NOW, THEREFORE, the parties agree as follows:

THE GRANTOR does hereby grant unto the Grantee an easement on the following property, described on Exhibit "A" and depicted on Exhibit "B" attached hereto and incorporated herein.

THE EASEMENT hereby granted is for the purpose of providing a public pedestrian pathway easement for multiple-use non-motorized recreation, with the free right of access to such facilities at any and all times.

TO HAVE AND TO HOLD, said easement unto said Grantee, its successors and assigns forever.

THE GRANTOR hereby covenants and agrees that it will not place or allow to be placed any permanent structures, trees, brush, or perennial shrubs or flowers within the area described for this easement, which would interfere with the use of said easement, for the purposes stated herein.

IT IS EXPRESSLY UNDERSTOOD AND AGREED, by and between the parties hereto, that the Grantor shall repair and maintain the pathway improvements.

THE GRANTOR hereby covenants and agrees with the Grantee that should any part of the easement hereby granted become part of, or lie within the boundaries of any public street,

Project Name (Subdivision):
Whitestone Pathway Easement from Proposed Twelve Oaks Ped Bridge

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GRANTEE: CITY OF MERIDIAN

Robert E. Simison

Robert E. Simison, Mayor

Chris Johnson



Attest by Chris Johnson, City Clerk

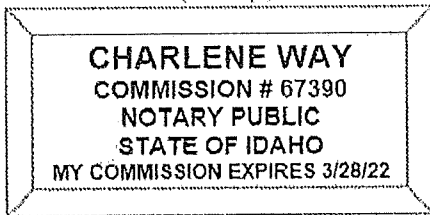
STATE OF IDAHO,)

: ss.

County of Ada)

This record was acknowledged before me on 7-21-2022 (date) by Robert E. Simison and Chris Johnson on behalf of the City of Meridian, in their capacities as Mayor and City Clerk, respectively.

(stamp)



Charlene Way

Notary Signature

My Commission Expires: 3-28-2022

EXHIBIT A

Legal Description Public Pathway Easement

All of Lot 11, Block 1, Whitestone Estates Subdivision, as shown on the Plat recorded in Book 72, Pages 7411 through 7412, in the Office of the Recorder, Ada County, Idaho

Item #11.

ADA COUNTY RECORDER Phil McGrane
BOISE IDAHO Pgs=5 BONNIE OBERBILLIG
CITY OF MERIDIAN, IDAHO
2020-091679
07/22/2020 01:13 PM
NO FEE

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Robert E. Simison

Robert E. Simison, Mayor

Chris Johnson



Attest by Chris Johnson, City Clerk

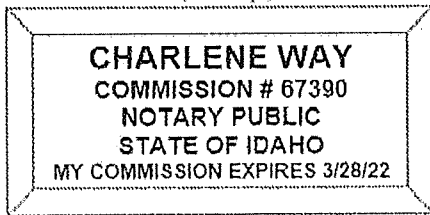
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: ss.

County of Ada)

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(stamp)



Charlene Way

Notary Signature

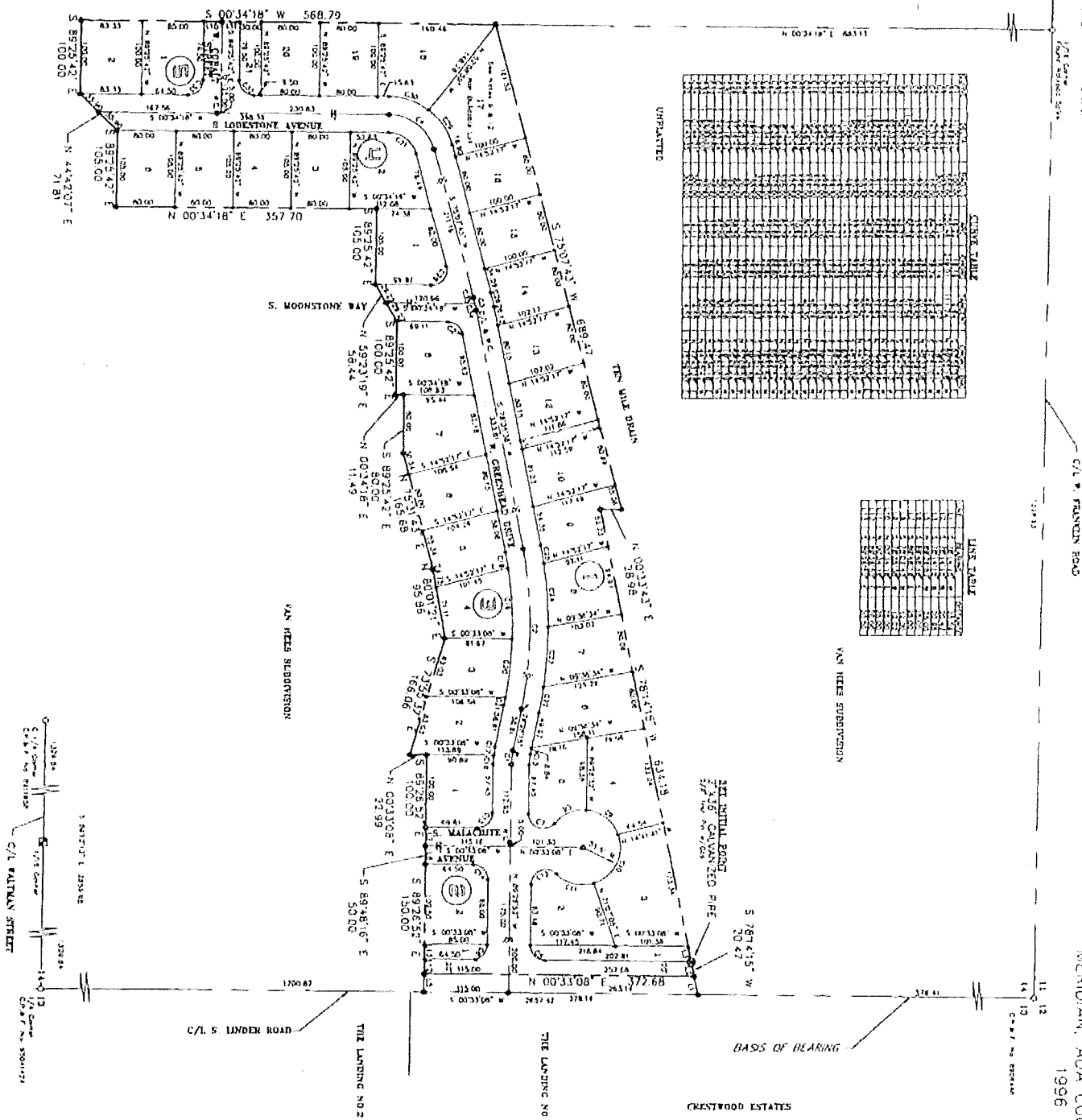
My Commission Expires: 3-28-2022

EXHIBIT A

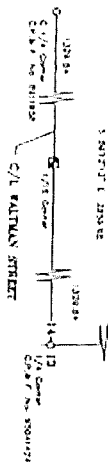
Legal Description Public Pathway Easement

All of Lot 11, Block 1, Whitestone Estates Subdivision, as shown on the Plat recorded in Book 72, Pages 7411 through 7412, in the Office of the Recorder, Ada County, Idaho

UNPLATTED

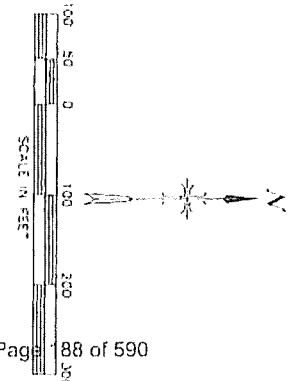
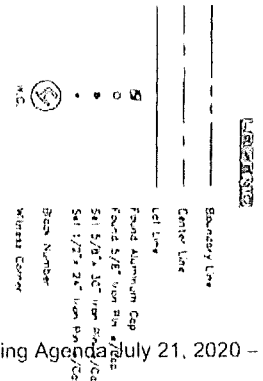


FINAL PLAT
OF
WHITESTONE ESTATES SUBDIVISION
SECTION 14, T. 3 N., R. 1 W., B.M.
MERIDIAN, ADA COUNTY, IDAHO
1996



PACIFIC LAND SURVEYORS
A Division of Pacific Engineering, Inc. dba Pacific
326 N. VALTUN DRIVE, SUITE 200
IDAHO FALLS, IDAHO 83402
PHONE: (208) 746-1234
FAX: (208) 746-1235

- NOTES**
1. All plat symbols are as defined in the Idaho State Platting Act.
 2. Any boundary line shown on this plat is shown as a center line unless otherwise indicated.
 3. The bearings and distances shown on this plat are as shown on the survey records.
 4. The bearings and distances shown on this plat are as shown on the survey records.
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 13. The bearings and distances shown on this plat are as shown on the survey records.



GOVERNING CODE:
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.1. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.2. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.3. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.4. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.5. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.6. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.7. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.8. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.9. STRUCTURAL
 BRIDGE 2006, 10th Edition, Part 1, 10.2.3.10. STRUCTURAL

DESIGN OTHERS:
 DATE: 11/15/17
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 APPROVED BY: [Name]

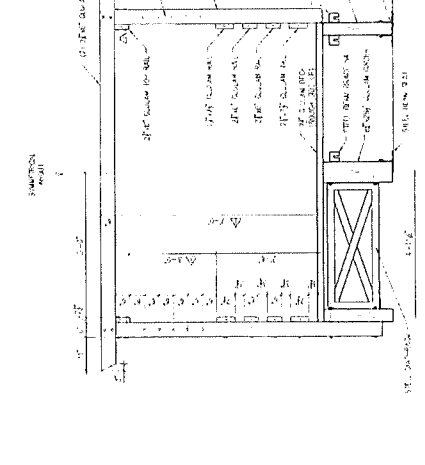
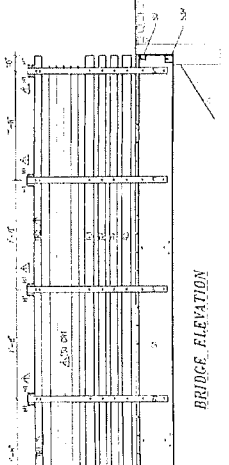
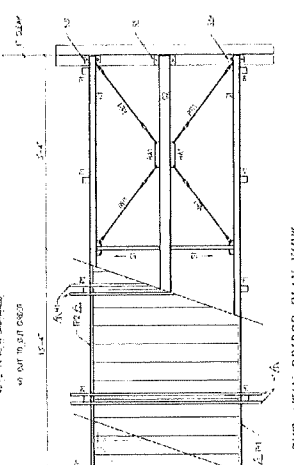
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 UNIT: [Unit]

MATERIAL:
 STEEL: [Specification]
 WOOD: [Specification]

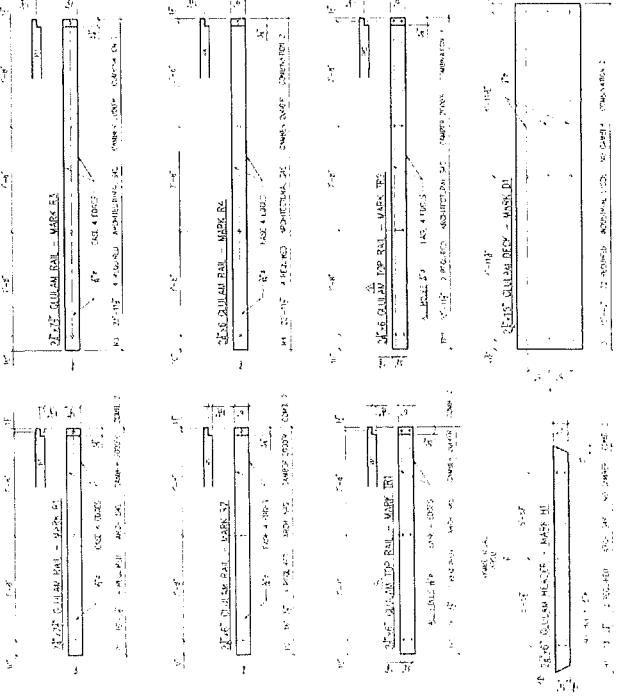
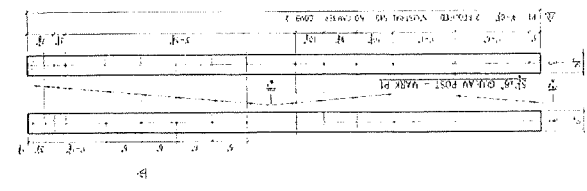
STEEL SPECIFICATIONS:
 STEEL: [Specification]

TREATMENT SPECIFICATIONS:
 TREATMENT: [Specification]

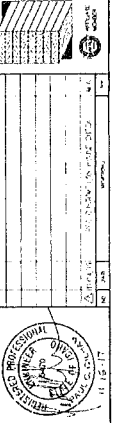
| NO. | DESCRIPTION | QTY | UNIT |
|-----|--------------------------------|-----|------|
| 1 | STEEL COLUMN - MARK 1E | 1 | EA |
| 2 | STEEL COLUMN HEAD - MARK 1E | 1 | EA |
| 3 | STEEL COLUMN FOOT - MARK 1E | 1 | EA |
| 4 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 5 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 6 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 7 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 8 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 9 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 10 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 11 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 12 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 13 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 14 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
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| 19 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |
| 20 | STEEL COLUMN BRACKET - MARK 1E | 1 | EA |



NOTE: ALL DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.
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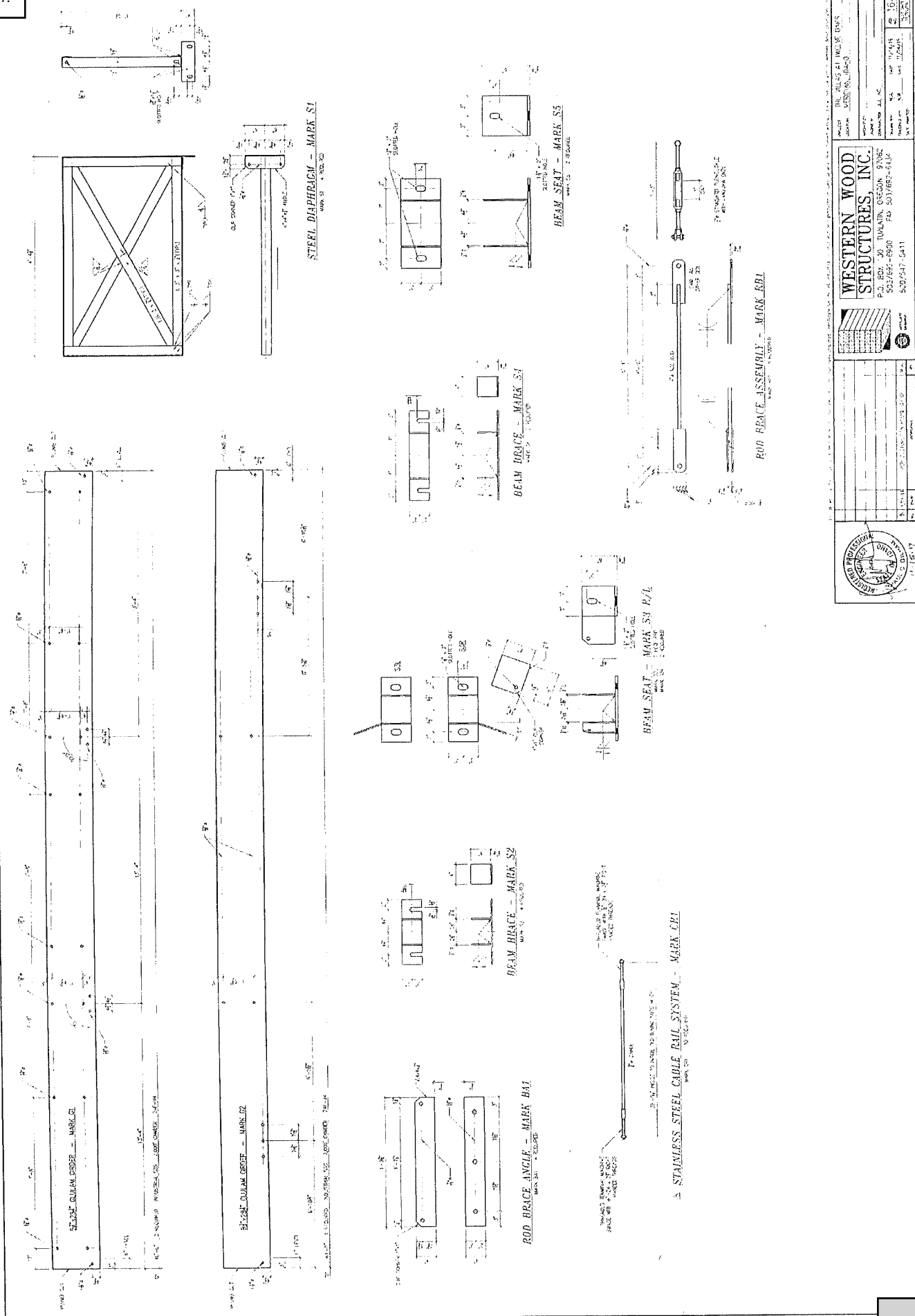


WESTERN WOOD STRUCTURES, INC.
 1000 10th Street, Vancouver, BC V6P 1A1
 604-273-8800
 1-800-451-1234



BRIDGE SECTION @ MIDSPAN ABUTMENT

Item #11.



WESTERN WOOD STRUCTURES, INC.
 P.O. BOX 26 TUALATIN, OREGON 97146
 503/665-6900 FAX 503/665-6134
 503/547-5411

WESTERN PROFESSIONAL DESIGNERS
 1115 S. IVY ST.
 TUALATIN, OREGON 97146
 503/665-6900

Project: BR. JULISS AT INDIAN LAKE DAMS
 Location: WESBENA, OREGON
 Drawing No.: 11-10-13
 Date: 11/20/05
 Scale: 1/2" = 1'-0"



AGENDA ITEM

ITEM TOPIC: Finance Department: Annual Citywide Fee Updates

FY2020 Citywide Fee Updates

| New Existing | Fee | Description | New Fee Amount | Old Fee Amount |
|-----------------------------------|--|--|--|--|
| Fire Department Fees | | | | |
| New | Mobile Food Vendor Inspection | Any mobile food vendors that cook - will be required to have a fire department inspection annually | \$ 45.00 | \$ - |
| Community Development Fees | | | | |
| New | Performance, Warranty and Development of Surety Agreement Fee | Performance Surety and Warranty Surety, and the preparation of a formal Development Surety Agreement | \$ 233.00 | \$ - |
| | | Residential 200 amps or less, one location. | | |
| Existing | Temporary power poles/construction services | Every temporary power pole must be called in for inspection. Idaho Power will not set the meter until the temporary pole has passed city inspection. To be installed for construction purposes only for a period not to exceed one (1) year. Residential over 200 amps and all Commercial Construction | \$ 40.00 | \$ 40.00 |
| Existing | Temporary power poles/construction services | Every temporary power pole must be called in for inspection. Idaho Power will not set the meter until the temporary pole has passed city inspection. To be installed for construction purposes only for a period not to exceed one (1) year. | Commercial fee schedule (Ref No. 2.2.09) | Commercial fee schedule (Ref No. 2.2.09) |
| New | Stand Alone 2 year Warranty Surety Agreement | a stand-alone two-year Warranty Surety for public works infrastructure installations, and the preparation of a formal Warranty Surety Agreement. | \$ 180.00 | \$ - |
| New | Stand alone performance surety w/o a Formal Development Surety Agreement | a stand-alone Performance Surety, without the preparation of a formal Development Surety Agreement | \$ 162.00 | \$ - |
| New | Surety Reduction Fee | This fee is intended to cover the process to reduce an existing surety at the time of expiration/renewal only. This fee would be applicable for each request. | \$ 69.00 | \$ - |
| New | Temporary Certificate of Occupancy (TCO) Fee | Commercial Temporary Certificate of Occupancy requests are very time consuming for the Community Development Department. These requests take time to process and include support from the permit counter, Land Development Section, Planning Division, and the Building Section. | \$ 114.75 | \$ - |
| Public Works Fees | | | | |
| New | Sewer System Repair Fee: | Additional Collections Technician (per hour) | \$ 35.39 | \$ - |
| New | Sewer System Repair Fee: | CCTV Van with one Collections Technician (per hour) | \$ 54.97 | \$ - |
| New | Sewer System Repair Fee: | Hydrocleaner Service Truck with one Collections Technician (per hour) | \$ 54.97 | \$ - |
| New | Water Meters: | OMNI Hydrant Meter H2 Handle | \$ 33.40 | \$ - |
| New | Water Meters: | OMNI Hydrant Meter H2 Lock Handle Assembly | \$ 14.78 | \$ - |
| New | Water Meters: | OMNI Hydrant Meter H2 Register | \$ 371.86 | \$ - |
| New | Water Meters: | OMNI Hydrant Meter H2 Register w/Chamber | \$ 899.86 | \$ - |
| New | Water Meters: | OMNI Hydrant Meter H2 Support Bracket | \$ 406.00 | \$ - |
| New | Water System Repair Fee: | 1" IP 250 PSI Poly Pipe Per linear Ft. | \$ 0.67 | \$ - |
| New | Water System Repair Fee: | 1.5" IP 250 PSI Poly Pipe Per linear Ft. | \$ 1.56 | \$ - |
| New | Water System Repair Fee: | 10" C-900 Pipe Per linear Ft. | \$ 13.42 | \$ - |
| New | Water System Repair Fee: | 10" Repair Coupler | \$ 282.50 | \$ - |
| New | Water System Repair Fee: | 12" C-900 Pipe Per linear Ft. | \$ 18.97 | \$ - |
| New | Water System Repair Fee: | 12" Repair Coupler LPS (Long Pattern Sleeve) | \$ 177.24 | \$ - |
| New | Water System Repair Fee: | 12" Wedge Restraint Gland Pack | \$ 137.92 | \$ - |
| New | Water System Repair Fee: | 2" IP 250 PSI Poly Pipe Per linear Ft. | \$ 2.57 | \$ - |
| New | Water System Repair Fee: | 3/4" Road Base Material - per yd | \$ 17.80 | \$ - |
| New | Water System Repair Fee: | 4" C-900 Pipe Per linear Ft. | \$ 2.60 | \$ - |
| New | Water System Repair Fee: | 4" Repair Coupler | \$ 133.38 | \$ - |
| New | Water System Repair Fee: | 6" C-900 Pipe Per linear Ft. | \$ 5.15 | \$ - |
| New | Water System Repair Fee: | 6" Repair Coupler | \$ 189.65 | \$ - |
| New | Water System Repair Fee: | 8" C-900 Pipe Per linear Ft. | \$ 8.95 | \$ - |
| New | Water System Repair Fee: | 8" Repair Coupler | \$ 235.63 | \$ - |
| New | Water System Repair Fee: | Silt Sand - per yard | \$ 12.34 | \$ - |

Item #12.

FY2020 Citywide Fee Updates

| New Existing | Fee | Description | New Fee Amount | Old Fee Amount |
|--------------|--------------------------|---|----------------|----------------|
| New | Water System Repair Fee: | STORZ fitting - 4.5 hydrant nozzle | \$ 145.60 | \$ - |
| New | Water System Repair Fee: | Traffic Rated Ring 20" | \$ 84.62 | \$ - |
| Existing | Water System Repair Fee: | Lid Only - 24" Manhole Cover | \$ 269.90 | \$ 146.12 |
| Existing | Water System Repair Fee: | Hydrant Meter 2.5 FHT Swivel / no screen | \$ 109.81 | \$ 72.79 |
| Existing | Water System Repair Fee: | 1 inch Angle Valve | \$ 139.17 | \$ 99.62 |
| Existing | Water System Repair Fee: | Traffic Rated Lid 20" | \$ 153.85 | \$ 110.20 |
| Existing | Water System Repair Fee: | 3/4" IP 200PSI Poly Pipe Per linear Ft. | \$ 0.43 | \$ 0.33 |
| Existing | Water System Repair Fee: | Traffic Rated Meter Tub 42" | \$ 142.12 | \$ 110.20 |
| Existing | Water System Repair Fee: | Non-Traffic Rated 42" Meter Tub/Tile for Single/Double Services | \$ 121.98 | \$ 95.76 |
| Existing | Water System Repair Fee: | Non-Traffic Meter Tub 36" | \$ 121.98 | \$ 95.76 |
| Existing | Water System Repair Fee: | 2 inch Angle Valve | \$ 356.40 | \$ 289.36 |
| Existing | Water System Repair Fee: | 1.5 inch Angle Valve | \$ 302.03 | \$ 246.28 |
| Existing | Water System Repair Fee: | Meter Setter 2 inch | \$ 1,926.24 | \$ 1,718.98 |
| Existing | Water System Repair Fee: | 2 inch gate valve for hydrant meter | \$ 194.42 | \$ 185.16 |
| Existing | Water System Repair Fee: | Meter Setter 1 inch | \$ 546.14 | \$ 530.22 |
| Existing | Water System Repair Fee: | Meter Setter 3/4 inch | \$ 328.04 | \$ 318.48 |
| Existing | Water System Repair Fee: | 1" x 1" IP PE Compression x Compression Grip Coupler | \$ 59.93 | \$ 58.19 |
| Existing | Water System Repair Fee: | 3/4 FIP x FIP Brass Curb Stop Valve | \$ 66.84 | \$ 66.83 |
| Existing | Water System Repair Fee: | Padlock | \$ 6.79 | \$ 7.43 |
| Existing | Water System Repair Fee: | 1" IP Compression x 3/4 MIP Brass Fitting | \$ 42.52 | \$ 46.67 |
| Existing | Water System Repair Fee: | Cast-Iron Valve Lid | \$ 12.00 | \$ 14.87 |
| Existing | Water System Repair Fee: | 3/4 inch angle valves | \$ 84.73 | \$ 111.90 |



AGENDA ITEM

ITEM TOPIC: City of Meridian Financial Report - July 2020

CITY of MERIDIAN FINANCE REPORT

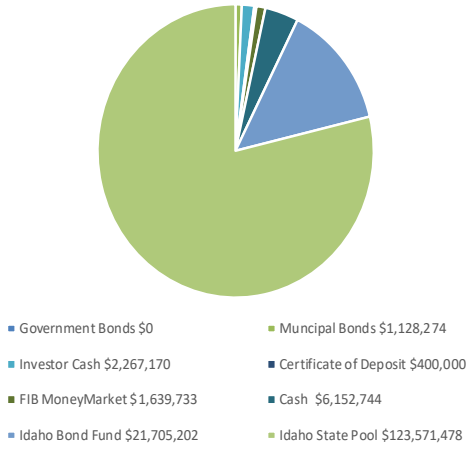
July 2020

| Report | PAGE # |
|-------------------|---------------|
| Investment Graphs | 2 |
| Fund Balance | 3 |

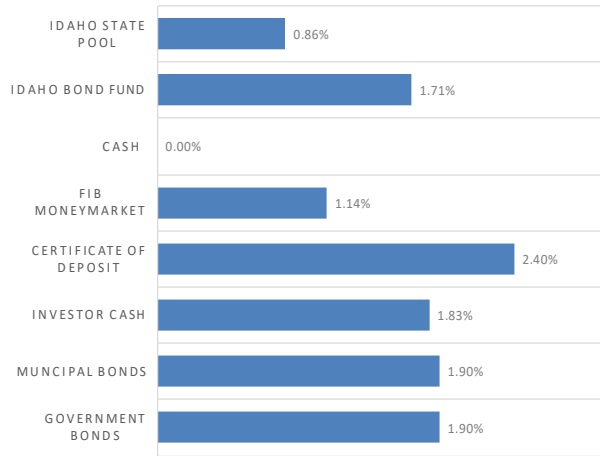




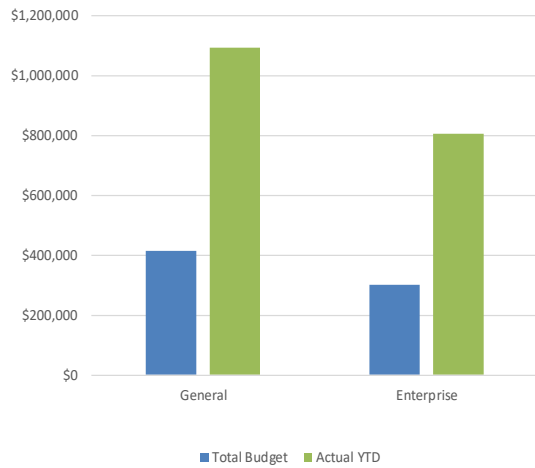
City of Meridian Investment Portfolio



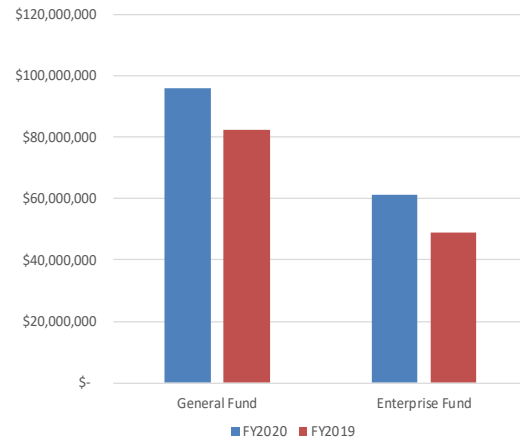
CITY OF MERIDIAN INVESTMENT PORTFOLIO YIELD BY INVESTMENT TYPE



City of Meridian Interest/Investment Income by Major Fund

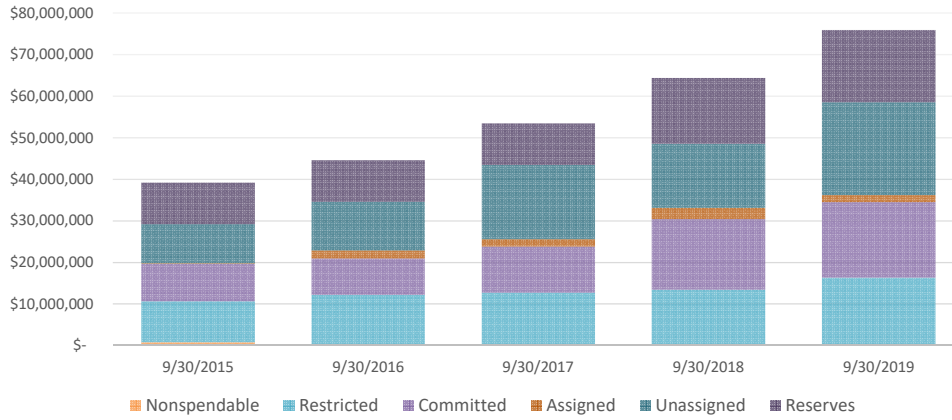


City of Meridian Cash/Investments Balance by Major Fund

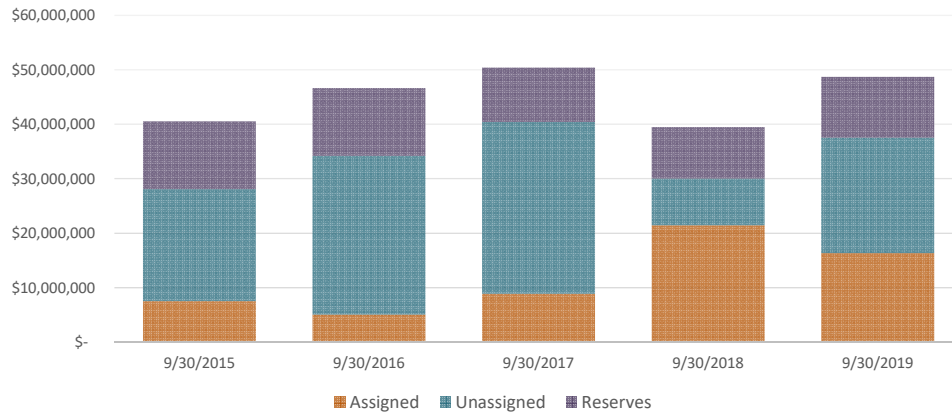




GENERAL FUND BALANCE ALLOCATIONS



ENTERPRISE FUND BALANCE ALLOCATIONS





AGENDA ITEM

ITEM TOPIC: AP Invoices for Payment - 08-26-20 - \$1,403,173.98

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|--------------|---------------------------------|--|----------------|
| 01 | General Fund | ADA COUNTY PARAMEDICS | 220/ Heartsaver CPR AED eCards (9) - City Training | 180.00 |
| 01 | General Fund | ADA COUNTY SHERIFF'S OFFICE | Inmate Housing for July 2020 | 43.33 |
| 01 | General Fund | ALL AMERICAN TOWING | TOWING DR20-4388 7/27 357 Waterbury | 137.00 |
| 01 | General Fund | BACKGROUND SOLUTIONS LLC | Background Assistant Software/web-based Applications | 1,590.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #28776C | 94.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #28914C | 94.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #28915C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #28920C | 94.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29001C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29119C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29143C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29305B | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29485C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29984C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #29985C | 94.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #30740C | 94.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #30741C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #40060C | 196.00 |
| 01 | General Fund | BERRY ELECTRICAL SERVICES, INC. | 20-0012 Streetlight Repair Pole #40061C | 196.00 |
| 01 | General Fund | BILLING DOCUMENT SPECIALISTS | 20-0004 FY20 JULY 20 BILLS AND DELINQUENT NOTICES | 179.43 |
| 01 | General Fund | BOISE SOFTBALL UMPIRES ASSOC. | 20-0231 softball umpires 7/27-7/31/20 - qty 46.5 games | 1,343.85 |
| 01 | General Fund | BONNEVILLE BLUE PRINT SUPPLY | Fairview Avenue Connection plan set copies - qty 66 | 12.54 |
| 01 | General Fund | BOUNDTREE MEDICAL | 220/4 no contact infrared thermometers qty 4, COVID | 257.16 |
| 01 | General Fund | BRADY INDUSTRIES, LLC. | 20-0273 4 cs Sanitizer Instant Gel 70 per alcohol | 592.00 |
| 01 | General Fund | BRADY INDUSTRIES, LLC. | 20-0295 5 cs Sanitizer instant Gel 70 per alcohol | 740.00 |
| 01 | General Fund | BRADY INDUSTRIES, LLC. | 220/ Janitorial and Shop supplies - Sta. 1 | 97.35 |
| 01 | General Fund | BRADY INDUSTRIES, LLC. | 220/ Janitorial, Sta. 3 | 268.11 |
| 01 | General Fund | BRADY INDUSTRIES, LLC. | 5 cs of sanitizer gel 70% alcohol | 740.00 |
| 01 | General Fund | BRICON, INC | 20-0219 pay #2 FMC Path James Court Sidewalk Widening | 71,440.00 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Battery for Unit # 6 | 126.00 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Ford Seat Covers for Drivers Seat, as Needed | 859.03 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Front Brake Hardware Replacement Unit # 15 | 65.90 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Oil Change & Air Filter for Unit # 31 | 76.60 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Oil Change and Tranc. Svc Unit # 48 | 155.02 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Oil Change for Unit # 122 | 64.99 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Oil Change for Unit # 131 | 90.51 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Oil change, Front & Rear Brakes for Unit # 140 | 902.24 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|--------------|--------------------------------|---|----------------|
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | Oil Change, Wipers, Replace CV Shaft & TPMS Sensor #14 | 398.87 |
| 01 | General Fund | BRUNEEL TIRE OF MERIDIAN LLC | old credit on account Bruneel | (87.35) |
| 01 | General Fund | CHAD SOMBKE, PH.D, P.C. | New Hire Pre-employment evaluation | 400.00 |
| 01 | General Fund | CHAD SOMBKE, PH.D, P.C. | Pre Employment Background Screening | 400.00 |
| 01 | General Fund | CHAD SOMBKE, PH.D, P.C. | Pre Employment Testing | 400.00 |
| 01 | General Fund | CLAYTON'S CALCIUM, INC. | ball field chalk - qty 80 | 485.00 |
| 01 | General Fund | COSTCO WHOLESALE CORPORATION | 20-0271 Streetlight Install ITD-Chinden Svcs to 6/30/20 | 206,897.00 |
| 01 | General Fund | CURTS DISCOUNT SHOOTERS SUPPLY | FIREARMS PANTS - x3 | 2,667.00 |
| 01 | General Fund | CUSTOM INK LLC | SPRING VOLLEYBALL CHAMPION SHIRTS QTY20 | 474.00 |
| 01 | General Fund | D & B SUPPLY | bolts for Kleiner Park splash pad - qty 0.07 | 0.35 |
| 01 | General Fund | D & B SUPPLY | DI PREY LID TRT DOG FOOD 25 LBS X2 K9 WYATT | 93.58 |
| 01 | General Fund | D & B SUPPLY | DI PREY LID TRT DOG FOOD 25LBS X2 | 103.98 |
| 01 | General Fund | D & B SUPPLY | hedge trimmer parts - qty 24 | 9.44 |
| 01 | General Fund | D & B SUPPLY | Kleiner Park splash pad bolts - qty 6 | 5.82 |
| 01 | General Fund | D & B SUPPLY | one-gallon sprayers - qty 2 | 35.98 |
| 01 | General Fund | DENNIS DILLON POWER SPORTS | Clutch Replacement for Unit #526 | 891.10 |
| 01 | General Fund | DENNIS DILLON POWER SPORTS | Credit Invoice # 7502404 - City Discount Unit # 526 | (89.00) |
| 01 | General Fund | DENNIS DILLON POWER SPORTS | Oil Change for Unit # 522 | 91.33 |
| 01 | General Fund | DIVISION OF BLDG SAFETY | Annual ID Div of Bldg Safety Elevator Certification | 375.00 |
| 01 | General Fund | DONE RITE TREE CO. | tree removal for James Court Sidewalk Widening | 550.00 |
| 01 | General Fund | DONE RITE TREE CO. | Well House #16 tree pruning & removal | 1,950.00 |
| 01 | General Fund | EASYDRIFT | Replaced Training Tire | 634.90 |
| 01 | General Fund | ELECTRICAL WHOLESALE SUPPLY CO | 20-0275 LED Upgrade 14 Fixture Purchase 4/13/20 | 2,112.56 |
| 01 | General Fund | ELECTRICAL WHOLESALE SUPPLY CO | 20-0275 Purchase 14 LED Fixtures on 4/13/20 | 676.82 |
| 01 | General Fund | ELECTRICAL WHOLESALE SUPPLY CO | 20-0275 Purchase 9 LED Fixtures on 4/13/20 | 4,098.91 |
| 01 | General Fund | ELECTRICAL WHOLESALE SUPPLY CO | 220/ Bulbs Sta. 3 - Scott Smith P/U | 62.03 |
| 01 | General Fund | ELECTRICAL WHOLESALE SUPPLY CO | 220/ Generator Transfer Switches (2) - Sta. 5 | 248.78 |
| 01 | General Fund | ELECTRICAL WHOLESALE SUPPLY CO | 220/ Light Bulbs, Building Maintenance | 31.43 |
| 01 | General Fund | ENHANCED TELECOMMUNICATIONS | Settlers Park NVR recorder adjustments to security system | 97.00 |
| 01 | General Fund | ETC INSTITUTE | City survey administration (Invoice #3) | 6,600.00 |
| 01 | General Fund | ETC INSTITUTE | City survey invoice #4 (final report draft) | 2,200.00 |
| 01 | General Fund | FAMILY TANG SOO DO | instructor fee - Martial Arts 6/30-7/28/20 - qty 9 | 260.00 |
| 01 | General Fund | FIVE STAR TOWING | DR20-4459 towed vehicle for investigation | 237.00 |
| 01 | General Fund | GALL'S INC. | Batons for Mobile Field Force | 72.68 |
| 01 | General Fund | GALL'S INC. | Gloves for Mobile Filed Force | 290.40 |
| 01 | General Fund | GALL'S INC. | Holster for Inventory | 51.92 |
| 01 | General Fund | GEM STATE PAPER & SUPPLY CO | Lysol disinfectant for all parks - qty 5 cases | 274.19 |
| 01 | General Fund | GRAINGER | 220/ Shop Supplies, Sta. 4 - Cleaner/ Degreaser | 42.02 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|--------------|-------------------------------------|---|----------------|
| 01 | General Fund | GRAINGER | 220/DEF, St. 6, delivered 8-4-20 | 435.38 |
| 01 | General Fund | H.D. FOWLER COMPANY | PVC caps - qty 12 | 8.64 |
| 01 | General Fund | HORIZON DISTRIBUTORS INC | 48 inch Exmark mower deck belts - qty 2 | 276.80 |
| 01 | General Fund | HORIZON DISTRIBUTORS INC | oil for Kleiner Park Exmark 48 inch mower - qty 1 | 8.44 |
| 01 | General Fund | HORIZON DISTRIBUTORS INC | small engine parts - qty 13 | 70.57 |
| 01 | General Fund | IDAHO STATE INSURANCE FUND | #36670, Workers Comp Payroll Premium 4/1/20-6/30/20 - | 167,746.34 |
| 01 | General Fund | INTERMOUNTAIN GAS | 0981623008 July 2020 | 933.78 |
| 01 | General Fund | INTERNATIONAL CODE COUNCIL | Training Material BCaulder/SZahloka | 1,217.27 |
| 01 | General Fund | INTERSTATE ALL BATTERY CENTER | Batteries for emergency lights at Council Chambers & Gallery | 193.50 |
| 01 | General Fund | INTERSTATE ALL BATTERY CENTER | batteries for Lanark Parks Shop - qty 5 | 57.03 |
| 01 | General Fund | JAZZERCISE LLC | instructor fee - Jazzercise 7/2-7/31/20 - qty 13 | 540.80 |
| 01 | General Fund | JOHNSON CONTROLS FIRE PROTECTION LP | 20-0054 Fire Alarm Monitoring at Homecourt to 9/30 | 35.00 |
| 01 | General Fund | JOHNSON CONTROLS FIRE PROTECTION LP | 20-0054 Fire Extinguisher Test and Inspect FSC | 54.00 |
| 01 | General Fund | JOHNSON CONTROLS FIRE PROTECTION LP | 20-0054 Fire Extinguisher Test and Inspection FS 3 | 54.00 |
| 01 | General Fund | JOHNSON CONTROLS FIRE PROTECTION LP | 20-0054, 20-0261 Fire Alarm Monitoring at Various Buildings | 290.33 |
| 01 | General Fund | JOHNSON CONTROLS FIRE PROTECTION LP | 20-0261 Set up of monitoring at Fire Station 6 | 240.00 |
| 01 | General Fund | JOHNSON CONTROLS FIRE PROTECTION LP | Replaced 60 fire extinguishers at City Hall | 2,400.00 |
| 01 | General Fund | KUSHLAN ASSOCIATES | 20-0281 PSA - Kushlan Associates Open Space & Amenities Stan | 2,467.50 |
| 01 | General Fund | L.N. CURTIS AND SONS | 20-0208 220/16 pair structure boots | 6,091.40 |
| 01 | General Fund | LARSON-MILLER, INC | Bio Hazard Pick Up | 322.16 |
| 01 | General Fund | LAURIE MCELROY | instructor fee - Yoga 6/6-8/1/20 - qty 32 | 1,536.00 |
| 01 | General Fund | LAURIE MCELROY | instructor fee - Yoga 6/8-7/30/20 - qty 13 | 499.20 |
| 01 | General Fund | LAWN CO MAINTENANCE | 20-0222 price code 1/landscape maintenance contract 08/2020 | 24,575.00 |
| 01 | General Fund | LAWN CO MAINTENANCE | 20-0222 price code 2/landscape maintenance contract 08/2020 | 7,800.00 |
| 01 | General Fund | LAWN CO MAINTENANCE | Pine Street tree well work | 2,570.00 |
| 01 | General Fund | LEXIS NEXIS | On line legal research | 130.00 |
| 01 | General Fund | MODERN PRINTERS | Business Cards for PD Officer & Recruiting | 129.00 |
| 01 | General Fund | MODERN PRINTERS | Historical Society Walking Tour guides - qty 1000 | 1,296.00 |
| 01 | General Fund | MOORE ELIA KRAFT & HALL, LLP | DASCO Matter 4/10/20-7/28/2020 | 2,805.00 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|--------------|--------------------------------|--|----------------|
| 01 | General Fund | MOTION & FLOW CONTROL PRODUCTS | hose fittings for Discovery Park pressure washer - qty 4 | 64.97 |
| 01 | General Fund | MOTION & FLOW CONTROL PRODUCTS | replacement hose part for Fuller Park - qty 1 | 20.30 |
| 01 | General Fund | MOTIONS DANCE STUDIO | instructor fee-Passport to Dance, Princess/Fairy...7/7-7/29 | 264.00 |
| 01 | General Fund | NESMITH BROTHERS TOWING | Tow to Point S for Large Leak, Unit # 162 | 75.00 |
| 01 | General Fund | OFFICE DEPOT, INC. | 220/Clear labels | 13.49 |
| 01 | General Fund | OFFICE DEPOT, INC. | 220/Pens and clipboards | 23.98 |
| 01 | General Fund | OFFICE DEPOT, INC. | 24pk of 3x3 sticky notes for PW, 2 dzn gel pens for B. Young | 27.14 |
| 01 | General Fund | OFFICE DEPOT, INC. | Cord, untangler black, fork plastic 1000ct whit, spoon plast | 63.23 |
| 01 | General Fund | OFFICE DEPOT, INC. | Finance & MUBS Supply Refill - Velcro Tape Badge Holders Pen | 28.81 |
| 01 | General Fund | OFFICE DEPOT, INC. | Finance office supply refill - ID Badge clips | 12.39 |
| 01 | General Fund | OFFICE DEPOT, INC. | Finance Office Supply Refill - Pens | 26.29 |
| 01 | General Fund | OFFICE DEPOT, INC. | Knife Retractable Hobby,B Blade#11 Dispenser of1 | 10.35 |
| 01 | General Fund | OFFICE DEPOT, INC. | Office supplies mayors office - envelope moistener | 4.98 |
| 01 | General Fund | OFFICE DEPOT, INC. | Office supplies mayors office - post its, markers, scissors | 40.45 |
| 01 | General Fund | OFFICE DEPOT, INC. | Office Supplies Plan Review | 104.27 |
| 01 | General Fund | OFFICE DEPOT, INC. | PadLegal 8.5x11.75 Canar | 8.60 |
| 01 | General Fund | OFFICE DEPOT, INC. | Paper, 250SH, 90# Exindex,G | 8.21 |
| 01 | General Fund | OFFICE DEPOT, INC. | Plan Review office supplies | 16.32 |
| 01 | General Fund | OFFICE DEPOT, INC. | Scanned stamp for automated deposits | 4.72 |
| 01 | General Fund | OFFICE DEPOT, INC. | wall calendar, pens, markers - qty 5 | 46.03 |
| 01 | General Fund | ON THE SPOT CLEANERS #15 | Uniform Dry Cleaning for PD, July 2020 | 828.00 |
| 01 | General Fund | OXARC, INC. | Traffic Cones for Patrol Vehicles | 316.00 |
| 01 | General Fund | PORTAPROS, LLC | portable toilets for Heritage 7/16/20 | 602.80 |
| 01 | General Fund | PORTAPROS, LLC | portable toilets for Jabil Fields 7/16/20 | 425.40 |
| 01 | General Fund | PRECISION AUTOMATION SYSTEMS | amiad sigma filter for Reta Huskey Park | 2,535.00 |
| 01 | General Fund | PROLINE PAVEMENT | pathway asphalt repair in Bear Creek Park | 9,525.00 |
| 01 | General Fund | REAL ANIMAL MANAGEMENT | 20-0144 goose management services - July 2020 | 4,000.00 |
| 01 | General Fund | REPUBLIC SERVICES | July 2020 Rental of 3-30 Containers - T. Otte | 309.48 |
| 01 | General Fund | RICOH USA, INC | C86243698 July Copier Reads | 78.04 |
| 01 | General Fund | RICOH USA, INC | C86276344 Ricoh Copier Color Black and White Copies July | 297.74 |
| 01 | General Fund | RICOH USA, INC | Copier Addt'l Images July 2020, PSTC C86247349 | 26.51 |
| 01 | General Fund | RICOH USA, INC | Copier, Addt'l Images for July 2020, CID C86284085 | 536.73 |
| 01 | General Fund | RICOH USA, INC | Copier, Addt'l Images for July 2020, Lt Hall C86216993 | 94.77 |
| 01 | General Fund | RICOH USA, INC | Copier, Addt'l Images July 2020, Comm Svc C86197400 | 33.64 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|--------------|------------------------------------|---|----------------|
| 01 | General Fund | RICOH USA, INC | print copy Plan Review S/N C86243745 | 29.06 |
| 01 | General Fund | ROCKY MOUNTAIN COLLISION | 220/emission test, MF018 | 9.98 |
| 01 | General Fund | SAFEBUILT LLC | 20-0095 Contracted Svcs. Bldg and Mech Plan Review 7/2020 | 132,201.31 |
| 01 | General Fund | SALT LAKE WHOLESALE SPORTS | GLOCK 43x AMGLO SIGHTS X5, PLUS 2 DAY UPS SHIPPING | 2,055.50 |
| 01 | General Fund | SHRED-IT USA, LLC. | 220/Shredding St. 1, 2,4, 5, 6 | 183.33 |
| 01 | General Fund | SHRED-IT USA, LLC. | Document Shredding Service - July | 61.42 |
| 01 | General Fund | SHRED-IT USA, LLC. | Finance, Clerks, MUBS July 2020 Shredding | 115.50 |
| 01 | General Fund | SIGNS, ETC | Logo for Bait Trailer, Burg Investigations | 180.00 |
| 01 | General Fund | SILVER CREEK SUPPLY | 20-0370 4G cellular routers - qty 12 | 25,737.76 |
| 01 | General Fund | SILVER CREEK SUPPLY | credit on sprinklers - qty 13 | (421.23) |
| 01 | General Fund | SILVER CREEK SUPPLY | credit on sprinklers - qty 79 | (1,507.73) |
| 01 | General Fund | SITEONE LANDSCAPE SUPPLY, LLC | moisture manager for Renaissance Park - qty 4 | 560.19 |
| 01 | General Fund | SPORTSENGINE INC | background checks for instructors - qty 2 | 37.00 |
| 01 | General Fund | STEELMAN PLUMBING | Fix Leaking Faucet5s at K9 Building | 145.00 |
| 01 | General Fund | STEELMAN PLUMBING | K9 Building Toilet Replacement | 507.25 |
| 01 | General Fund | SUNBELT RENTALS | Jack Hammer for Storey Park 8/4-8/5/20 | 230.00 |
| 01 | General Fund | SUNBELT RENTALS | manlift for Cole Valley basketball service 7/30/20 | 413.52 |
| 01 | General Fund | SYRINGA NETWORKS, LLC | 20-0040 Dark Fiber (4 Strands) | 1,150.00 |
| 01 | General Fund | SYRINGA NETWORKS, LLC | Internet B/W (1GB) Incr 4/28/20, Internet B/W (100MB) | 1,595.00 |
| 01 | General Fund | TATES RENTS (GENERAL OFFICE) | manlift rental for ball retrieval @ Boys & Girls Club 8/7/20 | 175.00 |
| 01 | General Fund | TENZINGA | Tenzinga Performance Management Annual License Fee (May 2020) | 480.00 |
| 01 | General Fund | THE LAND GROUP, INC. | 2020 park site map work - July 2020 | 1,925.00 |
| 01 | General Fund | THE UPS STORE #2586 | 220/Shipping and insurance cardiac monitor repair | 300.85 |
| 01 | General Fund | THE UPS STORE #2586 | MAIL EVIDENCE TO STATE LAB | 57.28 |
| 01 | General Fund | THE UPS STORE #2586 | Postage to Send Headset for Repair | 19.11 |
| 01 | General Fund | TREASURE VALLEY COFFEE | Coffee, Sugar, Cups and Cooler Rental for PD | 256.85 |
| 01 | General Fund | TREASURE VALLEY TENNIS ASSOCIATION | instructor fee - Tennis 7/21-7/30/20 - qty 110 | 2,816.00 |
| 01 | General Fund | VARSITY FACILITY SERVICES | 20-0087 City-wide Janitorial Services to 7/31/20 | 17,868.69 |
| 01 | General Fund | WESTERN RECORDS DESTRUCTION | 2020 Records Destruction | 833.00 |
| 01 | General Fund | WESTERN STATES EQUIPMENT CO | old credit on account | (4.00) |
| 01 | General Fund | WEX BANK INC | #0496-00-332449-8, 7/31/2020_WEX Fuel | 29,957.20 |
| 01 | General Fund | WIENHOFF DRUG TESTING | Drug and Alcohol Testing Services - July 2020 | 480.00 |
| 01 | General Fund | WIENHOFF DRUG TESTING | Pre Employment Testing July2020 | 260.00 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------------|--------------------------------|---------------------------------------|--|-------------------|
| 01 | General Fund | WIENHOFF DRUG TESTING | REFUND: MOVIE NIGHT SPONSORSHIP CANCELLED DUE TO COVID | 600.00 |
| 01 | General Fund | WILLIAM PARKER JR | New Hire Training Academy Role Player | 120.00 |
| 01 | General Fund | YOUNG REMBRANDTS | instructor fee - Colorful Critters 7/27-7/31/20 - qty 15 | 1,320.00 |
| Total 01 | General Fund | | | 782,437.42 |
| 07 | Impact Fund | DOOR SERVICE OF IDAHO | 220/install lite ktis in doors @ St. 6 | 581.00 |
| 07 | Impact Fund | ENGINEERED STRUCTURES INC | 220/Application #17, St. 6 CMGC services to 6/30 | 57,457.60 |
| Total 07 | Impact Fund | | | 58,038.60 |
| 20 | Grant Fund governmental | JESSE TREE OF IDAHO | 20-0131 CDBG PY19 #9 Jesse Tree Homelessness Preventio | 1,005.00 |
| 20 | Grant Fund governmental | TREND LETTERS | PO# 20-0349:10k N95, 10k surgical masks,150 boxes gloves | 68,468.50 |
| Total 20 | Grant Fund governmental | | | 69,473.50 |
| 60 | Enterprise Fund | ADA COUNTY HIGHWAY DISTRICT | 19-0307 Linder Ustick McMillan svc to 7/23/20 | 31,809.02 |
| 60 | Enterprise Fund | AIR FILTER SUPERSTORE WHOLESAL LLC | HVAC pleated air filters (24 qty) | 98.04 |
| 60 | Enterprise Fund | ANALYTICAL LABORATORIES INC. | IPDES testing (1 test) | 23.00 |
| 60 | Enterprise Fund | ANALYTICAL LABORATORIES INC. | PO#20-0005, Micro Sampling Bacti | 1,611.20 |
| 60 | Enterprise Fund | ANDREW & BRIAN STEINMEYER | REFUND WT/S/T: 4132 N ALESTER AVE CUSTOMER PAID AFTER CLOSIN | 47.52 |
| 60 | Enterprise Fund | BATTERIES PLUS BULBS | 12V 65AGM Battery, C18131, WO#301994 | 182.90 |
| 60 | Enterprise Fund | BATTERIES PLUS BULBS | 6V Crown Flooded 6 Batteries for Trailer, WO#303204 | 611.60 |
| 60 | Enterprise Fund | BENJAMIN & CELINA INNOCENT | REFUND WT/S/T: 2000 E KAYMAY DR ACH PROCESSED AFTER CLOSING | 75.78 |
| 60 | Enterprise Fund | BILLING DOCUMENT SPECIALISTS | 20-0004 FY20 IVR PHONE SERVICES JULY 2020 | 2,468.00 |
| 60 | Enterprise Fund | BILLING DOCUMENT SPECIALISTS | 20-0004 FY20 JULY 20 BILLS AND DELINQUENT NOTICES | 13,262.62 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|---|---|----------------|
| 60 | Enterprise Fund | BILLING DOCUMENT SPECIALISTS | PRINTING COSTS FOR BILL BLANKS | 6,500.00 |
| 60 | Enterprise Fund | BOISE CALIBRATION SERVICE | Calibration on Backflow Testing Kit, Qty 1 | 95.00 |
| 60 | Enterprise Fund | BOISE CALIBRATION SERVICE | Calibration on Backflow Testing Kit, Qty 1 | 130.00 |
| 60 | Enterprise Fund | BROOK & RANDELL GLENN | REFUND WT/S/T: 2218 W VERONA DR TITLE COMPANY OVERPAID | 64.43 |
| 60 | Enterprise Fund | BROWN & CALDWELL | 20-0214, 20-0360 WRRF Capacity Expansion service to 6/25/20 | 86,250.50 |
| 60 | Enterprise Fund | CALLAGHAN FAMILY TRUST JAMES & SUSAN STEIFEL TRUSTEES | REFUND WT/S/T: 4280 N HERITAGE WOOD WAY PROP. MGMT PAID AFTE | 75.79 |
| 60 | Enterprise Fund | CARRIER CORP | Labor & parts to repair HVAC unit at BRO bldg (4.5 hrs) | 1,266.50 |
| 60 | Enterprise Fund | CARRIER CORP | Labor to repair chemical feed bldg heater (1.5 hrs) | 270.00 |
| 60 | Enterprise Fund | CARRIER CORP | Labor to repair HVAC in Lab bldg (2 hrs) | 335.00 |
| 60 | Enterprise Fund | CARRIER CORP | Service maintenance agreement for Admin bldg Aug 2020 | 132.50 |
| 60 | Enterprise Fund | CLINT & JANEENE GALBRAITH | REFUND WT/S/T: 3302 N GAVIOLA AVE PROP. MGMT & TITLE PAID FI | 45.11 |
| 60 | Enterprise Fund | COASTLINE EQUIPMENT COMPANY | John Deere Excavator, Plate Compactor, Gem Prep Academy Main | 570.35 |
| 60 | Enterprise Fund | COLUMBIA ELECTRIC SUPPLY | Replacement door for control panel in Mechanical bldg (1 qty) | 229.98 |
| 60 | Enterprise Fund | COLUMBIA ELECTRIC SUPPLY | VFD for post air blower 2 electrical upgrade (1 qty) | 8,380.00 |
| 60 | Enterprise Fund | COLUMBINE CONTROL CO. | Thermocoupler to repair PLC, rack 2, at waste gas burner (1 | 2,520.66 |
| 60 | Enterprise Fund | CONDOC | No PO Multiple Projects. Condoc services to 7/31/20 | 73.99 |
| 60 | Enterprise Fund | CORE & MAIN LP | 8in & 10in Stem & Spring, Qty 8 | 2,370.22 |
| 60 | Enterprise Fund | CORE & MAIN LP | Brass Bushing, Nipple, Cla-Val Repair Kit, Qty 13 | 229.82 |
| 60 | Enterprise Fund | CORE & MAIN LP | Clow Rebuild Kit, Brass Nipple, Brass Union, Qty 11 | 520.85 |
| 60 | Enterprise Fund | CSS GROUP | Translore License, Tickets x1450 | 282.29 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|---|---|----------------|
| 60 | Enterprise Fund | CUE'S INC | Adapter tool for traction (4 qty) | 1,066.45 |
| 60 | Enterprise Fund | CUE'S INC | Replacement parts for CCTV Van 2 camera (7 qty) | 593.95 |
| 60 | Enterprise Fund | D & B SUPPLY | 24in x 84in Aluminum Screen, Qty 1, WO#303249 | 5.99 |
| 60 | Enterprise Fund | D & B SUPPLY | Adapter & container cap (2 qty) | 28.98 |
| 60 | Enterprise Fund | D & B SUPPLY | Combo Locks for Well 30 & 16, Qty 2 | 33.98 |
| 60 | Enterprise Fund | D & B SUPPLY | Magnetic Tray, 3in Drive Ext, 9in Pliers, Qty 4 | 69.76 |
| 60 | Enterprise Fund | DAVID & SAMANTHA GATALETTO | REFUND WT/S/T: 1619 N LAUDERHILL AVE TITLE COMPANY OVERPAID | 48.89 |
| 60 | Enterprise Fund | DC ENGINEERING | Arc flash update for Oaks lift station | 105.00 |
| 60 | Enterprise Fund | DIGLINE, INC. | Digline Tickets, July 2020, Qty 1,441 | 2,620.80 |
| 60 | Enterprise Fund | E.H. WACHS COMPANY | Repair Wachs Controller, Qty 1 | 221.50 |
| 60 | Enterprise Fund | EL-ADA, INC. | El-Ada July 2020 Services Qty. 6 | 42.00 |
| 60 | Enterprise Fund | ENVIRONMENTAL EXPRESS, INC. | Disposalbe watch glass (1pk) | 162.45 |
| 60 | Enterprise Fund | ERS, EMERGENCY RESPONDER SERVICES, INC. | Cradlepoint installation re-wire on CCTV Van 1 | 339.79 |
| 60 | Enterprise Fund | ERS, EMERGENCY RESPONDER SERVICES, INC. | Cradlepoint installation re-wire on CCTV Van 2 | 339.79 |
| 60 | Enterprise Fund | EUROFINS EATON ANALYTICAL LLC | PO#20-0007, Compliance DBP Sampling, WO#GP21111 | 675.00 |
| 60 | Enterprise Fund | EUROFINS EATON ANALYTICAL LLC | PO#20-0007, Compliance Sampling @ Well 11 | 105.00 |
| 60 | Enterprise Fund | EUROFINS EATON ANALYTICAL LLC | PO#20-0007, Compliance Sampling @ Well 20b & 16b | 210.00 |
| 60 | Enterprise Fund | EUROFINS EATON ANALYTICAL LLC | PO#20-0019, OCCT Pilot Study @ Well 19 | 480.00 |
| 60 | Enterprise Fund | EVOQUA WATER TECHNOLOGIES, LLC. | Lab DI water maintenance agreement | 1,181.43 |
| 60 | Enterprise Fund | FASTENAL COMPANY | 36in Cable Ties, Well 20b Upgrade,Qty 50 | 25.98 |

Item #14.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|---------------------------|---|----------------|
| 60 | Enterprise Fund | FASTENAL COMPANY | Hydropellant gloves (12 qty) | 52.11 |
| 60 | Enterprise Fund | FEHR BROS. INDUSTRIES | Grab link cable & chain to pull center mixers on new A/Bs | 1,331.53 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | 3/4in SS Ball Valve,1/2in,3/4in Blue Monster Tape, Qty 9 | 359.62 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | 6 SBR MJ IPS Trans Gasket, Qty 1 | 7.32 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | 8 DI C110 125# Blind Flg, Qty 1, WO#303262 | 121.91 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Blue Monster Tape, Valve/Diaphragm Kit, Qty 9 | 633.18 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Brass Nipple, Brass Thread, Strip, Qty 9, WO#304679 | 368.16 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Gasket, Flange Pkg, Qty 3 | 48.60 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Meter Vault, 8in Flange, Qty 5 | 275.31 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Packout Backpack for Backflow Supplies, Qty 1 | 119.99 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Pit Lid Housing for MXU, Qty 15 | 498.35 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0052, 1 1/2in Omni C2 Water Meters, Qty 1 | 1,351.23 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0052, 1in, 3/4in Water Meters, Qty 113 | 15,924.86 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0052, 1in,3/4in,2in C2 Water Meters, Qty 97 | 17,738.56 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0052, 2in Omni T2, 2in Omni C2 Water Meters, Qty 25 | 37,200.48 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0052, 2in T2, 4in T2 Water Meters, Qty 2 | 3,759.12 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0052, Single & Dual Port MXU's, Qty 81 | 14,679.90 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0309, 3/4in Accustream Water Meters, Qty 557 | 76,966.26 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0309, 4in Omni T2, Qty 1, May Capital Order | 2,615.00 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | PO#20-0309, Single & Dual Port MXU, June Capital, Qty 108 | 19,756.17 |

Item #14.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|----------------------------|---|----------------|
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Safety plug covers for portable generator (4 qty) | 15.38 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Slip Valve Box Bottom Section, Qty 2 | 107.48 |
| 60 | Enterprise Fund | FERGUSON ENTERPRISES INC. | Slip Valve Box Bottom Section, Qty 6 | 322.45 |
| 60 | Enterprise Fund | FISHER SCIENTIFIC | Gloves -Small (1 cs) | 46.72 |
| 60 | Enterprise Fund | FISHER SCIENTIFIC | Gloves-Med & Lg (2 cs) | 93.44 |
| 60 | Enterprise Fund | FISHER SCIENTIFIC | Salicylic acid (2 qty) | 440.68 |
| 60 | Enterprise Fund | GARY & BEVERLY FOX | REFUND WT/S/T: 2974 N BLUE SPRINGS AVE TITLE CO. OVERPAID | 31.28 |
| 60 | Enterprise Fund | GIESLER'S AUTO REPAIR | Oil Change, C13732, WO#304641 | 50.53 |
| 60 | Enterprise Fund | GIESLER'S AUTO REPAIR | Oil Change, O2 Sensor Replacement, C11987, WO#284538,305501 | 359.18 |
| 60 | Enterprise Fund | GRAINGER | Chlorine Test Strips, Qty 7 | 76.02 |
| 60 | Enterprise Fund | GRAINGER | Pump for RAS/WAS station (2 qty) | 147.42 |
| 60 | Enterprise Fund | H.D. FOWLER COMPANY | Brass Adapter, Insert Stiffener, Qty 32 | 93.92 |
| 60 | Enterprise Fund | H.D. FOWLER COMPANY | Flange Repair Kit, O-Ring,Thrust Ring, Gasket, Qty 20 | 616.69 |
| 60 | Enterprise Fund | H.D. FOWLER COMPANY | Meter Re-Setter, Meter Setter, Qty 6 | 1,650.92 |
| 60 | Enterprise Fund | HACH COMPANY | Chlorine Total Reagent Set, Qty 3 | 180.09 |
| 60 | Enterprise Fund | HACH COMPANY | CL17 Tubing Kit, Qty 2 | 165.28 |
| 60 | Enterprise Fund | HACH COMPANY | Dissolved Iron, Total Alknty,PH Chemkey,Cell Clnng Kit Qty 12 | 297.93 |
| 60 | Enterprise Fund | HOME DEPOT CREDIT SERVICES | 10' Ladder for Well 22, Qty 1 | 199.00 |
| 60 | Enterprise Fund | HOME DEPOT CREDIT SERVICES | PVC Pipe,El,Adptr,Clmp,Well 20b Upgrade, WO#303249 | 80.45 |
| 60 | Enterprise Fund | HOME DEPOT CREDIT SERVICES | Spray Paint, Bolts, Well 20b Upgrade, WO#303249 | 8.72 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|-------------------------------------|--|----------------|
| 60 | Enterprise Fund | HYDRO INTERNATIONAL WASTEWATER, INC | Grit snail spare parts (20 qty) | 4,803.53 |
| 60 | Enterprise Fund | IDAHO MATERIALS & CONSTRUCTION | Asphalt for Hickory Rd Repair, WO#299703 | 29.06 |
| 60 | Enterprise Fund | IDAHO STATE INSURANCE FUND | #36670, Workers Comp Payroll Premium 4/1/20-6/30/20 - | 33,694.66 |
| 60 | Enterprise Fund | IDAHO TOOL & EQUIPMENT | Ext 1 Dr 7 IMP, Skt Retain 1 Dr Tools for C20663 | 98.82 |
| 60 | Enterprise Fund | INTERMOUNTAIN GAS | 0981623008 July 2020 | 1,533.00 |
| 60 | Enterprise Fund | INTERSTATE ALL BATTERY CENTER | 6v lantern & C batteries (3 qty) | 17.11 |
| 60 | Enterprise Fund | INTERSTATE ALL BATTERY CENTER | Rechargeable 12V 9AH battery (1 qty) | 28.95 |
| 60 | Enterprise Fund | JEFFERY & LISA SCEIRINE | REFUND WT/S/T: 2176 W JAYTON DR TITLE COMPANY OVERPAID | 36.46 |
| 60 | Enterprise Fund | JOHNSON CONTROLS FIRE PROTECTION LP | 20-0054, 20-0261 Fire Alarm Monitoring at Various Buildings | 80.83 |
| 60 | Enterprise Fund | JOHNSTONE SUPPLY | Start cap for collections HVAC unit (1 qty) | 3.06 |
| 60 | Enterprise Fund | KEVEN & SILVIA HOPE | REFUND WT/S/T: 440 E CHATEAU DR TITLE COMPANY OVERPAID | 89.97 |
| 60 | Enterprise Fund | LAWN CO MAINTENANCE | PO#20-0223, Lawn Care for Well Sites august service | 3,200.00 |
| 60 | Enterprise Fund | LOWE'S | Asphalt quick patch & ratchet straps (6 qty) | 136.31 |
| 60 | Enterprise Fund | MARK ANDERSON | REIMBURSE M. ANDERSON CLASS A DRIVE LIC. CLASS A TEMP. PERMI | 100.00 |
| 60 | Enterprise Fund | MATERIALS TESTING & INSPECTION | 20-0322 Sidestream Phos Recovery Svc to 7/18/20 | 7,291.12 |
| 60 | Enterprise Fund | McCALL INDUSTRIAL | Ball valve, plug, & bushing (16 qty) | 202.04 |
| 60 | Enterprise Fund | MCMaster-CARR SUPPLY COMPANY | Clamps for transducer mount at parshal flume (9 qty) | 206.05 |
| 60 | Enterprise Fund | METROQUIP, INC. | Overhaul kits for hose nozzles on hydrocleaners (2 qty) | 332.40 |
| 60 | Enterprise Fund | MINUTEMAN, INC. | Install New Cliq Lock @ Well 21, WO#GP21125 | 105.00 |
| 60 | Enterprise Fund | MINUTEMAN, INC. | New key made for PIP07, C20519 tool box - P. Cotten | 13.50 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|--------------------------------|--|----------------|
| 60 | Enterprise Fund | MINUTEMAN, INC. | Spare Shop Keys, Qty 6 | 17.00 |
| 60 | Enterprise Fund | MONTE HARMON | REFUND WT/S/T: 1852 E CHALLIS DR CUSTOMER PAID AFTER CLOSING | 30.14 |
| 60 | Enterprise Fund | MOTION & FLOW CONTROL PRODUCTS | Garden Hose, Brass Bushing, Pressure Test Kits, Qty 11 | 93.47 |
| 60 | Enterprise Fund | MSC INDUSTRIAL SUPPLY CO. | Banding for shop use (1 qty) | 47.38 |
| 60 | Enterprise Fund | MSC INDUSTRIAL SUPPLY CO. | Black Marking Paint, Qty 12 | 83.88 |
| 60 | Enterprise Fund | MSC INDUSTRIAL SUPPLY CO. | Fan for HVAC unit at Fermentation bldg (1 qty) | 26.46 |
| 60 | Enterprise Fund | MSC INDUSTRIAL SUPPLY CO. | Multi-pleat HVAC filters (10 qty) | 592.90 |
| 60 | Enterprise Fund | MSC INDUSTRIAL SUPPLY CO. | Pump & filter to repair system UV bulb washer (3 qty) | 704.28 |
| 60 | Enterprise Fund | MURAR ENGINEERING & DESIGN | Inspection of Bay Door For Structural Repairs, WO#305742 | 450.00 |
| 60 | Enterprise Fund | MYFLEETCENTER.COM | Oil Change, C13726, WO#298356 | 51.18 |
| 60 | Enterprise Fund | MYFLEETCENTER.COM | Oil Change, C14312, WO#299693 | 35.27 |
| 60 | Enterprise Fund | MYFLEETCENTER.COM | Oil Change, C20028, WO#304660 | 70.78 |
| 60 | Enterprise Fund | NAPA AUTO PARTS | 6 jugs of washer fluid for PW inspector's vehicles | 16.14 |
| 60 | Enterprise Fund | NAPA AUTO PARTS | Original Grip Gloves, Qty 1 | 14.99 |
| 60 | Enterprise Fund | NAPA AUTO PARTS | Windshield Washer Fluid, Qty 2 | 5.38 |
| 60 | Enterprise Fund | NATHAN & ARIANE MCARDLE | REFUND WT/S/T: 946 W EGRET DR TITLE COMPANY OVERPAID | 89.75 |
| 60 | Enterprise Fund | NICHOLAS & AMANDA PAIGE | REFUND WT/S/T: 1521 E SICILY ST TITLE COMPANY OVERPAID | 139.84 |
| 60 | Enterprise Fund | NORCO | Class III Hi Vis Shirt, C. Ambroz, Qty 2 | 28.62 |
| 60 | Enterprise Fund | NORCO | First Aid Kits, Qty 4 | 74.25 |
| 60 | Enterprise Fund | NORCO | Plasma Cutter Parts, Qty 1 | 164.31 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|--------------------------------------|--|----------------|
| 60 | Enterprise Fund | NORCO | Refund for Returned Hi Vis Shirt, J. Cole, INV#29410089 | (28.62) |
| 60 | Enterprise Fund | O'REILLY AUTO PARTS | Detailer to clean vehicles (1 qty) | 4.99 |
| 60 | Enterprise Fund | O'REILLY AUTO PARTS | Scratch-fix for Collections truck C21222 (1 qty) | 16.99 |
| 60 | Enterprise Fund | O'REILLY AUTO PARTS | Wash & wax to clean vehicles (1 qty) | 5.79 |
| 60 | Enterprise Fund | OFFICE DEPOT, INC. | 24 pk of 3x3 colored sticky notes,24pk of 1.5x2 sticky notes | 18.21 |
| 60 | Enterprise Fund | OFFICE DEPOT, INC. | 24pk of 3x3 sticky notes for PW, 2 dzn gel pens for B. Young | 11.89 |
| 60 | Enterprise Fund | OFFICE DEPOT, INC. | Finance & MUBS Supply Refill - Velcro Tape Badge Holders Pen | 18.12 |
| 60 | Enterprise Fund | OVERHEAD DOOR COMPANY | Labor & parts to replace board & 3 button station (1.5 hrs) | 470.40 |
| 60 | Enterprise Fund | OVERHEAD DOOR COMPANY | Labor & parts to replace photo eyes on door at filter bldg | 286.90 |
| 60 | Enterprise Fund | OXARC, INC. | Phosphate 55 gl Drum | 1,823.00 |
| 60 | Enterprise Fund | OXARC, INC. | PO#20-0022, Sodium Hypochlorite, Well 22,19, 1800gl | 3,042.00 |
| 60 | Enterprise Fund | OXARC, INC. | PO#20-0342, Sodium Hypochlorite Well 27,19,20, 1000gl | 1,735.00 |
| 60 | Enterprise Fund | OXARC, INC. | PO#20-0342, Sodium Hypochlorite,Well 27,19,20,16,25,28,22,21 | 6,771.20 |
| 60 | Enterprise Fund | PENN VALLEY PUMP CO | Pressure switch for inventory (1 qty) | 816.50 |
| 60 | Enterprise Fund | POWER SYSTEMS WEST | PO#20-0015, Generator Maintenance @ Well 23, WO#303242 | 296.40 |
| 60 | Enterprise Fund | PRECISION EQUIPMENT REPAIR | Labor & parts to repair fuel pump on CCTV Van 2 | 590.36 |
| 60 | Enterprise Fund | PRECISION EQUIPMENT REPAIR | Labor to repair air leak on hose reel on camel hydrocleaner | 358.72 |
| 60 | Enterprise Fund | REPUBLIC SERVICES - TRANSFER STATION | Biosolids dsposal for July 2020 | 13,520.76 |
| 60 | Enterprise Fund | RICOH USA, INC | C86232612 C86232690 B/W & Color Pages ENV & PW Printers | 179.74 |
| 60 | Enterprise Fund | RICOH USA, INC | C86234082 b/w (1,781 qty) & color (767 qty) images | 62.15 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|---|---|----------------|
| 60 | Enterprise Fund | RICOH USA, INC | C86236263 b/w (240 qty) & color (505 qty) images | 33.28 |
| 60 | Enterprise Fund | RICOH USA, INC | C86242095 b/w (650 qty) & color (926 qty) images | 51.63 |
| 60 | Enterprise Fund | RICOH USA, INC | SN#C86250182, Black & White, Color Copies, Qty 6,517 | 161.28 |
| 60 | Enterprise Fund | ROCKY MOUNTAIN VALVES & AUTOMATIONS, INC. | 1in & 2in Air Vacs, Ustick Valve Installs, Qty 3 | 590.00 |
| 60 | Enterprise Fund | ROCKY MOUNTAIN VALVES & AUTOMATIONS, INC. | 1in Av-Tek Combo Air Vac/Vent Valve, Well 20 Upgrade | 165.00 |
| 60 | Enterprise Fund | ROCKY MOUNTAIN VALVES & AUTOMATIONS, INC. | 4 valve for repairs at post aeration basin 2 (1 qty) | 203.52 |
| 60 | Enterprise Fund | RYAN & KRISTEN SPURLIN | REFUND WT/S/T: 45 W ARNEZ ST TITLE COMPANY OVERPAID | 90.73 |
| 60 | Enterprise Fund | SCHINDLER ELEVATOR CORP | 20-0162 Annual Elevator Service Contract To 9/30 for WW | 1,170.00 |
| 60 | Enterprise Fund | SHERON MULANIX | REFUND WT/S/T: 1859 E GLENLOCH ST TITLE COMPANY OVERPAID | 89.10 |
| 60 | Enterprise Fund | SHRED-IT USA, LLC. | Finance, Clerks, MUBS July 2020 Shredding | 57.75 |
| 60 | Enterprise Fund | SIGNS, ETC | Magenta Sign for Shop Door, Qty 2 | 73.72 |
| 60 | Enterprise Fund | SPECIALTY CONSTRUCTION SUPPLY | Blue, Green Marking Paint, Qty 48 | 190.08 |
| 60 | Enterprise Fund | SPECIALTY PLASTICS & FAB, INC | Nipple, tee, & CPVC cement coating (9 qty) | 57.02 |
| 60 | Enterprise Fund | SPECIALTY PLASTICS & FAB, INC | Parts for Well 20 Booster Drain Lines, Qty 151, WO#303249 | 288.85 |
| 60 | Enterprise Fund | SPF WATER ENGINEERING, LLC | 20-0091 Design Test Well 9B Services to 7/31/20 | 15,016.73 |
| 60 | Enterprise Fund | STRIVE WORKPLACE SOLUTIONS | Coffee for Water Dept, Qty 1 | 11.99 |
| 60 | Enterprise Fund | SULLIVAN REBERGER | PO# 20-0003 - August 2020 Lobbying Fees | 3,000.00 |
| 60 | Enterprise Fund | T-ZERS SHIRT SHOP, INC | City embroidery on hi-vis shirts for SPetty | 39.00 |
| 60 | Enterprise Fund | TATES RENTS (GENERAL OFFICE) | Propane for forklift (16.5) | 52.64 |
| 60 | Enterprise Fund | TELANSWER, INC | After Hours Service, 8/1/20-8/31/20 | 162.70 |

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|-----------|-----------------|--|--|----------------|
| 60 | Enterprise Fund | TestAmerica Laboratories, Inc (dba Eurofins) | Biosolids sample analysis (13 tests) | 876.50 |
| 60 | Enterprise Fund | TestAmerica Laboratories, Inc (dba Eurofins) | IPDES sample analysis | 485.00 |
| 60 | Enterprise Fund | TestAmerica Laboratories, Inc (dba Eurofins) | IPDES sample analysis (3 tests) | 970.00 |
| 60 | Enterprise Fund | TestAmerica Laboratories, Inc (dba Eurofins) | NO PO Eng Water FY20 E. Ridge Well Lab Svc to 7/29/20 | 703.50 |
| 60 | Enterprise Fund | THE UPS STORE #2586 | IPDES sample shipping | 180.41 |
| 60 | Enterprise Fund | THE UPS STORE #2586 | Shipping to return pump core to PVP | 41.89 |
| 60 | Enterprise Fund | TIMOTHY & HANNAH PETERSEN | REFUND WT/S/T: 3835 W SEA ISLAND CT AUTO-PAY PROCESSED AFTER | 215.51 |
| 60 | Enterprise Fund | UGSI CHEMICAL FEED INC | Part to repair dewatering bldg polymer blending pump (1 qty) | 1,500.69 |
| 60 | Enterprise Fund | ULINE, INC. | Heavy Duty Handwrapper, Qty 1 | 107.32 |
| 60 | Enterprise Fund | ULINE, INC. | Reclosable Bags, Qty 1 | 98.68 |
| 60 | Enterprise Fund | ULINE, INC. | Returned magnetic tape-ordered wrong size (2 rl) | (26.41) |
| 60 | Enterprise Fund | UNITED OIL | Oil for clarifiers 500hr breaking oil change (35 qty) | 1,256.85 |
| 60 | Enterprise Fund | USA BLUEBOOK | Blue, Orange, Green Marking Paint,PVC Threaded Tee, Qty15 | 785.21 |
| 60 | Enterprise Fund | USA BLUEBOOK | Green Marking Paint,Car Wash,Wax, Brush,Ext Pole,Qty8 | 352.68 |
| 60 | Enterprise Fund | USA BLUEBOOK | Pressure Flow Gauges, Qty 6 | 508.46 |
| 60 | Enterprise Fund | USA BLUEBOOK | Progrip Long Pick Set, Qty 1 | 118.21 |
| 60 | Enterprise Fund | USA BLUEBOOK | Red Marking Paint, Qty 4 | 28.09 |
| 60 | Enterprise Fund | USA BLUEBOOK | Screw Set Vacuum Breaker Valve,Blue,Prpl Mrkng Pnt,Qty15 | 679.47 |
| 60 | Enterprise Fund | USA BLUEBOOK | Static mixer (1 qty) | 135.76 |
| 60 | Enterprise Fund | VARSITY FACILITY SERVICES | 20-0087 City-wide Janitorial Services to 7/31/20 | 1,952.46 |

Item #14.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

| Fund Code | Fund Title | Vendor Name | Invoice/Credit Description | Invoice Amount |
|--------------|-----------------|------------------------------|--|----------------|
| 60 | Enterprise Fund | WESTERN STATES EQUIPMENT CO | Labor & parts to repair screw sucker pump | 1,942.38 |
| 60 | Enterprise Fund | WEX BANK INC | #0496-00-332449-8, 7/31/2020_WEX Fuel | 6,323.20 |
| 60 | Enterprise Fund | XEROX CORPORATION - PASADENA | 8TB570607 b/w (183 qty) & color (617 qty) images | 31.77 |
| 60 | Enterprise Fund | XEROX CORPORATION - PASADENA | 8TB576316 b/w (2,074 qty) & color (448 qty) images | 32.77 |
| Total 60 | Enterprise Fund | | | 493,224.46 |
| Report Total | | | | 1,403,173.98 |



AGENDA ITEM

ITEM TOPIC: Mayor's Office: CARES Act Municipal Small Business Grant Program

**City Council Members:**Treg Bernt
Joe Borton
Luke CavenerBrad Hoaglund
Jessica Perreault
Liz Strader**MEMORANDUM****TO:** Mayor & City Councilmembers**FROM:** Dave Miles, Chief of Staff**DATE:** August 18, 2020**SUBJECT:** **CARES Act Municipal Small Business Grant Program**

With the State's approval in July allowing municipalities the use of CARES Act allocated funds for small business support, the City is recommending implementation of a municipal small business grant program (SBGP). The objective of this program is to utilize a portion of the CARES Act funding that has been allocated to the City of Meridian to provide support to small business in Meridian that need financial support due to, and during the COVID-19 pandemic.

Overall, \$1,025,000 of CARES Act funding allocated to Meridian is recommended to be set aside for this program so that the City can establish minimal administrative costs, and award grants of up to \$10,000 with an additional one-time \$5,000 award to small businesses within Meridian.

The attached snapshot sheet identifies the high level needs, assumptions and recommendations of the program, and the attached draft program manual provides specific program elements that are recommended for proposed users of this program.

This material will be presented for consideration during the August 25, 2020 Council workshop.

**City Council Members:**

Treg Bernt
Joe Borton
Luke Cavener

Brad Hoaglund
Jessica Perreault
Liz Strader

Meridian Municipal Small Business Grant Application

1.0 INTRODUCTION

Welcome to the Meridian Municipal Small Business Grant Program (MSBG). This program is in guided under the Idaho Rebounds Municipal Business Grant application. This grant is made possible through the work of Governor Brad Little, State Controller Brandon Woolf, The Association of Idaho Cities, the Idaho Association of Counties, your county leadership, and the US CARES Act.

The Governor's Coronavirus Financial Advisory Committee (CFAC) created this grant to help local businesses and organizations affected by COVID-19 pandemic, enabling cities and counties to provide aid within their community.

This program is a grant for small businesses/organizations with less than 500 employees (see section 2.2 below). This document outlines program guidelines, instructions for submitting an application, information needed and timelines for disbursement.

All applications must be submitted through Meridian's On-Line Neighborly system. Applications will be processed on first come first served basis until funds run out.

[Link here](#) to the portal for the Neighborly software system.

2.0 PROGRAM REQUIREMENTS

Eligible businesses/organizations may be awarded up to an initial maximum of \$10,000 in grant funds through the MSBG application process, with up to an additional one-time funding of \$5,000 pending certain requirements are met as described herein.

Businesses and organizations must have a qualified business or organizational interruption or expense caused by COVID-19 related incidents or decisions, including but not limited to local closure orders, need for personal protective equipment, social distancing requirements, increased costs, disrupted supply network, etc.

- Business/Organization closed or interrupted pursuant to a local health district or local government decision made on or after June 20, 2020.
- Business/Organization was not otherwise not eligible for a state small business grant (e.g. businesses created on or after January 1, 2020, etc.).
- Business/Organization that have specific PPE needs in order to operate safely.
- Business/Organization has not received funds for the current purpose by other COVID-19 grant programs.
- Adverse effects and expenses planned for the use of the grant must occur between June 20, 2020 and December 31, 2020.
- Business/Organization does not exist for the purpose of advancing partisan political activities or the business does not directly lobby federal or state officials, defined as having had a registered lobbyist at any point during 2020.
- Business Business/Organization must be in good standing and not federally debarred from receiving funds.

- Business/Organization is not currently in bankruptcy.
- Business/Organization is current with property taxes, or has a payment plan in place with County.
- Business/Organization is located in City of Meridian city limits.
- Business/Organization liability insurance is in place by date of executed agreement and sub-recipient agreement.
- Business/Organization is registered with IRS and Idaho Business Registration Secretary of State.
- Business/Organization employs 100 or fewer employees (See section 2.2 below).
- Business/Organization has valid SS #, EIN & DUNS.
- Applicants will review and sign and date Conflict Interest Form (Appendix A) and Sub-Recipient Grant Agreement (Appendix B).

*Business are eligible to apply for this program if they were eligible to apply for other State of Idaho programs and chose not to apply.

2.1 PROGRAM SERVICE AREA

This program is available to businesses and organizations registered and located within the City of Meridian jurisdictional boundaries. The location of the business/organization will be considered the place of business administration and registration address. Funds will not be provided to businesses/organizations registered or located outside of City of Meridian jurisdictional boundaries.

2.2 ELIGIBLE APPLICANTS

- Business/Organization that has 100 or fewer employees.
 - Only businesses with 100 or fewer employees will be eligible for the first two weeks from the start date (Sept. 1, 2020) of this program.
 - Businesses with 101-250 employees will become eligible for funding after September 15, 2020.
 - All Small Businesses (those with fewer than 500 employees) will be eligible from Oct.1, 2020 until the close of this program.
- Eligible applicants must have a registered business address in the City of Meridian jurisdictional boundaries.
- Business/Organization closed or interrupted pursuant to a local health district or local government decision made on or after June 20, 2020.
- Business/Organization was not otherwise eligible for a state small business grant (e.g. businesses created on or after January 1, 2020, etc.).
- Businesses/Organizations that have specific PPE needs in order to operate safely.
- Business/Organizations must have a qualified business interruption or expense caused by COVID-19 related incidents or decisions, including but not limited to local closure orders, need for personal protective equipment, social distancing requirements, increased costs, disrupted supply network, etc.

2.3 INELIGIBLE APPLICANTS

- An ineligible existing business/organization applicant is one that has a physical business location or registration outside of the City of Meridian jurisdictional boundary.
- An ineligible applicant is a business/organization with more than 500 employees including the owner. (See section 2.2 above for when businesses large than 100 employees may apply.)
- Ineligible applicants include businesses/organizations which received funds for the current purpose by other COVID-19 grant programs.

2.4 ELIGIBLE USE OF FUNDS

The City of Meridian Economic Development Administration will oversee the project scope of work submitted in applications. The following items are eligible expenses under the MSBG program:

- Operating capital for leasing space, insurance and/or utilities, staff salaries [barring owner salaries] or expense

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caused by COVID-19 related incidents or decisions, including but not limited to local closure orders, need for personal protective equipment, social distancing requirements, increased costs, disrupted supply network, etc.

- COVID-19 related expenditures to purchase inventory, supplies, accounting and inventory software, PPE, furniture, fixtures, and equipment.
- Rehabilitation of owner-occupied or leased space to support social distancing or safety measures to combat COVID-19.
 - City Council may, under necessary Ordinance changes, waive permit fees for such improvements.
- Equipment purchase (with or without installation costs) to support social distancing or safety measures to combat COVID-19.
- Cleaning and sanitation supplies to adhere to CDC guidelines for disinfecting spaces.
- Other adjustments required to adhere to COVID-19 social distancing standards.
- Purchase of PPE for employees or customers.
- Testing costs for employees for COVID-19.

Applicants will submit receipts and invoices, and documentation of eligible expenses on a monthly basis to the Meridian Economic Development staff. Final documentation must be received by January 15, 2020.

Provide staff contact information here.

2.5 INELIGIBLE USE OF FUNDS

- Funds received pursuant to this certification cannot be used for expenditures for purposes which an entity has received funding from any other emergency COVID-19 grant programs;
- Pay off non-business debt, such as personal credit cards for purchases not associated with the business.
- Purchase personal expenses such as buying a new family car or making repairs to a participant’s home.
- Direct financing to political activities or paying off taxes and fines.
- Purchase personal items or support other businesses in which the borrower may have an interest.

Furthermore, funding recipients may not shift more than 10% of total project budget from one budget category to another without written approval from the City.

2.6 APPLICANT CAPACITY

The Economic Development Administration will confirm that the business and the applicant(s) possess the capacity to execute the project proposal to be successful with the use of the funds.

3.0 PROGRAM ADMINISTRATION

The Economic Development Administration will:

- Originate the Municipal Business Grants
- Market the Municipal Business Grant program
- Accept and process applications
- Review grant requests
- Ensure a timely grant review and disbursement of funds
- Maintain grant files and fiscal records
- Administer grants used to fund this program
- Ensure compliance with program guidelines

3.1 GRANT PAYMENTS

The duties of Economic Development Administration staff will include the following:

- Coordinate processing of grant payments, and general accounting in city and federal databases

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- Reporting all grant payments and appropriate Grantee staff
- Obtain grant reimbursements requests from the applicant

Conflict of Interest: As such, no member of the governing body and no official, employee or agent of the local government, nor any other person who exercises policy or decision-making responsibilities in connection with the planning and implementation of the program shall directly or indirectly be eligible for this program. The City of Meridian will require applicants to certify that a conflict of interest does not exist with the business or applicant. (See Appendix A)

3.2 DISBURSEMENT

Funds will be disbursed according to the following plan:

Upon approval and execution of grant agreement 50% of the project funds award will be provided within 14 business days.

Upon receiving a completed and accepted financial report that meets program standards including proper supporting documentation required, and upon completion of one business coaching session and recommendation from business coaching professionals, the remainder 50% of the project funds will be provided within 14 business days.

Should the applicant request the allowable additional, one-time funding of \$5,000, this will be awarded after sufficient reporting of expenses has been made, provided, and reviewed to the Economic Development Administration.

Business coaching services will be coordinated by the Economic Development Administration and in partnership with Meridian Chamber of Commerce member organizations, SBDC representatives, or IWBC representatives with business accounting experience.

City staff will review invoice requests and initiate the reimbursement payment process. Applicants shall submit receipts and invoices, and documentation of eligible expenses on a bi-monthly basis until all proceeds have been expended.

4.0 PROGRAM OPERATIONS**4.1 APPLICANT CONFIDENTIALITY**

All personal and business financial information will be kept confidential to the extent permitted by law. Participant files with personal and business confidential information will be kept in locked, secured storage units. The name of the business and the amount of grant funds received maybe identified on the transparent.idaho.gov website and on the City of Meridian's Economic Development webpage.

4.2 DISPUTE RESOLUTION/APEALS PROCEDURE

Applicants whose applications are not selected or not deemed eligible have the right to appeal the decision of the City, limited solely to procedural errors in the selection process. In the event that no such procedural errors are found to have occurred, the decision of the City shall be final.

An aggrieved applicant may, within seven (7) business days after the selection of prospective eligible projects, appeal in writing based on procedural errors. The appeal must state all facts and arguments upon which the appeal is based. The Chief Financial Officer for the City of Meridian, or the Economic Development Administrator, will review the applicant's application, and the facts which form the basis for the appeal, and render a written decision within thirty (30) business days of the receipt of the appeal.

Applicants may resubmit one additional application for re-consideration if originally denied

4.3 APPLICATION TIMELINES

Applications will be first come first served

Contracts for approved grant applications will be drafted by City staff and circulated for signatures to the applicant, and

City Economic Development Administrator.

Required Back-Up Documentation for Reimbursement of Expenses using Municipal Grant

Payroll Information - Please provide one of the following: IRS Filings; Idaho Department of Labor Withholdings; Third Party Payroll records.

Expenses - Please provide the following as appropriately determined by the Economic Development Administration: Third Party Invoices; Mortgage/Lease Information; Construction Estimates/Bids; Other documentation as approved.

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Application for Meridian Municipal Small Business Grant Program

Business/Organization Name: _____

Business/Organization EIN #/SSN: _____

Business/Organization DUNS: _____

Applicant Name: _____

Business/Organization Address: _____

Business Phone: _____

Applicant email: _____

Project Summary

1. Experience/Organizational Capacity: provide a brief narrative on the types of activities undertaken by the organization for which funding is requested. Describe the experience and expertise of the individuals who will be responsible for the activities and management of the project funding.

2. Please provide narrative on how COVID-19 has directly impacted your business/organization operations? How does your business use PPE in daily operations?

3. How much funding is being requested? \$ _____

4. How many employees do you employ? _____

5. What industry is your business/organization in? _____

Project Budget Summary and Financials

1. Please Provide:

- 2019 Profit and Loss Statement
- 2020 Year to Date Profit and Loss Statements
- 2019 and 2020 Annual Budget documents
- 2020 Year to Date Balance

2. Project Budget

| Budget Line Item | Source: |
|------------------|---------|
| Item #1 | |
| Item #2 | |
| Item #3 | |
| Item #4 | |
| Item #5 | |
| Total | |

3. Has the business or its owner applied for assistance through the Small Business Administration, Federal Emergency Management Program, or State of Idaho COVID-19 loan or grant program? If so, list below. If the business or its owner applies for such assistance or receives an award after the date of its application or award from the Small Business Relief Fund, it must immediately disclose such application and/or award.

| Program/Agency | Date of Application | Amount of Application | Purpose of Application | Amount of Award |
|-----------------------|----------------------------|------------------------------|-------------------------------|------------------------|
| | | | | |
| | | | | |
| | | | | |
| | | | | |

4. I understand the State of Idaho will rely on this application and certifications as a material representation in making a disbursement of funds to the applying entity.

5. I certify the following:

- I. The grant's use is for necessary expenditures incurred due to the public health emergency with respect to the Coronavirus Disease 2019 (COVID-19), including local closure orders;
- II. Expenses have been incurred during the period that begins on June 20, 2020, and ends on December 31, 2020, or my businesses/organization did not qualify for previous CARES Act funding;
- III. The grant funds use has not been covered or reimbursed by any other federal or state grant. Funds received pursuant to this certification cannot be used for expenditures for which an entity has received funding from any other emergency COVID-19 or other federal and state funds;
- IV. That no owner of 20% or more of the business is incarcerated, on parole, or within the last 5 years for any felony has been convicted, pleaded guilty, pleaded nolo contendere, or been placed on any form of probation?
- V. Funds provided from the State of Idaho pursuant to this certification must adhere to official federal guidance issued or to be issued on what constitutes a necessary expenditure. Any funds used in any manner that does not adhere to official federal guidance shall be returned to the State of Idaho.
- VI. Any business/organizations receiving funds pursuant to this certification shall retain documentation of all uses of the funds, including but not limited to invoices and/or sales receipts. Such documentation shall be produced to the State of Idaho if requested. Additionally, uniform reports may be requested and if requested shall be provided to the State of Idaho to ensure the receipt, disbursement, and use of federal funds is in alignment with federal law.
- VII. All grants submitted through this portal and approved by the committee will be reported publicly on Transparent.Idaho.gov. It is the responsibility of the applicant to ensure the protection of sensitive data prior to the data being submitted for review by CFAC.

I understand and it is my intent to conduct and process this application by electronic means and providing my signature by electronic means below satisfies all legal effect and enforceability as required by applicable law.

I therefore, certify that all information submitted in this request is true and accurate.

Signature:

Date:

Attachment A
Conflict of Interest

No employee, officer, or agent shall participate in the selection, award, or administration of a contract supported by Federal funds if a real or apparent conflict of interest would be involved. Such a conflict would arise when an employee, officer, or agent, any member of his or her immediate family, his or her partner, or an organization which employs or is about to employ any of the parties indicated herein, has a financial or other interest in the firm selected for an award. No person who is an employee, agent, consultant, officer, or elected official or appointed official of the recipient or subrecipient that are receiving federal funds and (1) who exercises or has exercised any functions or responsibilities with respect to activities assisted with federal funds; or (2) who is in a position to participate in a decision-making process or gain inside information with regard to these activities, may obtain a financial interest from a federally funded activity, or have any themselves or those with whom they have family or business ties, during their tenure or for one year thereafter.

- A. Are any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds in a position to participate in the decision-making process for approval of this application? Yes No
- B. Are any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds in a position to gain inside information regarding approval of this application? Yes No
- C. Will any employees, agents, consultants, officers, family members, or elected officials of the organization requesting funds obtain a financial interest or substantial benefit from this activity? Yes No
- D. Will any employee, agent, consultants, officers, family members, or elected officials of the organization requesting funds have any interest in any contract, subcontract or agreement with respect to funding this application, either for themselves or those with whom they have family or business ties during the life of the loan? Yes No

If you answered yes to any of the above questions, a letter must be submitted with the application that includes the following information:

- 1) A disclosure of the nature and the extent of the conflict.
- 2) A description of how public disclosure will be made.
- 3) A qualified attorney's opinion that the conflict of interest does not violate federal, state, or local law.

| | | |
|--------------------------------------|-------|------|
| Signature /Authorized Representative | Title | Date |
|--------------------------------------|-------|------|

Printed Name _____

| | | |
|--|-------|------|
| Signature/Authorized Official of the Board | Title | Date |
|--|-------|------|

Printed Name _____

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Attachment B
Sub-Recipient Agreement

[TBD – Legal]

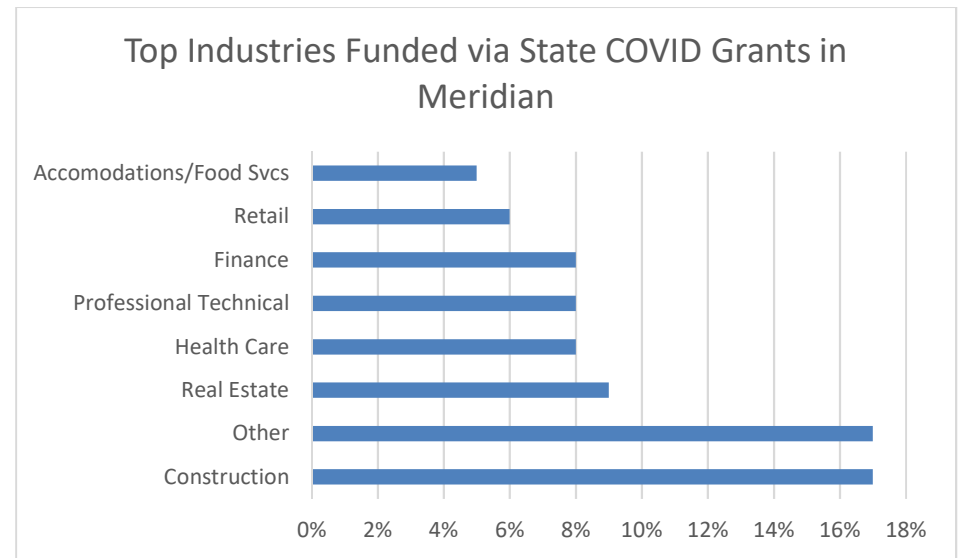
Project Evaluation Report

Project: Municipal Small Business Grant Program
Issue: Small businesses need support with ongoing business operations during COVID-19 pandemic.
Budget: \$1,000,000 initial (via CARES Act funding allocation)
Schedule: Initiate program, Sept. 2020; Run through Dec. 2020 (pending updates to federal CARES Act criteria)

Number of Meridian Small Businesses (2020):

| Meridian Grant Data | Business Count |
|--|----------------|
| Estimate of Businesses in Meridian | 3,482* |
| Estimate of Small Businesses in Meridian (<100 emp.) | 3,428* |
| Estimated Prior CARES Act Recipients in Meridian | ~568** |

*Based on ESMI statistics valid August 7, 2020
 **Based on transparent.idaho.gov valid August 10, 2020



Projected Cost Overview:

| | Options | Totals |
|---------------------|---|-----------------------|
| Program | | |
| Software Needs | Software module build and use onto existing platform (Consider agency partnership option) | \$10,000.00 |
| Consultant Needs | Evaluate need of consultant to manage on monthly basis | \$15,000.00 |
| Per MSBG Allocation | One time allocation; one time plus monthly ongoing; monthly ongoing; (\$10,000) | \$1,000,000.00 |
| Total | | \$1,025,000.00 |

Assumptions:

- Software module build costs match estimates from agency partners (~\$8-10K)
- Consultant rate matches estimates from agency partners (~\$15K)
- Up front allocation not to exceed 50% of awarded funds
- Require business coaching/consultation for prior to second half of awarded funding
- Require Sub-recipient Agreements for all awarded funds

Project Considerations:

- Up to 100 businesses can qualify for assistance at a one-time allocation of \$10,000
- Up to 66 businesses can qualify for assistance at a on-time \$10,000 allocation, with one additional \$5,000/mo. draw
- Up to 40 businesses can qualify for assistance at a on-time \$10,000 allocation, with additional \$5,000/mo. draws thereafter
- Up to 25 businesses can qualify for assistance at monthly draw of \$10,000
- Risks:
 - City responsibility for ineligible use of funds
 - Quality control of consultant
 - Customer satisfaction of grant awards

Recommendations:

- Allocate \$1,000,000 to actual grant program (exclusive of software and consultant needs)
- Require business coaching for portion of allocated funds to be received
- Require sub-recipient agreements
- Set per allocation model to 1-time, plus one additional draw

Current Efforts:

- Review concept w/ Council
- Submit program for pre-approval to State Coronavirus Financial Advisory Committee (CFAC)
- Hire consultant
- Issue PO and task order for software module build
- Develop Sub-recipient agreement
- Develop application process and necessary forms, etc.

Next Month Targets:

- Implement program and open application period
- Marketing efforts



AGENDA ITEM

ITEM TOPIC: Community Development: Update on Ada County Highway District's North Meridian Bicycle and Pedestrian Plan



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Caleb Hood **Meeting Date:** August, 25 2020
Presenter: Edinson Bautista, ACHD **Estimated Time:** 12 minutes
Topic: Update on ACHD North Meridian Bicycle & Pedestrian Plan

Recommended Council Action:

This is not an action item.

Background:

Staff has been participating on the ACHD team that is evaluating pedestrian and bicycle improvements for North Meridian. The ACHD Project Manager, will be at the August 25th Council Workshop to share information about the project, feedback received from the public and next steps.

| NORTH MERIDIAN NEIGHBORHOOD BIKE & PEDESTRIAN PLAN - DRAFT PROJECT LIST | | | | | | | |
|---|---|--------------|-------------------|---------------------------------|------------|--|-------------|
| Bicycle Projects | | | | | | | |
| Project ID (B & Numeric Value) | Project Name (Street Name, Street Name / Street Name) | Project Type | Neighborhood Plan | Priority (High, Medium, Low) | Status | Notes (Project Description) | Location ID |
| B1 | Black Cat Road, I-84 / Franklin Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Black Cat Road from I-84 to Franklin Road | |
| B2 | Black Cat Road, Franklin Road / Cherry Lane | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Black Cat Road from Franklin Road to Cherry Lane | |
| B3 | Black Cat Road, Cherry Lane / Ustick Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Black Cat Road from Cherry Lane to Ustick Road | |
| B4 | Black Cat Road, Ustick Road / McMillan Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Black Cat Road from Ustick Road to McMillan Road | |
| B5 | Black Cat Road, McMillan Road / Chinden Boulevard | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Black Cat Road from McMillan Road to Chinden Boulevard | |
| B6 | Black Cat Road, Chinden Boulevard / Highland Fall Drive | Bicycle | North Meridian | | Future | Install Level 2 bike facilities along Black Cat Road from Chinden Boulevard to Highland Fall Drive | |
| B7 | Black Cat-Ten Mile Bikeway, Cherry Lane / Ustick Road | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along the Black Cat-Ten Mile Bikeway from Cherry Lane to Ustick Road | |
| B8 | Can Ada Road, Ustick Road / McMillan Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Can Ada Road from Ustick Road to McMillan Road | |
| B9 | Can Ada Road, McMillan Road / Chinden Boulevard | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Can Ada Road from McMillan Road to Chinden Boulevard | |
| B10 | Central Meridian Bikeway, Blue Heron Street / Chinden Boulevard | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along the Central Meridian Bikeway from Blue Heron Street to Chinden Boulevard | |
| B11 | Cherry Lane, McDermott Road / Black Cat Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Cherry Lane from McDermott Road to Black Cat Road | |
| B12 | Cherry Lane, Ten Mile Road / Linder Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Cherry Lane from Ten Mile Road to Linder Road | |
| B13 | Cherry Lane, Linder Road / Meridian Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Cherry Lane from Linder Road to Meridian Road | |
| B14 | Chinden-McMillan Bikeway, Ten Mile Road / Sedona Drive | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 and Level 3 bike facilities along the Chinden-McMillan Bikeway from Ten Mile Road to Sedona Drive | |
| B15 | El Gato Lane, McDermott Road / Black Cat Road | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facility along El Gato Lane from McDermott Road to Black Cat Road | |
| B16 | Fairview Avenue, Meridian Road / Locust Grove Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Fairview Avenue from Meridian Road to Locust Grove Road | |
| B17 | Fairview Avenue, Locust Grove Road / Eagle Road | Bicycle | North Meridian | | Programmed | Install Level 3 bike facilities along Fairview Avenue from Locust Grove Road to Eagle Road | |
| B18 | Fairview Avenue, Eagle Road / Cloverdale Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Fairview Avenue from Eagle Road to Cloverdale Road | |
| B19 | Franklin Road, McDermott / Black Cat Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Franklin Road from McDermott to Black Cat Road | |
| B20 | Granger Avenue Bikeway, Records Avenue / Cloverdale Road | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along the Granger Avenue Bikeway from Records Avenue to Cloverdale Road | |
| B21 | Gondola-Malta Bikeway, Black Cat Road / Goddard Creek Way | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 and Level 3 bike facilities along the Gondola-Malta Bikeway from Black Cat Road to Goddard Creek Way | |
| B22 | Linder-Meridian Bikeway, Cherry Lane / Chinden Boulevard | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 and Level 3 bike facilities along the Linder-Meridian Bikeway from Cherry Lane to Chinden Boulevard | |
| B23 | Linder Road, I-84 / Franklin Road | Bicycle | North Meridian | | Programmed | Install Level 3 bike facilities along Linder Road from I-84 to Franklin Road | |
| B24 | Linder Road, Maple Avenue / Cherry Lane | Bicycle | North Meridian | | Programmed | Install Level 3 Bike facilities along Linder Road from Maple Avenue to Cherry Lane | |
| B25 | Linder Road, Cherry Lane / Tumble Road | Bicycle | North Meridian | | Programmed | Install Level 3 bike facilities along Linder Road from Cherry Lane to Emerald Falls Drive and from Chateau Drive to Tumble Road | |
| B26 | Linder Road, Chinden Boulevard / Duck Alley Road | Bicycle | North Meridian | | Programmed | Install Level 3 Bike Facilities on Linder Road from Chinden Boulevard to Duck Alley Road. This project is part of the greater "Linder Road Bikeway (Phase 1)" Project | |
| B27 | Locust Grove-Eagle Bikeway, Pine Avenue / McMillan Road | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 and Level 3 bike facilities, and fill in gaps in existing Level 3 facilities along the Locust Grove-Eagle Bikeway from Pine Avenue to McMillan Road | |
| B28 | Locust Grove Road, Summerheights Drive / McMillan Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Locust Grove Road from Summerheights Drive to McMillan Road | |
| B29 | Locust Grove Road, McMillan Road / Chinden Boulevard | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Locust Grove Road from McMillan Road to Chinden Boulevard | |
| B30 | McDermott Road, I-84 / Franklin Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McDermott Road from I-84 to Franklin Road | |
| B31 | McDermott Road, Franklin Road / Cherry Lane | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McDermott Road from Franklin Road to Cherry Lane | |
| B32 | McDermott Road, Cherry Lane / Ustick Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McDermott Road from Cherry Lane to Ustick Road | |
| B33 | McDermott Road, Ustick Road / McMillan Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McDermott Road from Ustick Road to McMillan Road | |
| B34 | McDermott Road, McMillan Road / Chinden Boulevard | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McDermott Road from McMillan Road to Chinden Boulevard | |
| B35 | McMillan Road, Can Ada / Star Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from Can Ada to Star Road | |
| B36 | McMillan Road, Star Road / McDermott Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from Star Road to McDermott Road | |
| B37 | McMillan Road, McDermott Road / Black Cat Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from McDermott Road to Black Cat Road | |
| B38 | McMillan Road, Black Cat Road / Ten Mile Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from Black Cat Road to San Vito Way and from Vioenza Way to Ten Mile Road | |
| B39 | McMillan Road, Ten Mile Road / Linder Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from Ten Mile Road to Linder Road | |

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|-----|--|---------|----------------|--|------------|--|
| B40 | McMillan Road, Linder Road / Meridian Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from Linder Road to Meridian Road |
| B41 | McMillan Road, Meridian Road / Locust Grove Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along McMillan Road from Meridian Road to Locust Grove Road |
| B42 | McMillan-Ustick Bikeway, Cool River Avenue / Eagle Road | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along the McMillan-Ustick Bikeway from Cool River Avenue to Eagle Road |
| B43 | Meridian Road, Ashby Drive / Lava Falls Drive | Bicycle | North Meridian | | Programmed | Install Level 3 bike facilities along Meridian Road from Ashby Drive to Lava Falls Drive |
| B44 | Meridian Road, McMillan Road / Chinden Boulevard | Bicycle | North Meridian | | Programmed | Install Level 3 bike facilities along Meridian Road from McMillan Road to Chinden Boulevard |
| B45 | Pine Avenue, Black Cat Road / Ten Mile Road | Bicycle | North Meridian | | Future | Install Level 2 bike facilities along Pine Avenue from Black Cat Road to Ten Mile Road |
| B46 | Records Avenue, Florence Drive / Fairview Avenue | Bicycle | North Meridian | | Future | Install Level 2 bike facilities along Records Avenue from Florence Drive to Fairview Avenue with construction of improved roadway |
| B47 | Records Way Bikeway, Pine Avenue / Fernside Drive | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along the Records Way Bikeway from Pine Avenue to Fernside Drive |
| B48 | Star Road, Ustick Road / McMillan Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Star Road from Ustick Road to McMillan Road |
| B49 | Star Road, McMillan Road / Chinden Boulevard | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Star Road from McMillan Road to Chinden Boulevard |
| B50 | Ten Mile-Linder Bikeway, Linder Road / Chinden Boulevard | Bicycle | North Meridian | | Programmed | Install signing and pavement marking to existing Level 1 and Level 3 bike facilities along the Ten Mile-Linder Bikeway from Linder Road to Chinden Boulevard |
| B51 | Tree Farm Way-Tree Crest Drive, Chinden Boulevard / Black Cat Road | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along Tree Farm Way and Tree Crest Drive from Chinden Boulevard to Black Cat Road |
| B52 | Ustick-Cherry Bikeway, Black Cat Road / Chateau Drive | Bicycle | North Meridian | | Future | Install signing and pavement marking to existing Level 1 bike facilities along the Ustick-Cherry Bikeway from Black Cat Road and through Chateau Drive |
| B53 | Ustick Road, Can Ada Road / Star Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Ustick Road from Can Ada Road to Star Road |
| B54 | Ustick Road, Star Road / McDermott Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Ustick Road from Star Road to McDermott Road |
| B55 | Ustick Road, McDermott Road / Black Cat Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Ustick Road from McDermott Road to Black Cat Road |
| B56 | Ustick Road, Black Cat Road / Ten Mile Road | Bicycle | North Meridian | | Future | Install Level 3 bike facilities along Ustick Road from Black Cat Road to Ten Mile Road |
| B57 | Ustick Road, Ten Mile Road / Linder Road | Bicycle | North Meridian | | Programmed | Install Level 3 bike facilities along Ustick Road from Ten Mile Road to Linder Road |

Item #16.

| Sidewalk Projects | | | | | | | |
|-----------------------------------|--|--------------|-------------------|---------------------------------|------------|--|-------------|
| Project ID (S & Numeric Value) | Project Name (Street Name, Street Name / Street Name) | Project Type | Neighborhood Plan | Priority (High, Medium, Low) | Status | Notes (Project Description) | Location ID |
| S1 | Black Cat Road, Franklin Road to Cherry Lane | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on both sides of Black Cat Road | |
| S2 | Black Cat Road, Cherry Lane to Ustick Road | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on both sides of Black Cat Road | |
| S3 | Black Cat Road, Ustick Road to McMillan Road | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on both sides of Black Cat Road | |
| S4 | Black Cat Road, McMillan Road to Chinden Boulevard | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on both sides of Black Cat Road | |
| S5 | Black Cat Road, Chinden Boulevard to Tree Crest Drive | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on east side of Black Cat Road | |
| S6 | Linder Road, I-84 to Franklin Road | Sidewalks | North Meridian | | Programmed | Connect gaps from existing sidewalk on west side of Linder Road | |
| S7 | Linder Road, Cherry Lane to Ustick Road | Sidewalks | North Meridian | | Programmed | Connect gaps from existing sidewalk on both sides of Linder Road | |
| S8 | Locust Grove Road, Leighfield Drive to Star Lane | Sidewalks | North Meridian | | Future | Connect gap from existing sidewalk on west side of Locust Grove Road, along with improving narrow sidewalk on east side of roadway | |
| S9 | Locust Grove Road, McMillan Road to Chinden Boulevard | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on east side of Locust Grove Road | |
| S10 | McDermott Road, Ustick Road to McMillan Road | Sidewalks | North Meridian | | Future | Install sidewalk on the west side of McDermott Road connecting to sidewalk on Ustick Road and McMillan Road for connectivity to Owyhee High School | |
| S11 | McMillan Road, Star Road to McDermott Road | Sidewalks | North Meridian | | Future | Install sidewalk on the south side of McMillan Road connecting to sidewalk on McDermott Road for connectivity to Owyhee High School | |
| S12 | McMillan Road, McDermott Road to Black Cat Road | Sidewalks | North Meridian | | Future | Connect to existing sidewalk and connect gaps on the south side of McMillan Road | |
| S13 | McMillan Road, Black Cat Road to Ten Mile Road | Sidewalks | North Meridian | | Future | Connect to existing sidewalk on both sides of McMillan Road | |
| S14 | McMillan Road, Ten Mile Road to Linder Road | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on the north and south sides of McMillan Road | |
| S15 | McMillan Road, Linder Road to Meridian Road | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on the south side of McMillan Road | |
| S16 | Pine Avenue, Black Cat Road to Biltmore Avenue | Sidewalks | North Meridian | | Future | Connect to existing sidewalk on the south side of Pine Avenue | |
| S17 | Ustick Road, Star Road to McDermott Road | Sidewalks | North Meridian | | Future | Install sidewalk on the north side of Ustick Road connecting to sidewalk on McDermott Road for connectivity to Owyhee High School | |
| S18 | Ustick Road, McDermott Road to Black Cat Road | Sidewalks | North Meridian | | Future | Connect gaps from existing sidewalk on both sides of Ustick Road | |

Item #16.

| Crossing Projects | | | | | | | |
|-----------------------------------|---|--------------|-------------------|---------------------------------|-----------------|--|-------------|
| Project ID (C & Numeric Value) | Project Name (Street Name and Street Name) | Project Type | Neighborhood Plan | Priority (High, Medium, Low) | Status | Notes (Project Description) | Location ID |
| C1 | Ustick Road and Nine Mile Creek | Crossing | North Meridian | | Future | Install enhanced crossing where Nine Mile Creek pathway meets Ustick Road | |
| C2 | Ustick Road and Towerbridge Drive | Crossing | North Meridian | | Future | Install a pedestrian signal on Ustick Road at Towerbridge Drive | |
| C3 | McMillan Road and Palatine Way | Crossing | North Meridian | | Future | Install an enhanced pedestrian crossing and curb ramps on McMillan Road at Palatine Way | |
| C4 | Cherry Lane and Meridian Library | Crossing | North Meridian | | Programmed 2020 | Install an enhanced crossing (pedestrian hybrid beacon) on Cherry Lane from West 8th and Linder. This will require relocation of the existing school zone beacon to the west | |
| C5 | Ustick Road and Venable Lane | Crossing | North Meridian | | Future | Install an enhanced crossing (pedestrian hybrid beacon) on Ustick Road at Venable Lane | |
| C6 | McMillan Road and Summit Way | Crossing | North Meridian | | Future | Install an enhanced crossing (pedestrian hybrid beacon) and widened shoulders on McMillan Road at the Summit Way intersection in order for pedestrians/bicyclists travelling along local roads to access Settlers Park | |
| C7 | Meridian Road and Settlers Park | Crossing | North Meridian | | Future | Install an enhanced pedestrian crossing of Meridian Road near Settlers Park entrance and Sundance Subdivision micropath | |
| C8 | Meridian Road and Producer Drive | Crossing | North Meridian | | Future | Install an enhanced crossing (pedestrian hybrid beacon) on Meridian Road at Producer Drive to connect existing pathway | |
| C9 | Meridian Road and Director Street | Crossing | North Meridian | | Programmed | Install an enhanced crossing (full signal) on Meridian Road at Director Street, across from St. Ignace School | |
| C10 | Locust Grove Road and Woodbridge Drive | Crossing | North Meridian | | Programmed 2024 | Install an enhanced pedestrian crossing (pedestrian hybrid beacon) across Locust Grove, from Woodbridge and Watertower | |
| C11 | Nola Road and Crossroads Middle School | Crossing | North Meridian | | Future | Install a painted crosswalk on Nola Road at Crossroads Middle School | |
| C12 | Locust Grove Road and Heritage Park Street | Crossing | North Meridian | | Future | Install an enhanced crossing (pedestrian hybrid beacon) on Locust Grove Road at Heritage Park Street, access for Meridian Technical Charter High School | |
| C13 | Pine Avenue and Hickory Avenue | Crossing | North Meridian | | Future | Install an enhanced crossing (pedestrian hybrid beacon) on Pine Avenue at Hickory Avenue | |



North Meridian NEIGHBORHOOD

Bicycle & Pedestrian Plan

Recommended Bicycle Projects

LEGEND

RECOMMENDED PROJECTS

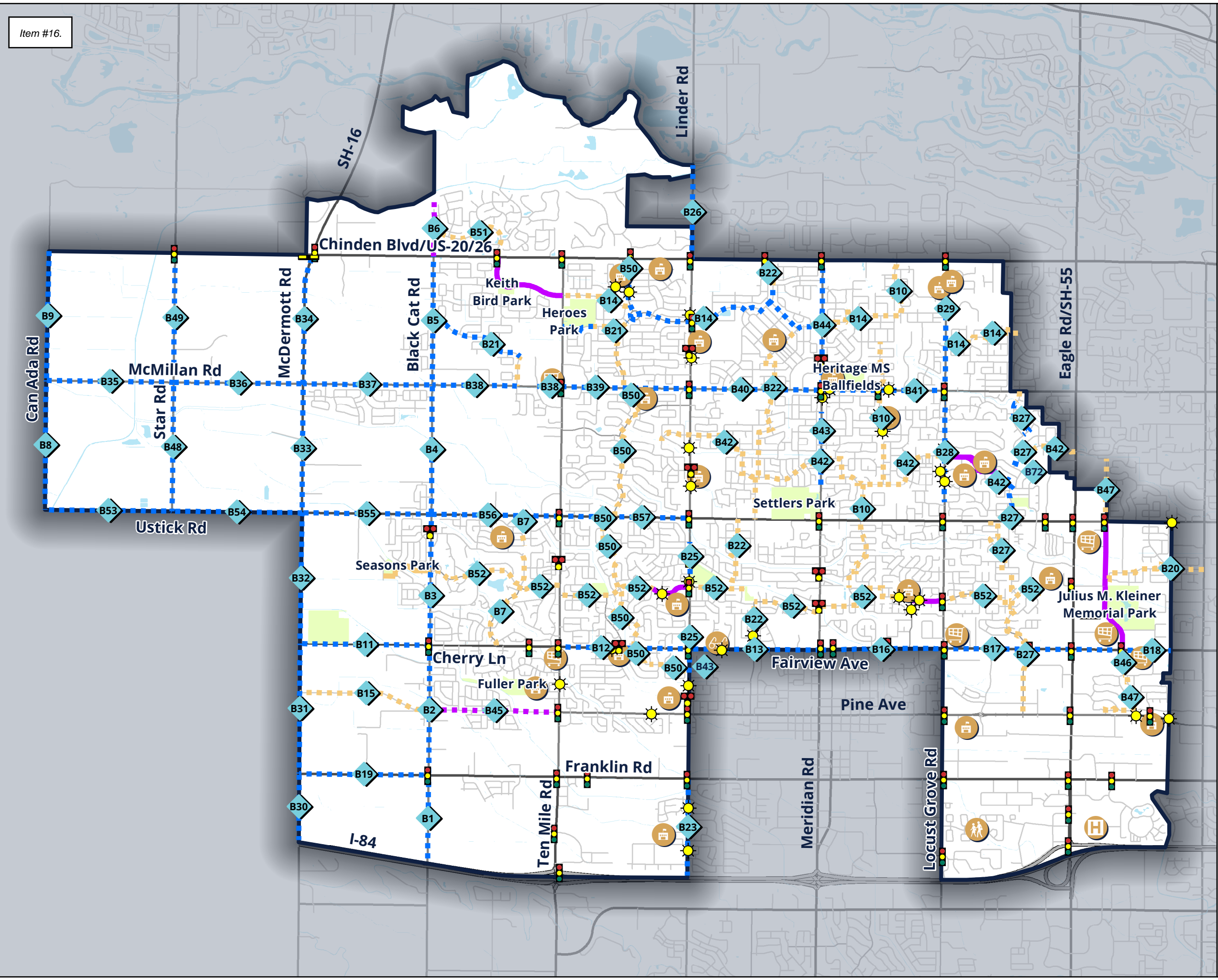
- Low-Stress Bikeway
- Bike Lanes
- Enhanced Bike Treatment
- Bike Treatment

EXISTING

- Low-Stress Bikeway
- Bike Lanes
- Rectangular Rapid Flashing Beacon
- Pedestrian Hybrid Beacon
- Traffic Signal
- School Flasher
- Parks

DESTINATIONS

- School
- Library
- Hospital
- Shop
- Community



0 Miles



North Meridian NEIGHBORHOOD

Bicycle & Pedestrian Plan

Recommended Pedestrian Projects

LEGEND

RECOMMENDED PROJECTS

- Sidewalk
- Crossing
- Sidewalk

PROPOSED

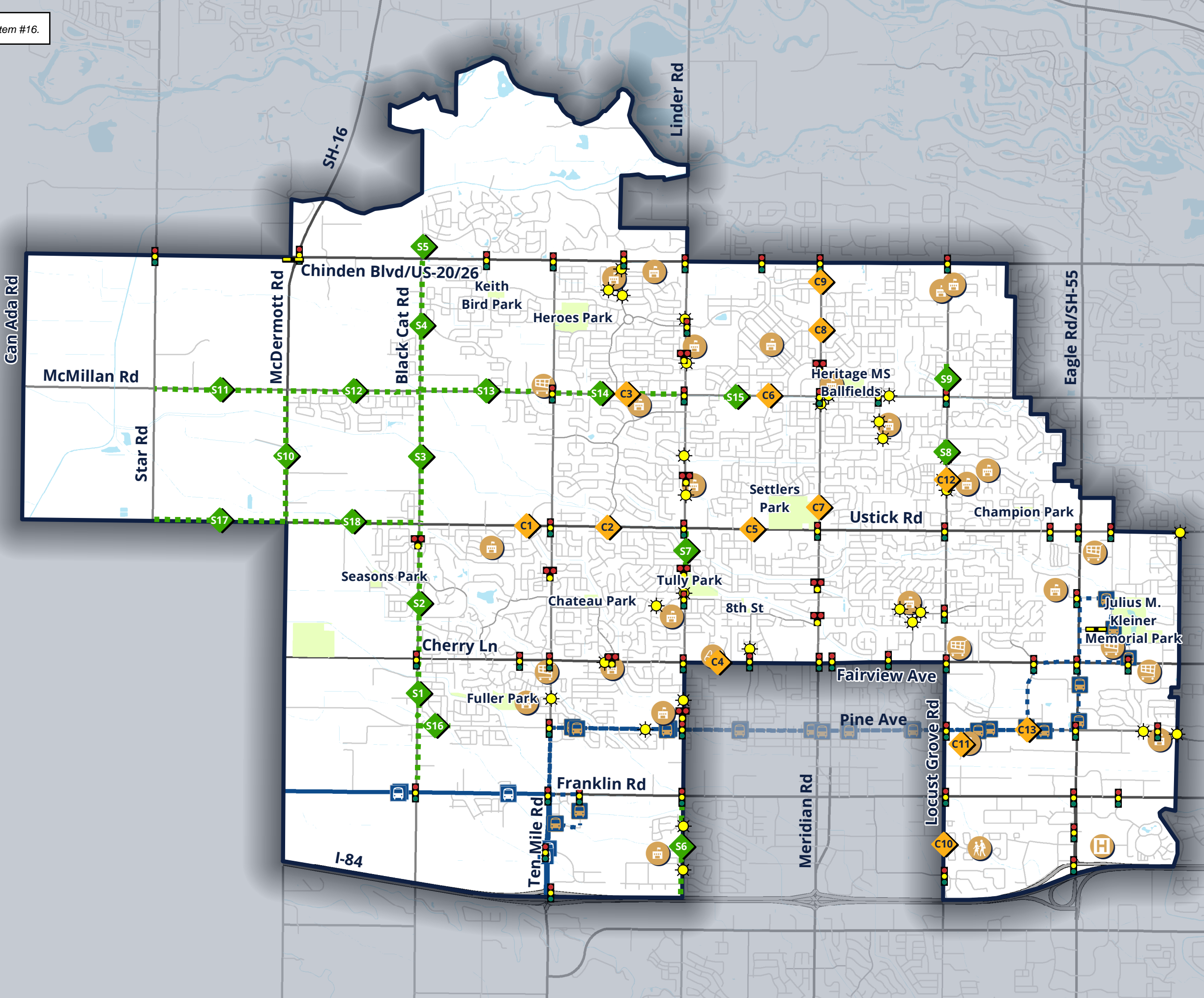
- Bus Route
- Bus Stop

EXISTING

- Bus Route
- Bus Stop
- Rectangular Rapid Flashing Beacon
- Pedestrian Hybrid Beacon
- Traffic Signal
- School Flasher
- Parks

DESTINATIONS

- School
- Library
- Hospital
- Shop
- Community





AGENDA ITEM

ITEM TOPIC: Community Development: Eagle Road, Amity to Victory Design Update

MEMORANDUM
COMMUNITY DEVELOPMENT DEPARTMENT



August 20, 2020

TO: Mayor Robert Simison
City Council

CC: David Miles, Chief of Staff
Cameron Arial, Community Development Director
Caleb Hood, Planning Division Manager

FROM: Brian McClure, Comprehensive Associate Planner

RE: Community Development: Eagle Road, Amity to Victory Design Update

The Eagle Road, Victory to Amity expansion project is proposed as a five-lane roadway, including center turn lane, with multi-use sidewalks on both sides of the street. The existing roadway has a two and three-lane rural cross-section, with numerous bike and pedestrian gaps. The project includes a pathway crossing north of Zaldia Drive and a roundabout (RAB) at Eagle and Zaldia.

This mile corridor is Meridian’s #5 priority project in ACHD’s draft 2021-2025 Integrated Five Year Work Plan. Initial preliminary scope and design work began in 2018, and included two public open houses. Design and right-of-way acquisition has been occurring since, and construction is set to begin later this year. The project is included on ACHD’s 90 day bid list.

Recently, ACHD expanded this project to include intersection improvements at Eagle and Amity, which is an existing single-lane roundabout (RAB). The Firenze Plaza project, approved in 2017 and located on the northwest corner of the Eagle/Amity intersection, had originally agreed to complete expansion of this single-lane RAB into a dual-lane configuration, in coordination with ACHD. Development has yet to occur however, and ACHD determined that they would need to complete the intersection to retain benefits of the roadway expansion to the north. ACHD’s engineering consultant has updated the design of this RAB to include a bypass lane on the northwest section of the RAB, intended to address projected travel demand for motorists traveling south to westbound. The complexity of this design and in relation to concept designs of the adjacent property (Firenze), may necessitate revisions either to adjacent property access or to the intersection design.

On August 3rd, a Tuscany Subdivision resident addressed the Meridian Transportation Commission with concerns related to design of the multiuse crossings with the roadway widening, at the local streets, and with the proposed RAB at Zaldia. The Transportation Commission ultimately requested that City Council consider addressing the multiuse pathway concern with ACHD. During the public review and design process, Meridian staff raised similar concerns with the multiuse crossings, and discussed a similar treatment with City Council on an earlier version of the Locust Grove widening project. While ACHD went a different direction with the design of Locust Grove project (no multiuse pathways), ACHD staff ultimately felt that this crossing treatment was in the public’s best interest on Eagle Road.

On August 18th, the Mayor and City Council requested this project be discussed in more depth at the August 25th City Council workshop. Staff will be available and happy to answer any questions about either of the proposed RAB designs and the multiuse crossing design.

Lastly, and related to this project, City Council has previously supported a Parks and Recreation budget request of \$10,000 to develop landscape concepts for the center area of the RAB islands. ACHD is aware of this design effort, but as part of cost share discussions has requested the city install an interim treatment of bark mulch, to ensure the center areas are not left bare. If this pending cost share is approved, Parks and Recreation will bring forward a budget amendment of \$9,000 to pay for this interim treatment.



AGENDA ITEM

ITEM TOPIC: Community Development: Discussion Regarding School District Data for Staff Reports



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Miranda Carson, Comprehensive Associate Meeting Date: August 25, 2020
Coordination Planner, Community Development

Presenter: Miranda Carson, Comprehensive Associate Estimated Time:
Coordination Planner

Topic: Community Development: Discussion Regarding Building Permits Per School Attendance Area

Recommended Council Action:

Review, Discuss, and Provide Input

Background:

A draft table has been created to provide information on area growth based on individual school attendance boundaries. The table will highlight schools likely to be impacted by a residential development based on a current application. The intent is to provide the entitlement and building permit data in the areas affected by an application to enhance future planning for both the City and the School District. The draft it will be presented for review, discussion, and input.