



CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, April 09, 2024 at 6:00 PM

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

Agenda

VIRTUAL MEETING OPTION

City Council meetings can also be attended online or by phone.

<https://bit.ly/meridianzoommeeting>

or dial 253-215-8782, webinar ID: 810 9527 6712

Meridian City Council meetings are streamed live at <https://meridiancity.org/live>

ROLL CALL ATTENDANCE

___ Vacant, District 1

___ John Overton, District 4

___ Liz Strader, District 2

___ Anne Little Roberts, District 5

___ Doug Taylor, District 3

___ Luke Cavener, District 6

___ Robert E. Simison, Mayor

PLEDGE OF ALLEGIANCE

COMMUNITY INVOCATION

ADOPTION OF AGENDA

PROCLAMATIONS [Action Item]

- [1.](#) Week of the Young Child Proclamation

PUBLIC FORUM – Future Meeting Topics

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

DEPARTMENT / COMMISSION REPORTS [Action Item]

- [2.](#) Election of City Council President

ACTION ITEMS

Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15 minutes to present their project. Members of the public are then allowed up to 3 minutes each to address City Council regarding the application. Citizens acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners who have consented to yielding their time. The public may sign up in advance at www.meridiancity.org/forum. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. City Council members may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard. City Council may move to continue the application to a future meeting or approve or deny the application. The Mayor is not a member of the City Council and pursuant to Idaho Code does not vote on public hearing items unless to break a tie vote.

- 3. Public Hearing** for The Oaks North No. 1 (Lots 11 and 12, Block 7) (H-2024-0004) by Kyle Prewett, Toll Brothers, located at 5662 W. Daphne Dr.

Application Materials: <https://bit.ly/H-2024-0004>

A. Request: Vacation of the permanent easement for public utilities, pressure irrigation and lot drainage over the five (5) feet adjacent to the interior side lot lines of the pre-adjusted Lot 11 and Lot 12, Block 7 of The Oaks North Subdivision No. 1.

- 4. Public Hearing** for Keep West Subdivision No. 2 (H-2023-0047) by Jarron Langston, located at 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln.

Application Materials: <https://bit.ly/H-2023-0047>

A. Request: Annexation and zoning of 16.25 acres of land from RUT to R-2 (low density residential) zoning district

B. Request: Preliminary Plat consisting of 22 buildable lots, one existing home and 5 common lots on (16.25 acres of land) in the R-2 zoning district

- 5. Public Hearing** for Rosalyn Subdivision (H-2023-0056) by Givens Pursley, LLP, located at 200 E. Rosalyn Dr.

Applicant Materials: <https://bit.ly/H-2023-0056>

A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district, including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.

B. Request: Combined Preliminary/Final Plat consisting of 6 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

EXECUTIVE SESSION per Idaho Code 74-206(1)(d): To consider records that are exempt from disclosure as provided in chapter 1, title 74, Idaho Code.

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM **TOPIC:** Week of the Young Child Proclamation



The Office of the Mayor

P R O C L A M A T I O N

WHEREAS, the City of Meridian in conjunction with the Idaho Association for the Education of Young Children (Idaho AEYC) are celebrating the Week of the Young Child™, April 6-12, 2024; and,

WHEREAS, Idaho AEYC is working to promote and inspire high-quality early childhood experiences for our state's youngest citizens, that can provide a foundation of learning and success for children in Meridian; and,

WHEREAS, teachers and others who work with, or on behalf of young children from birth through age eight, make a difference in these lives and deserve thanks and recognition; and,

WHEREAS, public policies supporting early learning for all are crucial to young children's futures and to the prosperity of our society; and,

WHEREAS, this is a time to recognize the importance of children's earliest years in shaping their development and to recommit ourselves to ensuring that each and every child experiences the type of environment – at home, at child care, at school, and in the community – that will promote early learning.

THEREFORE, I, Mayor Robert E. Simison, proclaim April 6-12, 2024 to be

The Week of the Young Child

in the city of Meridian and encourage all citizens to work to support the efforts of Idaho AEYC and NAEYC and support and invest in early childhood in our community.

Dated this 9th day of April, 2024

A blue ink signature of Robert E. Simison, Mayor of Meridian, Idaho.

Robert E. Simison, Mayor

Liz Strader, City Council Vice-President
Luke Cavener, City Council
John Overton, City Council
Anne Little Roberts, City Council





AGENDA ITEM

ITEM TOPIC: Public Hearing for The Oaks North No. 1 (Lots 11 and 12, Block 7) (H-2024-0004) by Kyle Prewett, Toll Brothers, located at 5662 W. Daphne Dr.
Application Materials: <https://bit.ly/H-2024-0004>

A. Request: Vacation of the permanent easement for public utilities, pressure irrigation and lot drainage over the five (5) feet adjacent to the interior side lot lines of the pre-adjusted Lot 11 and Lot 12, Block 7 of The Oaks North Subdivision No. 1.

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: April 9, 2024

TO: Mayor & City Council

FROM: Linda Ritter, Associate Planner
208-884-5533

SUBJECT: H-2024-0004
The Oaks North No. 1 (Lots 11 and 12, Block 7) - VAC

LOCATION: 5662 and 5682 W. Daphne Drive, in the SW ¼ of the W ½ Section 28 T.4N. R.1W.



I. PROJECT DESCRIPTION

Request to vacate the five-foot (5') public utilities, pressurized irrigation and drainage easement located along the interior side lot line of Lots 11 and 12, Block 7, of the Oaks North No. 1 Subdivision.

II. APPLICANT INFORMATION

A. Applicant:

Kyle Prewett, Toll Brothers – 3103 Sheryl Drive, Suite 100, Meridian, ID 83642

B. Owner:

Ryan Hammons – Toll Brothers Southwest LLC, 3103 W. Sheryl Drive, Ste 100, Meridian, ID 83642

C. Representative:

Same as Applicant

III. UNIFIED DEVELOPMENT CODE

Per UDC [Table 11-5A-2](#), vacation of a utility easement falls under “all others”, which requires approval from City Council at a public hearing.

IV. NOTICING

	City Council Posting Date
Newspaper Notification	3/24/2024
Radius notification mailed to properties within 300 feet	3/22/2024
Next Door posting	3/24/2024

V. STAFF ANALYSIS

The Applicant requests approval to vacate the five-foot (5') public utilities, pressurized irrigation and drainage easement located along the interior side lot line of Lots 11 and 12, Block 7, of the Oaks North No. 1 Subdivision. The beforementioned easements have been re-established as a result of the approved Property Boundary Adjustment (PBA-2023-0015) and subsequent recording of a quitclaim deed, which formally established a new property boundary. The vacation of these easements will allow for the construction of a single-family residential home.

A legal description and exhibit map of the portion of the easement proposed to be vacated and relocated is included in Section VI below.

The Applicant submitted [*relinquishment letters*](#) from all impacted utility companies consenting to the partial vacation of easement as proposed. Letters were received from Settlers Irrigation District, Century Link/Lumen, Idaho Power, Intermountain Gas Company, Millennium Networks, LLC and Cable One Inc.

VI. DECISION

A. Staff:

Staff recommends approval of the vacation of the public utility easement as proposed by the Applicant and as agreed upon by the easement holder.

VII. EXHIBIT

Legal Description & Exhibit Map of the Public Utility Easement Proposed to be Vacated and Relocated

ESE CONSULTANTS
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**NEW LOT 11 PUBLIC UTILITY, PRESSURE IRRIGATION,
AND LOT DRAINAGE EASEMENT VACATION**

THAT PORTION OF NEW LOT 11, BLOCK 7, RECORD OF SURVEY NO. 14169, RECORDED UNDER RECORDING NUMBER 2023-060382, SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, B.M. CITY OF MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2" IRON PIN MARKING THE NORTHEAST CORNER OF SAID NEW LOT 11, FROM WHICH A 1/2" IRON PIN MARKING THE SOUTHEAST CORNER OF SAID NEW LOT 11, BEARS S00°43'02"W, A DISTANCE OF 123.55 FEET;

THENCE S00°43'02"W, ALONG THE EAST LINE OF SAID NEW LOT 11, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE LEAVING SAID EAST LINE N89°22'55"W, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING N89°22'55"W, A DISTANCE OF 5.00 FEET;

THENCE S00°43'02"W, A DISTANCE OF 98.53 FEET;

THENCE S89°16'58"E, A DISTANCE OF 5.00 FEET;

THENCE N00°43'02"E, A DISTANCE OF 98.54 FEET TO THE **POINT OF BEGINNING**.



CONTAINS: 493 +/- SQ. FT. (0.11 +/- ACRES)

ESE Consultants, Inc.
3103 W. Sheryl Drive · Suite 100 · Meridian, ID 83642
(208) 424-0020

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NEW LOT 12 PUBLIC UTILITY, PRESSURE IRRIGATION, AND LOT DRAINAGE EASEMENT VACATION

THOSE PORTIONS OF NEW LOT 12, BLOCK 7, RECORD OF SURVEY NO. 14169, RECORDED UNDER RECORDING NUMBER 2023-060382, SITUATED IN THE SOUTHEAST 1/4 OF THE SOUTHWEST 1/4 OF SECTION 28, TOWNSHIP 4 NORTH, RANGE 1 WEST, B.M, CITY OF MERIDIAN, ADA COUNTY, IDAHO, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

EASEMENT NO. 1

COMMENCING AT A 1/2" IRON PIN MARKING THE NORTHEAST CORNER OF SAID NEW LOT 12, FROM WHICH A 1/2" IRON PIN MARKING THE SOUTHEAST CORNER OF SAID NEW LOT 12, BEARS S00°43'02"W, A DISTANCE OF 123.46 FEET;

THENCE S00°43'02"W, ALONG THE EAST LINE OF SAID NEW LOT 11, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE LEAVING SAID EAST LINE N89°22'55"W, A DISTANCE OF 5.00 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING N89°22'55"W, A DISTANCE OF 5.00 FEET;

THENCE S00°43'02"W, A DISTANCE OF 98.53 FEET;

THENCE S89°16'58"E, A DISTANCE OF 5.00 FEET;

THENCE N00°43'02"E, A DISTANCE OF 98.54 FEET TO THE **POINT OF BEGINNING**.

TOGETHER WITH;

EASEMENT NO. 2

COMMENCING AT A 1/2" IRON PIN MARKING THE NORTHEAST CORNER OF SAID NEW LOT 12, FROM WHICH A 1/2" IRON PIN MARKING THE SOUTHEAST CORNER OF SAID NEW LOT 11, BEARS S00°43'02"W, A DISTANCE OF 123.46 FEET;

THENCE S00°43'02"W, ALONG THE EAST LINE OF SAID NEW LOT 12, A DISTANCE OF 10.00 FEET TO A POINT;

THENCE LEAVING SAID EAST LINE N89°22'55"W, A DISTANCE OF 55.00 FEET TO THE **POINT OF BEGINNING**;

THENCE CONTINUING N89°22'55"W, A DISTANCE OF 5.00 FEET;

THENCE S00°43'02"W, A DISTANCE OF 98.36 FEET;

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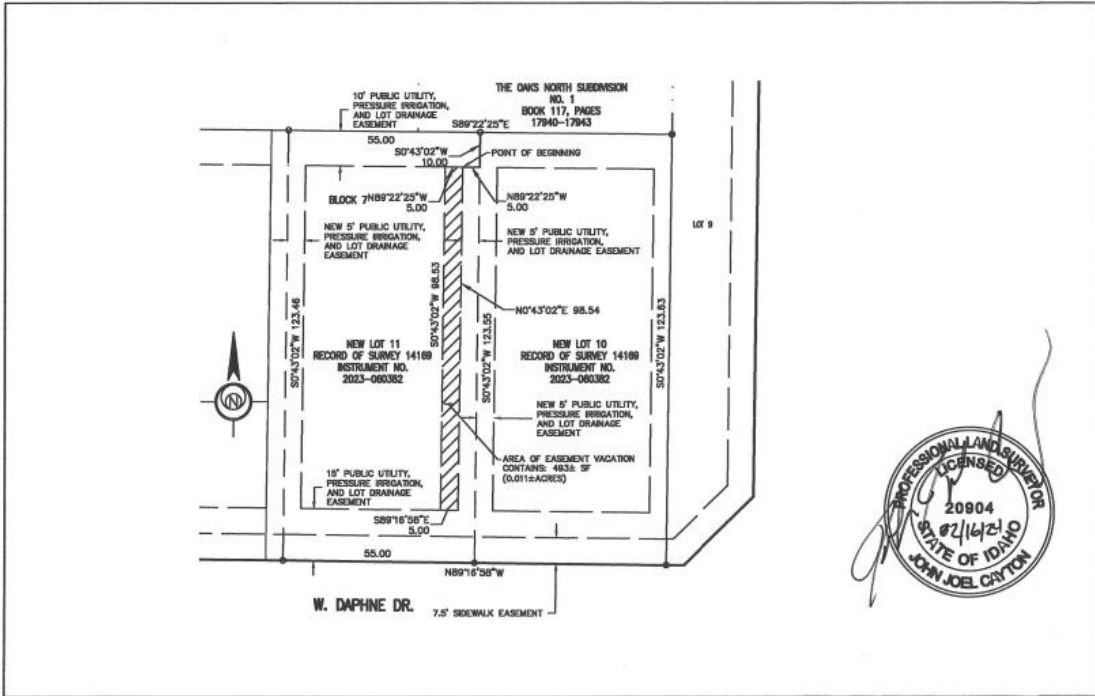
THENCE S89°16'58"E, A DISTANCE OF 5.00 FEET;

THENCE N00°43'02"E, A DISTANCE OF 98.37 FEET TO THE **POINT OF BEGINNING**.

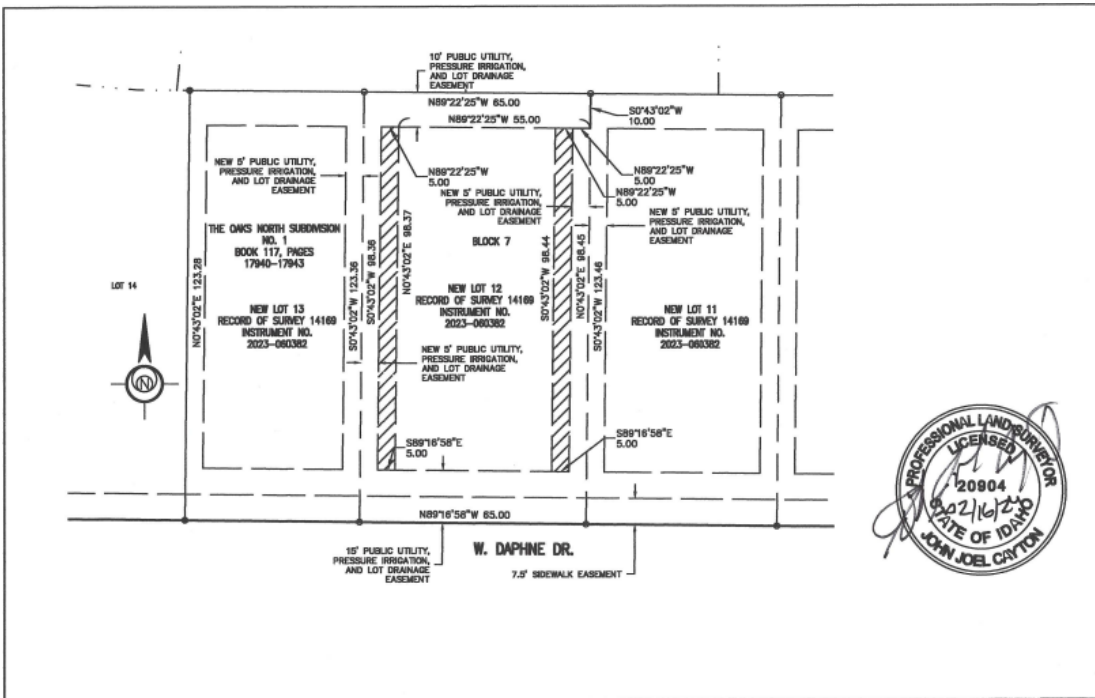
EASEMENT NO. 1 AREA CONTAINS: 492 +/- SQ. FT. (0.11 +/- ACRES)

EASEMENT NO. 2 AREA CONTAINS: 492 +/- SQ. FT. (0.11 +/- ACRES)





ESE CONSULTANTS ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL ESE Consultants, Inc. 3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642 T: 208-424-0020		PUBLIC UTILITY, PRESSURE IRRIGATION, AND LOT DRAINAGE EASEMENT	
LOT 11, BLOCK 7 THE OAKS NORTH MERIDIAN, ID			
REV.	DATE	DESCRIPTION	
DATE:	02-16-24	SCALE:	1"=30'
DESIGN:	JAC	DRAWN:	JAC
JOB NO.:	448	FILE NAME:	
SHEET NO.:	1	OF:	1



ESE CONSULTANTS ENGINEERING • PLANNING • SURVEYING • ENVIRONMENTAL ESE Consultants, Inc. 3103 W. Sheryl Drive • Suite 100 • Meridian, ID 83642 T: 208-424-0020		PUBLIC UTILITY, PRESSURE IRRIGATION, AND LOT DRAINAGE EASEMENT	
LOT 12, BLOCK 7 THE OAKS NORTH MERIDIAN, ID			
REV.	DATE	DESCRIPTION	
DATE:	02-16-24	SCALE:	1"=30'
DESIGN:	JAC	DRAWN:	JAC
JOB NO.:	448	FILE NAME:	
SHEET NO.:	1	OF:	1



AGENDA ITEM

ITEM TOPIC: Public Hearing for Keep West Subdivision No. 2 (H-2023-0047) by Jarron Langston, located at 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln.
Application Materials: <https://bit.ly/H-2023-0047>

A. Request: Annexation and zoning of 16.25 acres of land from RUT to R-2 (low density residential) zoning district

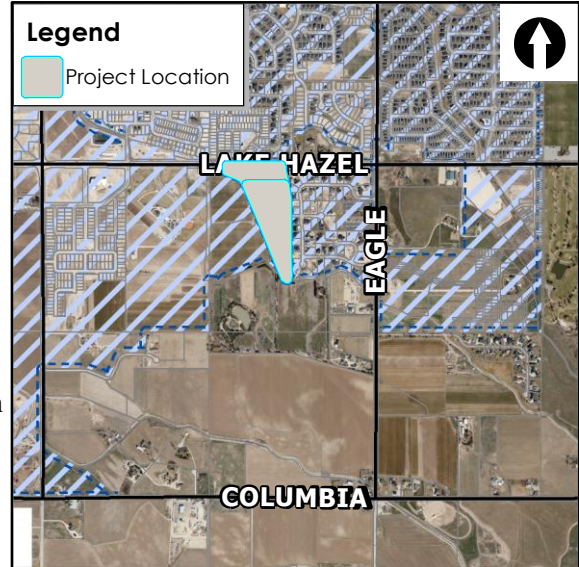
B. Request: Preliminary Plat consisting of 22 buildable lots, one existing home and 5 common lots on (16.25 acres of land) in the R-2 zoning district

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: April 9, 2024
 TO: Mayor & City Council
 FROM: Linda Ritter, Associate Planner
 208-884-5533
 SUBJECT: Keep West Subdivision – AZ, PP
 H-2023-0047
 LOCATION: 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln., in the NE 1/4 of Section 5, T.2N., R.1E. (Parcel # R7317670010 and R7317670020)



I. PROJECT DESCRIPTION

Annexation and zoning of 16.25 acres of land from RUT to R-2 (low "density residential") zoning district and a Preliminary Plat consisting of 22 buildable lots, one existing home and 8 common lots on 15.76 acres of land in the R-2 zoning district for Keep West Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details
Acreage	Annexation 16.25 acres / Preliminary Plat 15.76
Future Land Use Designation	Medium Density Residential (MDR) and Low Density Residential (LDR)
Existing Land Use	Rural Urban Transition (RUT)
Proposed Land Use(s)	Single-family detached dwellings
Current Zoning	Rural Urban Transition (RUT) in Ada County
Proposed Zoning	R-2 (Low Density Residential)
Lots (# and type; bldg/common)	23 building (1 existing)/ 3 common/2 irrigation easement lots
Phasing plan (# of phases)	1
Number of Residential Units (type of units)	23 single-family detached units, including one existing home
Density (gross & net)	1.46 units/acre (gross)
Open Space (acres, total [%] / buffer / qualified)	1.30-acre (or 8%) consisting of street buffer and open space area.
Amenities	NA
Physical Features (waterways, hazards, flood plain, hillside)	The Farr and Grimmet Laterals run along the west & east boundaries of the site.

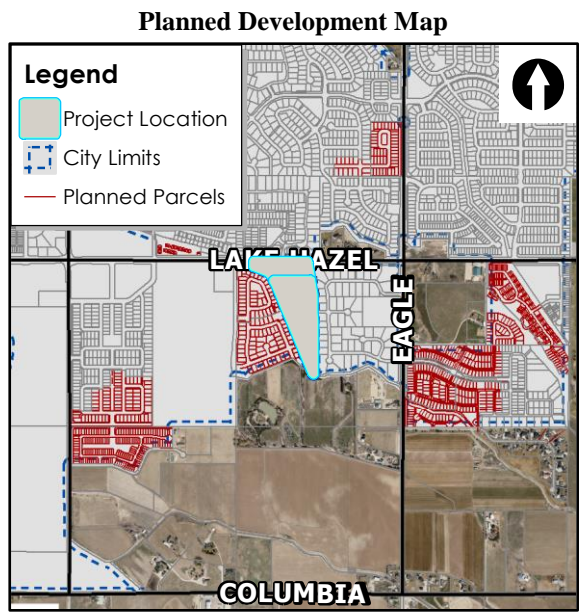
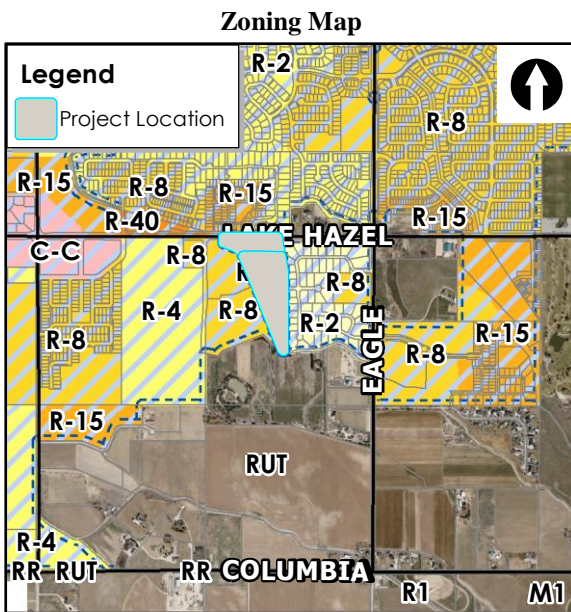
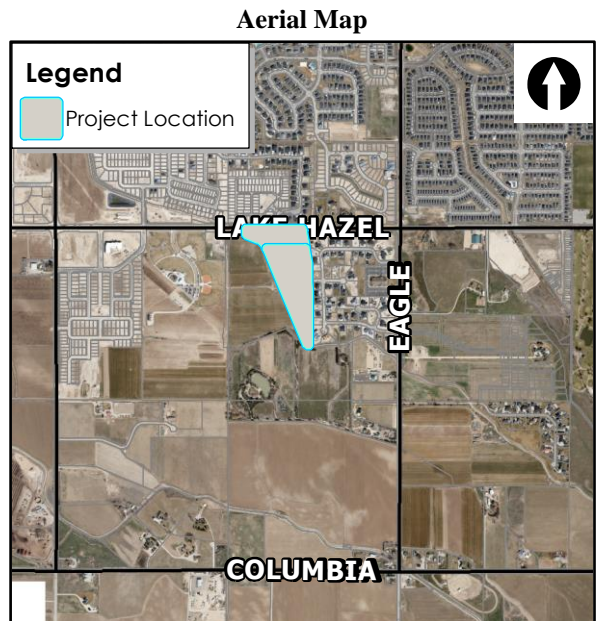
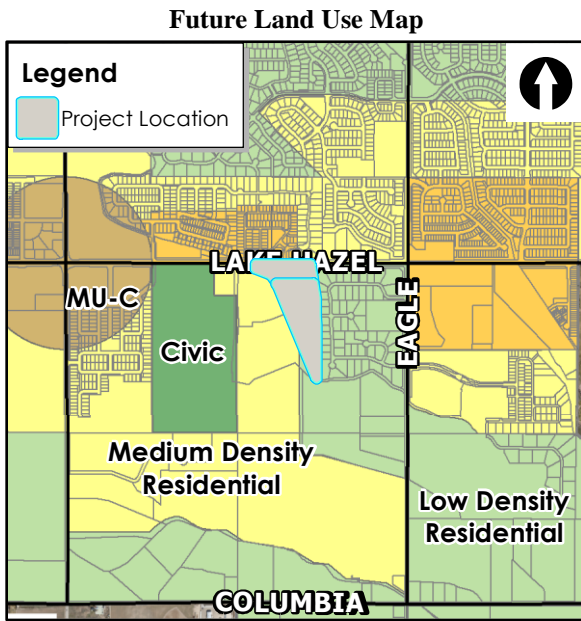
Neighborhood meeting date	1/4/23
History (previous approvals)	Raap Ranch Subdivision recorded in 2013

B. Community Metrics

Description	Details
Ada County Highway District	
<ul style="list-style-type: none"> • Staff report (yes/no) 	Yes
<ul style="list-style-type: none"> • Requires ACHD Commission Action (yes/no) 	No
<ul style="list-style-type: none"> • TIS (yes/no) 	No (not required)
<ul style="list-style-type: none"> • Level of Service (LOS) 	Better than “D” at PM peak hours, which is an acceptable LOS for a 5-lane principal arterial (Lake Hazel Road).
<ul style="list-style-type: none"> • Existing Conditions 	There are three existing driveways serving the existing homes via E. Lake Hazel Road.
<ul style="list-style-type: none"> • CIP/IFYWP 	Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP): <ul style="list-style-type: none"> • Lake Hazel Road is scheduled in the IFYWP to be widened to 5-lanes from Cloverdale Road to Eagle Road and is under construction with a completion date later in 2023. • The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and signalized in 2024.
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses exist via E. Wickham Street and S. Netherfield Way, local streets. The existing access from E. Lake Hazel Road will be residential access will become an access for emergency vehicles only. No direct access is proposed via E. Lake Hazel Road.
Proposed Road Improvements	
Fire Service	This project currently falls in an area where we don’t have total response times for an effective firefighting force to meet NFPA 1710 standards or current City of Meridian adopted standards. The first due station is Fire Station 7. This fire station is approximately 1.0 mile from the project which is good for the first due engine. See attached comments https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330404&dbid=0&repo=MeridianCity
Police Service	<i>No comments received</i>
West Ada School District	<i>No comments received</i>
Wastewater	
<ul style="list-style-type: none"> • Distance to Sewer Services 	Directly adjacent
<ul style="list-style-type: none"> • Sewer Shed 	
<ul style="list-style-type: none"> • Estimated Project Sewer ERU’s 	See application
<ul style="list-style-type: none"> • WRRF Declining Balance 	
<ul style="list-style-type: none"> • Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> • Impacts/Concerns 	Flow is committed

Water	
• Distance to Services	Water is available at site
• Pressure Zone	
• Estimated Project Water ERU's	See application
• Water Quality Concerns	None
• Project Consistent with Water Master Plan	Yes

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jarron Langston – 9563 W. Harness Drive, Boise, ID 83709

B. Owners:

Brian D. and Mary L. Affleck – 6519 S Raap Ranch Lane, Meridian, ID 83642

C. Representative:

Ted Burke, EDM Partners – 2815 E 3300 S, Salt Lake City, UT, 84109

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	2/20/2024	3/25/2024
Radius notification mailed to property owners within 500 feet	2/16/2024	3/22/2024
Public hearing notice sign posted on site	2/24/2024	3/27/2024
Nextdoor posting	2/26/2024	3/25/2024

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low Density Residential (LDR), which allows for dwelling units at gross densities of 3 dwelling units per acre; and Medium Density Residential (MDR), which allows for dwelling units at gross densities of 3 to 8 dwelling units per acre on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#).

The Comprehensive Plan allows an adjacent, abutting designation, when appropriate and approved as part of a public hearing with a development application, to be used. Over half of the property has a future land use designation of low density residential, the applicant has proposed to continue that use for the entire development as allowed in the Comprehensive Plan.

The Applicant proposes a 23-lot subdivision for single-family residential detached homes at a gross density of 1.46 units per acre, which meets the comprehensive plans desire of larger lots in the LDR designation. The property is surrounded by single-family residential homes zoned R-2 and R-4 (Low Density Residential), R-8 (Medium Low-Density Residential), and R-15 (Medium-High Density Residential) indicating a mix of low and medium density residential zones.

Staff has considered multiple factors, including the surrounding mix of low and medium density residential zones, the presence of irrigation ditches on the east and west sides of the property, and the proposed gross density of 1.46 units per acre. In light of these considerations, staff is supportive of the applicant's request to zone the property as Low Density Residential (LDR) for the proposed 23-lot subdivision.

TRANSPORTATION: The Master Street Map (MSM) does not depict any collector streets across this property. Lake Hazel Road is scheduled in ACHD’s Integrated Five Year Work Plan (IFYWP) to be widened to 5-lanes from Cloverdale Road to Eagle Road and is under construction with a completion date later in 2023. The intersection of Lake Hazel Road and Eagle Road is scheduled in the IFYWP

to be widened to 6-lanes on the north leg, 5-lanes on the south, 7-lanes east, and 6-lanes on the west leg, and signalized in 2024. Lake Hazel Rd. is currently improved with 2 travel lanes (one in each direction) and has no curb, gutter or sidewalk.

ACHD's Roadways to Bikeways Master Plan (BMP) identifies Lake Hazel Road as Level 3 facilities that will be constructed as part of the aforementioned Lake Hazel Road IFYWP ACHD project.

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 single-family detached dwellings offers a mix of home and lot sizes that should contribute to the variety of housing options in this area and within the City 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.

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

The proposed site design with larger lot sizes abutting similar size lots to the east in the Keep Subdivision and smaller size lots to the west in the Vertex Subdivision No. 1 and 2 will provide a good transition in density and lot sizes to abutting parcels.

Although the FLUM designation for the proposed preliminary plat is MDR and LDR, the applicant has chosen to move forward with LDR as it is located between two irrigation ditches (Farr and Grimmer laterals) and will be similar to the existing Keep Subdivision to the east.

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

The proposed and existing adjacent uses are all single-family detached residential homes, which should be generally compatible with each other, thereby reducing conflicts and maximizing use of land.

- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)

Development of the subject infill property will not negatively impact abutting existing development due to the similar lots sizes and density proposed. The property is separated from the adjacent developments by irrigation ditches on the east and west side of the property. The density is similar to the existing Keep Subdivision to the east.

- “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, including the existing home, will connect to City water and sewer

systems with development of the subdivision; services are required to be provided to and though this development in accord with current City plans.

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

Per ACHD’s staff report, Lake Hazel Road is currently being improved to 5-travel lanes, vertical curb, gutter, 4-foot wide permeable pavers, and a 10-foot wide concrete sidewalk abutting the site. Sidewalks are proposed throughout the development along the proposed streets. The sidewalk along E. Wickham Street will provide a pedestrian connection to the development to the east and along S. Netherfield Way to the west. Currently there are no pedestrian pathway stubs to this property from adjacent developments.

- “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 are required to be provided with development of the subdivision.

- “Eliminate existing private treatment and septic systems on properties annexed into the City and instead connect users to the City wastewater system; discourage the prolonged use of private treatment septic systems for enclave properties.”

With redevelopment of the site, the existing home is required to connect to City water and sewer service and the existing septic system and well should be abandoned.

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

There are three (3) access points on E. Lake Hazel Road for this property (and an irrigation access). With development, this access will be closed and access will be provided internally from within the subdivision via the extension of E. Wickham Street and S. Netherfield Way. There is will an emergency access where the existing access for the remaining home is currently located.

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

Development of the subject infill parcel will maximize public services.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 16.25 acres of land with an R-2 zoning district and develop 15.76 acres of land with single-family homes at a gross density of 1.46 units per acre, this is consistent with the LDR FLUM designation as discussed above in Section V.

A legal description and exhibit map for the annexation area and property is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be subdivided and developed with twenty-two (22) new single-family residential detached dwellings and retention of the existing home (see Section VIII).

Single-family detached dwellings are listed as a principal permitted use in the R-2 zoning district per UDC [Table 11-2A-2](#). Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-2 zoning district.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **To ensure the subject property develops as proposed, Staff recommends a DA is required with the provisions discussed herein and included in Section IX.A.**

B. PRELIMINARY PLAT (PP):

The proposed preliminary plat consists of 22 building lots and eight (8) common lots on 15.76 acres of land in the proposed R-2 zoning district as shown in Section VIII.C. Proposed buildable lots range in size from 12,099 square feet (s.f.) (or 0.28 acre) to 27,957 s.f. (or 0.64 acre). The subdivision is proposed to be developed in one (1) phase.

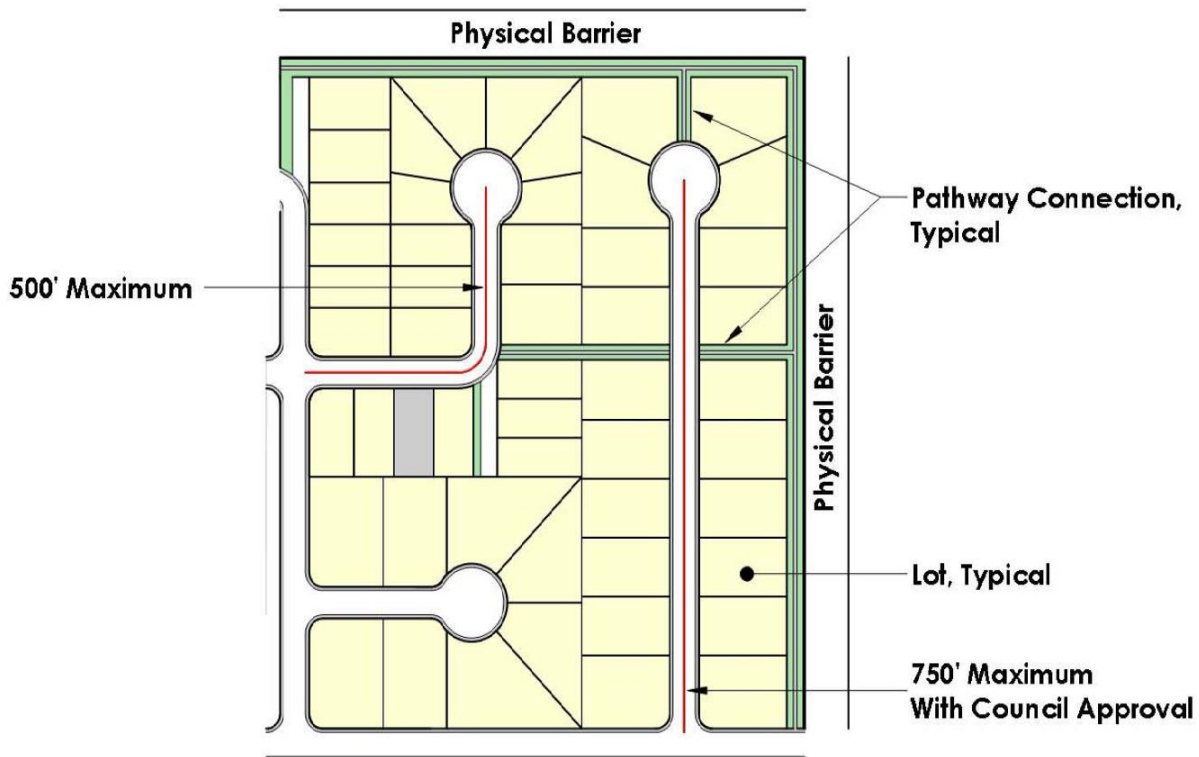
Existing Structures/Site Improvements: There is an existing home and several other structures on the property. The existing home is proposed to remain on Lot 36, Block 1, all other structures are proposed to be removed. **Prior to the City Engineer's signature on the final plat, all existing structures that don't comply with the setbacks of the district shall be removed. A new address will be required for the existing home.**

Dimensional Standards (UDC [11-2](#)): The proposed plat, existing home and subsequent development is required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-2 zoning district. The proposed lots comply with the minimum dimensional standards. The existing home shall comply with the setback requirements of the district.

Subdivision Design & Improvement Standards: The proposed subdivision is required to comply with the design and improvement standards listed in UDC [11-6C-3](#).

Dead End Streets: Per UDC 11-6C-3B4, the City Council may approve a dead end street up to seven hundred fifty (750) feet in length where an emergency access is proposed; or where there is a physical barrier such as a steep slope, railroad tracks, an arterial roadway, or a large waterway that prevents or makes impractical extension; and where a pedestrian connection is provided from the street to an adjacent existing or planned pedestrian facility. See diagram below.

The cul-de-sac for the proposed plat is greater than 900 feet which would exceed the maximum approval allowed by City Council of 750 feet in length. The applicant needs to revise the plat map shortening the length of the cul-de-sac and submit a revised plat map fifteen days prior to the City Council meeting.



Access: There are three (3) access points on E. Lake Hazel Road, an arterial street, for the existing homes and structures. The Irrigation District takes accesses to the property via the parcel to the west. The driveway for the existing home will remain and be utilized as an emergency access only.

Access is proposed via the extension of E. Wickham Street at the east boundary of the site, which terminates onto S. Netherfield Way. Direct access is not proposed or allowed via E. Lake Hazel Road. A common driveway is proposed for access to Lots 22 and 223. An exhibit for the common driveway was submitted as shown in Section VIII.D that complies with the standards listed in UDC [11-6C-3D](#). **A perpetual ingress/egress easement shall be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of such should be submitted with the final plat for City Engineer signature; or, a plat note could be included on the plat that includes this information.**

Landscaping: A 25-foot wide street buffer is required along E. Lake Hazel Road., an arterial street, per UDC [Table 11-2A-6](#), measured from back of the sidewalk. A buffer is depicted on the landscape plan that appears to meet this requirement. **The buffer has been depicted on the plat in a common lot as proposed with landscaping per the standards listed in UDC [11-3B-7C.3](#).**

There are several existing trees on the site, where possible existing trees should be retained. Mitigation is required in accord with the standards listed in UDC [11-3B-10C.5](#); calculations demonstrating compliance with the aforementioned standards should be depicted on the landscape plan.

Common Open Space & Site Amenities (UDC [11-3G-3](#)): The applicant is proposing 1.48-acres of open space consisting of 50% of the street landscape buffer along E. Lake Hazel Road, parkway, pathway along emergency access, covered pavilion, sports court and grassy areas. The applicant provided 1.48 acres of open space (9.41%) exceeding the 8% (64,589 sf or 1.48 acres) requirement.

Per UDC 11-3G-4, for each five (5) acres of gross land area, one (1) point of site amenity is required. As the property is 15.76 acres, a total of 3 amenities points is required. The applicant is proposing a covered pavilion (picnic area – 2 points) and sports court for pickle ball (4 points) as amenities which totals 6 amenities points. The amenity points are in excess of the required three (3) points. Staff recommends a provision to the Development Agreement requiring the installation of the amenities as proposed.

Pathways: All pathways should be constructed in accord with the standards listed in UDC [11-3A-8](#). A 10-foot wide sidewalk is required along the northern boundary of the site in accord with the Pathways Master Plan. A 14-foot wide public pedestrian easement is required for the pathway (see Park's Dept. comments in Section IX.G), unless ACHD requires with the construction of the Lake Hazel road widening project.

Sidewalks ([11-3A-17](#)): Ten-foot wide detached multiple-use pathways (MUP) is required within street buffers along arterial streets.

Parking: Off-street parking is required to be provided for each home based on the total number of bedrooms per unit as set forth in UDC [Table 11-3C-6](#).

Waterways: The Farr Lateral exists along the west boundary (within a 50-foot easement) and the Grimmet Lateral along the east boundary within a 40-foot wide easement, measured from centerline). The applicant shall submit documentation from the Irrigation District verifying the easements and any restrictions within the easement.

The UDC ([11-3A-6E](#)) requires irrigation easements wider than 10 feet to be included in a common lot that is a minimum of 20-feet wide outside of a fenced area, unless modified by City Council at a public hearing with notice to surrounding property owners. The applicant proposes to place the Farr and the Grimmet Laterals within common lots as required.

All other irrigation ditches crossing this site that aren't being improved as a water amenity or linear open space as defined in UDC [11-1A-1](#) shall be piped or otherwise covered as set forth in UDC [11-3A-6B.3](#), unless otherwise waived by City Council.

The applicant is proposing to pipe the Grimmet Lateral and has been working with the Boise Project Board of Control for approval. The Farr Lateral will remain open. If piped, the Boise Project Board of Control will not approve any landscaping other than gravel within its 25-foot easement. No variances will be given.

Fencing: All fencing is required to comply with the standards listed in UDC [11-3A-6C](#) and [11-3A-7](#), as applicable. The landscape plan depicts existing fencing along the north boundary of the site. A 6-foot tall privacy fence is depicted along the west, south and east boundaries of the site. A 4-foot tall privacy fence is proposed along internal common lots.

Utilities ([UDC 11-3A-21](#)): Connection to City water and sewer services is required in accord with UDC 11-3A-21. **The existing home is required to connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC [9-1-4](#) and [9-4-8](#).**

Street lighting is required to be installed in accord with the City's adopted standards, specifications and ordinances.

Pressurized Irrigation System (UDC [11-3A-15](#)): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC [11-3A-15](#).

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](#). A Geotechnical Report was submitted with this application.

Building Elevations: Several conceptual building elevations of homes were submitted as shown in Section VIII.G. Building materials consist of a variety of stone/brick veneer accents and stucco. Design review is not required for single-family detached structures.

VII. DECISION

A. Staff:

Staff recommends approval of the proposed annexation with the requirement of a Development Agreement, and preliminary plat per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on March 7, 2024. 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: Todd Lakey, Barton Lakey Law representing the applicant, Jarron Langston, Luke Gilbert, property owner
 - b. In opposition: None
 - c. Commenting: Jeff Lucky, Jeff Brown, Andrew Williams, Danny Blau, Melina Newell
 - d. Written testimony: Jeff Luckey
 - e. Staff presenting application: Bill Parson, Planning Supervisor
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
 - a. Concerns with the proposed street connectivity that will bring additional traffic to the existing neighborhood (The Keep) to the east
3. Key issue(s) of discussion by Commission:
 - a. Bring the proposed cul-de-sac into compliance prior to the City Council hearing.
4. Commission change(s) to Staff recommendation:
 - a. None
5. Outstanding issue(s) for City Council:
 - a. None

VIII. EXHIBITS

A. Property Description and Exhibit Map



Client: Jarron Langston Land Development
Date: February 22, 2023
Job No.: 0323



PROPERTY DESCRIPTION

A parcel of land being a portion of the W 1/2 NE 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a found Aluminum cap stamped "PLS 4431" marking the NE corner of said NE 1/4, (Section corner common to Sections 4 and 5 of Township 2 North, Range 1 East, and Sections 32 and 33 of Township 3 North, Range 1 East), said corner bears S.89°56'45" E., a distance of 2659.14 feet from a found Brass Cap marking the NW corner of said NE 1/4, (North 1/4 corner);

Thence along the Northern boundary of said NE 1/4, N. 89°56'45" W., a distance of 1522.85 feet to a found 5/8 inch diameter iron pin with an illegible cap;
Thence leaving said Northern boundary, S. 10°16'52" E., a distance of 25.52 feet to the POINT OF BEGINNING, said point monumented with a found 5/8 inch diameter iron pin stamped "PLS 14221"

Thence S. 09°35'51" E., a distance of 540.33 feet to a point;
Thence S. 00°23'31" E., a distance of 1213.70 feet to a found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S.00°22'25" E., a distance of 45.93 feet to a point on the centerline of the Farr Lateral. Said point bears S.00°22'25" E., a distance of 45.93 from a found 5/8 inch diameter iron pin witness corner stamped "PLS 14221";

Thence along the centerline of said Farr Lateral the following Courses and Distances;

Thence N. 49°59'57" W., a distance of 27.51 feet to a point;

Thence N. 22°30'24" W., a distance of 1518.71 feet to a point;

Thence continuing, N. 25°12'14" W., a distance of 135.17 feet to a point marking the beginning of a tangent curve to the left;

Thence a distance of 153.60 feet along the arc of said curve to the left, having a radius of 200.00 feet, a central angle of 44°00'08", the long chord of which bears N. 47°12'21" W., a distance of 149.86 feet to a point;

Thence N. 69°12'33" W., a distance of 194.76 feet to a point;

Thence leaving said Farr Lateral, N. 00°09'59" W., a distance of 40.74 feet to a found 5/8 inch diameter iron pin stamped "PLS 4998";

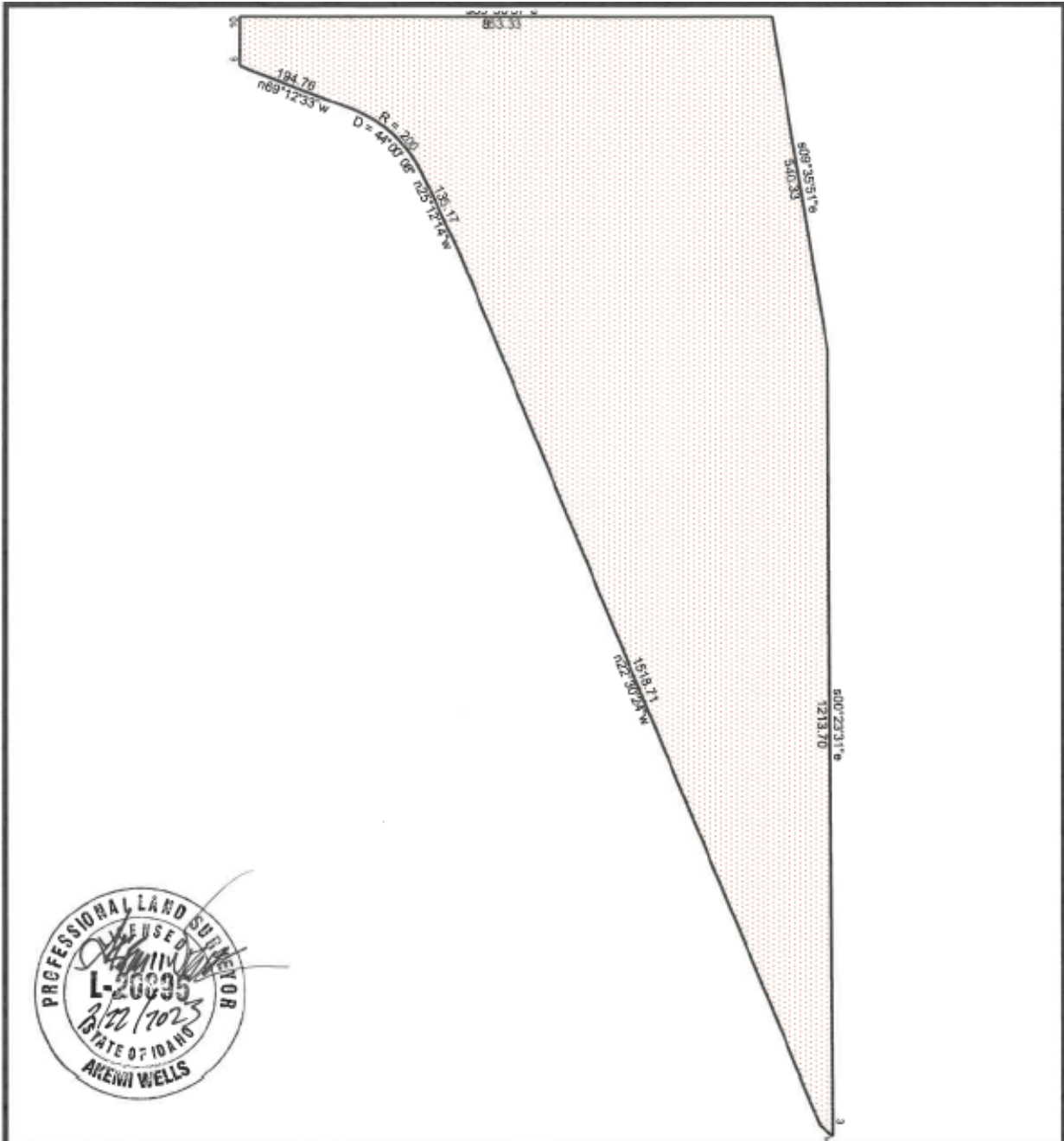
Thence N. 00°10'55" E., a distance of 38.42 feet to a found 5/8 inch diameter bent iron pin without a cap on the Southern Right-of-Way of East Lake Hazel Road;

Thence along said Southern Right-of-Way, S. 89°56'57" E., a distance of 853.33 feet to the POINT OF BEGINNING.

This parcel contains 15.76 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

623 11th Ave. South, Nampa, ID 83651 • T. (208) 442-0115 • C. (208) 608-2510 • rgray.cls@gmail.com



raap ranch boundary closure 2/22/2023

Scale: 1 inch= 212 feet | File: raap ranch boundary closure 02222023.ndp

Tract 1: 15.7622 Acres, Closure: n13.2204w 0.01 ft. (1/554101), Perimeter=4762 ft.

01 s09.3551e 540.33	10 n00.1055e 38.42
02 s00.2331e 1213.70	11 s89.5657e 853.33
03 s00.2225e 45.93	
04 n49.5957w 27.51	
05 n22.3024w 1518.71	
06 n25.1214w 135.17	
07 Lt, r=200.00, delta=044.0008, chord=n47.1221w 149.85	
08 n69.1233w 194.76	
09 n00.0959w 40.74	

B. Annexation Description and Exhibit Map



Client: Jarron Langston Land Development
Date: February 22, 2023
Job No.: 0323



ANNEXATION DESCRIPTION

A parcel of land being a portion of the W 1/2 NE 1/4 of Section 5, Township 2 North, Range 1 East, Boise Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at a found Aluminum cap stamped "PLS 4431" marking the NE corner of said NE 1/4, (Section corner common to Sections 4 and 5 of Township 2 North, Range 1 East, and Sections 32 and 33 of Township 3 North, Range 1 East), said corner bears S. 89°56'45" E., a distance of 2659.14 feet from a found Brass Cap marking the NW corner of said NE 1/4, (North 1/4 corner);

Thence along the Northern boundary of said NE 1/4, N. 89°56'45" W., a distance of 1522.85 feet to the POINT OF BEGINNING, said point monumented with a found 5/8 inch diameter iron pin with an illegible cap;

Thence leaving said Northern boundary, S. 10°16'52" E., a distance of 25.52 feet to found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S. 09°35'51" E., a distance of 540.33 feet to a point;

Thence S. 00°23'31" E., a distance of 1213.70 feet to a found 5/8 inch diameter iron pin stamped "PLS 14221";

Thence S. 00°22'25" E., a distance of 45.93 feet to a point on the centerline of the Farr Lateral. Said point bears S. 00°22'25" E., a distance of 45.93 feet from a found 5/8 inch diameter iron pin witness corner stamped "PLS 14221";

Thence along the centerline of said Farr Lateral the following Courses and Distances;

Thence N. 49°59'57" W., a distance of 27.51 feet to a point;

Thence N. 22°30'24" W., a distance of 1518.71 feet to a point;

Thence continuing, N. 25°12'14" W., a distance of 135.17 feet to a point marking the beginning of a tangent curve to the left;

Thence a distance of 153.60 feet along the arc of said curve to the left, having a radius of 200.00 feet, a central angle of 44°00'08", the long chord of which bears N. 47°12'21" W., a distance of 149.86 feet to a point;

Thence N. 69°12'33" W., a distance of 194.76 feet to a point;

Thence leaving said Farr Lateral, N. 00°09'59" W., a distance of 40.74 feet to a found 5/8 inch diameter iron pin stamped "PLS 4998";

Thence N. 00°10'55" E., a distance of 38.42 feet to a found 5/8 inch diameter bent iron pin without a cap on the Southern Right-of-Way of East Lake Hazel Road;

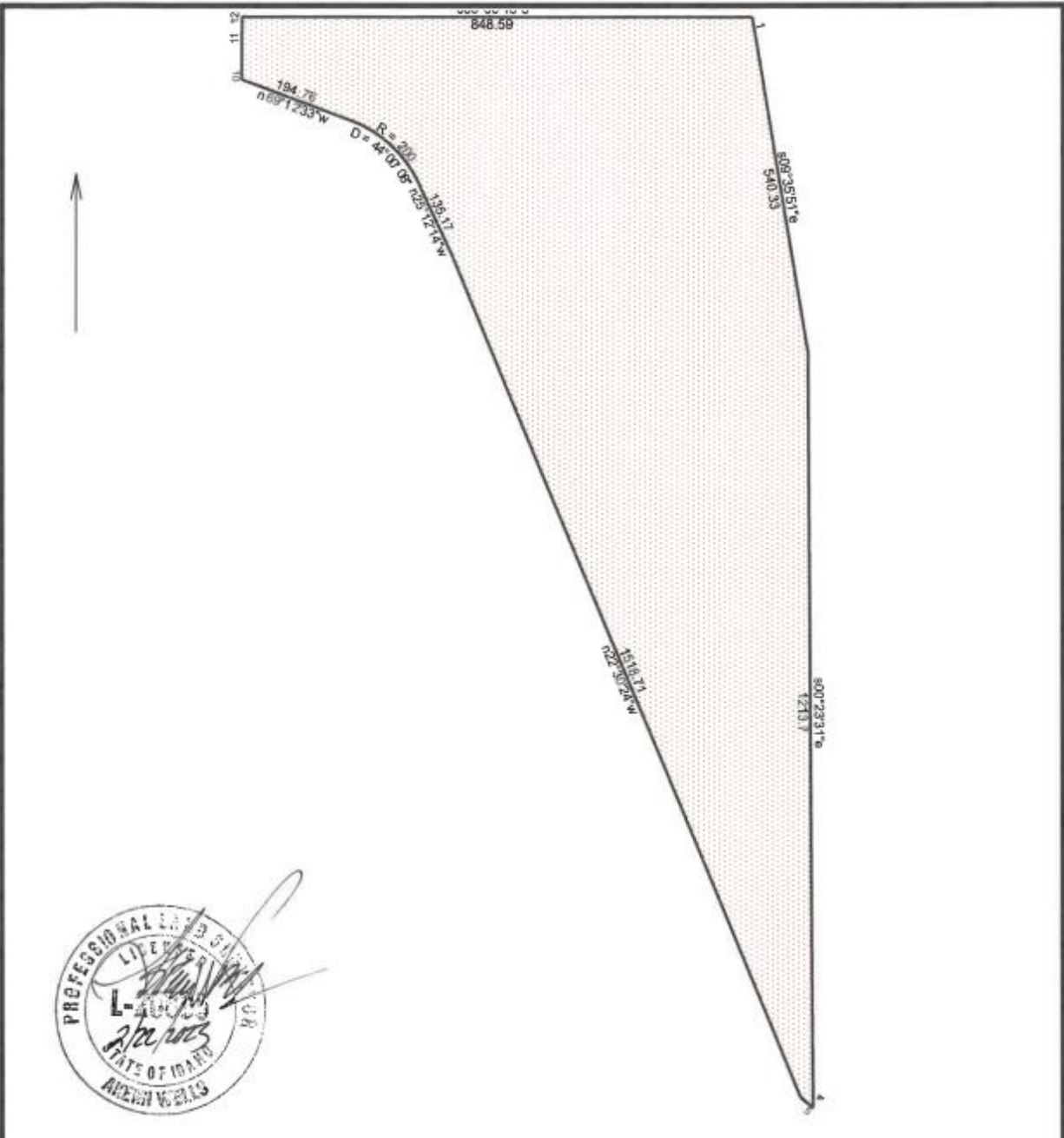
Thence N. 00°25'38" E., a distance of 25.16 feet to a found 5/8 inch diameter bent iron pin without a cap on the Northern boundary of said NE 1/4;

Thence along said Northern boundary, S. 89°56'45" E., a distance of 848.59 feet to the POINT OF BEGINNING.

This parcel contains 16.25 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.

623 11th Ave. South, Nampa, ID 83651 • T. (208) 442-0115 • C. (208) 608-2510 • rgray.cls@gmail.com



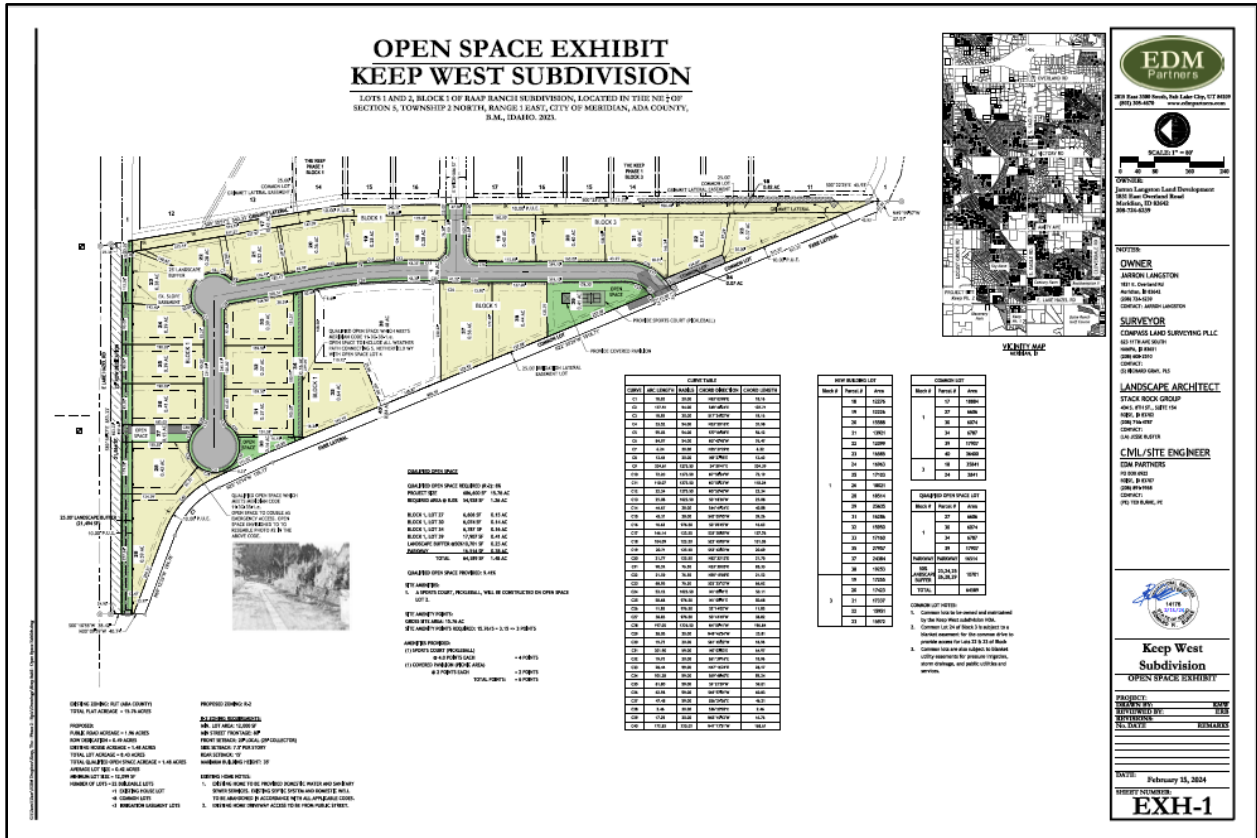
Raap Ranch Annexation Closure 2/22/2023

Scale: 1 inch= 221 feet | File: Raap Ranch Annexation Closure 02222023.ndp

Tract 1: 16.2532 Acres, Closure: n43.5224w 0.01 ft. (1/774805), Perimeter=4808 ft.

01 s10.1652e 25.52	10 n00.0959w 40.74
02 s09.3551e 540.33	11 n00.1055e 38.42
03 s00.2331e 1213.7	12 n00.2538e 25.16
04 s00.2225e 45.93	13 s89.5645e 848.59
05 n49.5957w 27.51	
06 n22.3024w 1518.71	
07 n25.1214w 135.17	
08 Lt, r=200.00, delta=044.0008, chord=n47.1221w 149.85	
09 n69.1233w 194.76	

F. Open Space Exhibit (dated: 2/15/24)



G. Conceptual Building Elevations



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 *IF* City Council determines annexation is in the best interest of the City:

- a. Future development of this site shall be generally consistent with the preliminary plat, common driveway exhibit, landscape plan and conceptual building elevations included in Section VIII and the provisions contained herein.
 - b. The applicant shall provide a covered pavilion (picnic area) and sports court for pickle ball as amenities for the Keep West subdivision as proposed in the preliminary plat.
 - c. The existing home shall connect to City water and sewer service within 60 days of it becoming available and disconnect from private service, as set forth in MCC 9-1-4 and 9-4-8.
2. The final plat shall include the following notes and revisions:
 - a. Lots 27, 30 and 39, Block 1 are non-buildable common lots and will be owned and maintained by the Keep No. 2 Subdivision Homeowners Association.
 - b. Place the landscape buffer along E. Lake Hazel Road in a common lot.
 - c. Identify the areas of the Farr and Grimmatt Laterals and the common drive as common lots on the plat.
 3. The landscape plan submitted with the final plat shall include the following revisions:
 - a. Include mitigation information for all existing trees being removed from the site in accord with the standards listed in UDC 11-3B-10C.5.
 - b. Provide landscaping along both sides of the pathway per UDC 11-3B-12.C
 - c. Extend the pathway on Lot 34, Block 1 to the cul-de-sac instead of having it dead end at Lot 40, Block 1.
 4. The common driveway for Lot 22 and 23, Block 3 shall comply with the standards listed in UDC 11-6C-3D and the exhibit in Section VIII.C.
 5. The address of the existing home shall change with development of the subdivision.
 6. The Applicant shall obtain a Council waiver to allow the Farr Lateral to remain open in a natural state at the Council hearing, per UDC 11-3A-6. Written documentation from the Boise Board of Project Control approving the tiling of the Grimmatt Lateral is required prior to signature on the final plat OR leave it open in a natural state if allowed. This document shall be submitted 15 days prior to the City Council hearing.
 7. **The applicant shall submit a revised plat map, fifteen days prior to the City Council meeting, showing the cul-de-sac does not exceed the required 750 feet in length.**

8. Except the existing home located at 6519 S. Raap Ranch Lane, all other existing structures shall be removed from the site prior to submittal of the final plat for City Engineer signature.
9. Comply with the subdivision design and improvement standards listed in UDC [11-6C-3](#).
10. Approval of a preliminary 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. Upon written request and filing by the applicant prior to the termination of the period, the director may authorize a single extension of time to obtain the city engineer's signature on the final plat not to exceed two (2) years. Additional time extensions up to two (2) years as determined and approved by the City Council may be granted. With all extensions, the director or City Council may require the preliminary plat, combined preliminary and final plat or short plat to comply with the current provisions of this title.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330390&dbid=0&repo=MeridianCity>

C. PARK'S DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330381&dbid=0&repo=MeridianCity>

D. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330404&dbid=0&repo=MeridianCity>

E. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330749&dbid=0&repo=MeridianCity>

F. ADA COUNTY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331610&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=330390&dbid=0&repo=MeridianCity>

H. BOISE PROJECT BOARD OF CONTROL

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=331610&dbid=0&repo=MeridianCity>

FINDINGS

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

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

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

Commission finds the Applicant's request to annex the subject property with R-2 zoning and develop single-family detached dwellings on the site at a gross density of 1.46 units per acre is generally consistent with the Comprehensive Plan per the analysis in Section V.

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

Commission finds the proposed map amendment to R-2 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

Commission 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 single-family residential homes/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

Commission finds City services are available to be provided to this development.

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

Commission 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)

Commission finds the proposed plat is in conformance with the UDC and generally conforms with the Comprehensive Plan.

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

Commission 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;

Commission finds the proposed plat is in conformance with scheduled public improvements in accord with the City's capital improvement program.

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

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

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

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

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

Commission is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

3. Public Hearing for Keep West Subdivision No. 2 (H-2023-0047) by Jarron Langston, located at 2625 E. Lake Hazel Rd. and 6519 S. Raap Ranch Ln.

- A. Request: Annexation and zoning of 16.25 acres of land from RUT to R-2 (low density residential) zoning district
- B. Request: Preliminary Plat consisting of 22 buildable lots, one existing home and 5 common lots on (16.25 acres of land) in the R-2 zoning district

Seal: All right. With that I would like to open File No. H-2023-0047 for the Keep West Subdivision No. 2. We will begin with the staff report.

Garrett: Mr. Chairman, I will recuse myself from this discussion.

Seal: All right. Thank you, Commissioner. I appreciate it.

Starman: Yeah. I will just mention for the record that Commissioner Garrett is recusing because he owns a home in close proximity to the proposed project. So, he is recusing for that reason.

Seal: Thank you, Kurt. Bill, the floor is yours.

Parsons: Thank you, Mr. Chair. I hope all of these residents aren't here for an R-2 development, because we don't get many R-2 developments. But the next item on your agenda is the Keep West Subdivision. The applications before you -- there is a request for annexation and preliminary plat. The site consists of 16.25 acres of land currently zoned RUT in Ada county and the property is located on the south side of Lake Hazel Road, west of South Eagle Road. In 2013 this property did receive an approval through Ada county for a subdivision -- a two lot subdivision and the applicant is here tonight to, again, further subdivide the two lots that were approved with that plat. You can see here on your screen that the future land use map designation on this property is -- it has two designations. It's low density -- low density -- density and medium density designation and just for the -- the audience and the Commission, in the Comprehensive Plan when there is -- actually it's a dual land use designation on a property, the applicant gets the ability to request which one they want to take advantage of. The more dominant I would say controls, because a comp plan is not parcel specific, it's basically a color on the map and sometimes they don't always line up like a typical zone will. So, in this particular case the applicant has elected to float the -- the lesser of the two -- or at least the less intenser of the two land use designations of the LDR designation. So, that's why you see this project tonight coming in with an R-2 zoning request and also at a density of 1.46 dwelling units to the acre, which it falls well below the three or fewer that's allowed in that zone -- in that land use designation. So, again, the -- the plat itself contains 15.76 acres of land. Again, the applicant is proposing an R-2 zone density at 1.46 consistent with that LDR designation as I mentioned. Lot size range anywhere from 12,000 square feet up to

approximately 30,000 square feet. So, the plat before you has 22 new lots and, then, one existing home will stay on the site that's located here in -- in the middle of the -- the project and that's some of the discussion tonight that I will have with you with the extended block lengths and the cul-de-sac lengths, because keeping that home does kind of impact how this is laid out and, of course, the irregular shape of the property doesn't help either. But this really is meant to be an extension of the existing subdivision to the east, which is also called The Keep and that's why we have called it The Keep West and that's the intent of the applicant to do that as well. So, as I mentioned to you there is an existing residence. It's fairly new on the property that will remain. They will need to connect to city utilities within 60 days of it becoming available and, then, also the future homeowner will also have to re-address the property and have to align with whatever street it takes access from. So, the city will handle that with the final plat to make sure that that happens. I will mention to you that all of the lots do meet the R-2 dimensional standards, so no issues there. But in the UDC we do have subdivision standards that the applicant has to comply with and that has to deal with basically dedication of streets, block faces and the length of cul-de-sacs. You can see here in the preliminary plat there is only one stub street that is stubbed to this property. That is from the existing Keep Subdivision to the east and because this property does front an arterial we do not want them to have a primary access to that -- that arterial, because Lake Hazel will be a mobility corridor. The applicant is proposing an emergency access, though, to meet fire department requirements, which is located here in the general location of the existing home. So, that drive will remain. So, just by nature of the -- and there is also an existing irrigation facility that runs along the east boundary and one that runs along the west boundary. So, when you combine all of those impediments on the -- on this particular property it's pretty tough to meet some of those subdivision improvement standards. They took -- the code does give the applicant flexibility however. In this particular case if I were to -- if you can see my cursor here, if I were to measure this block face on the west side of this north-south street segment, that exceeds 750 feet, but since there is an existing pathway -- or proposed pathway that connects to open space and there is additional open space here to the south, that counts as granting the applicant a waiver to exceed 750. So, that one will be over 900 plus feet and that meets -- so, therefore, they are meeting the intent and we can give them that -- grant them that exception. Where it gets a little more difficult is the dead end street or the dead end cul-de-sac. So, this particular cul-de-sac is well over 750 feet and the code is very specific that the Council can grant a waiver up to 750 -- the maximum of 750 feet and this does not meet current code and the applicant has been conditioned to submit a revised plat 15 days prior to City Council to correct that deficiency. Now, certainly as you have the ability if you think that you want to see that change before you move it on to City Council, it's certainly within your purview tonight to ask for the applicant to continue and then -- or you could ask -- you could continue the project and ask for that revision to come before you before you move it on to City Council. Either way I think staff has it covered, but we will leave it up to you in the discussions as you work here with the applicant -- what the applicant intends to do to correct the deficiency. As I mentioned to you access is -- is from a local street, which is consistent with -- with the code. The unique feature - - the applicant's also asking for a City Council waiver to leave -- leave the Farr Lateral open and that's the one -- the -- the big canal that runs along the west boundary of the site. The development to the west was also granted that same waiver. So, it's -- it's not

uncommon for the Farr to stay open. It's a pretty big facility. So, I -- again, it's pretty consistent with other city approvals and, then, we have the Grimmet Lateral along the east boundary and some sections have been covered and some have been left over. In our communication with the applicant they have indicated that the irrigation district would prefer to have it tiled and, then, that whole 40 foot easement would be gravel and I -- we just don't think that's going to be very attractive for this development. So, staff is recommending that the applicant work with the irrigation district to see if we can leave that open and try to minimize the disturbance of that area, so we can keep it more natural. When The Keep Subdivision to the east was developed the gravel road ended up behind -- the maintenance road ended up behind those larger lots. So, I know they have access from one side of that waterway. So, I'm hoping that the irrigation district will allow the applicant to leave that open and keep it more natural and make it look like a creek rather than a gravel ditch. Do have a road -- 44 foot wide gravel road behind somebody's lot, but the applicant has complied with code. They are in common lots, so they have to be owned and maintained by the homeowners association. But, again, we are trying to just improve this for the -- the future residents and those existing out there. Because this is an R-2 development UDC requires a minimum of eight percent open space for this development. The plan before you is proposing 9.1 percent. So, they exceed the minimum requirement of the code and because it's 15 acres in size they have to provide amenity points totaling three points. So, this particular project the applicant is proposing a covered picnic shelter and a pickle ball court, which totals six points. So, they are exceeding the amenity point total by three -- doubling it. So, six points provided, so -- and again as I mentioned to you, I would imagine these residents will have access to the adjacent subdivision's amenities and vice-versa here. So, I'm -- I'm hoping that's the case, because I think it really is a continuation of that. Again, here is the landscape plan. As I mentioned to you complies with -- with UDC standards. Exceeds UDC standards actually. And, then, here is some of the sample elevations here. So, again, single family homes don't require any formal approval from us to design review process. But given the size of the lots and what has currently developed to the east I imagine there will be more of the same. I had a chance to look at the public record before the hearing tonight, noticed that someone -- there was one -- a letter in support of the project from Jeff Lucky. Again he had -- didn't have any concerns with the density. Was actually supportive of the R-2. But his only concern was the extension of the stub street into the adjacent subdivision, because he would like to have -- he doesn't want to connect into that subdivision there to get to the -- wants to leave neighbors from cutting through the subdivision since there is limited access here. I think this Commission is aware that we really encourage interconnectivity between our subdivisions. So, I -- I would certainly hope that we would keep with those stub streets and keep -- and meet the -- the requirements of the code and comp plan. Other than that staff is, again, recommending approval of both the annexation and the plat with the modification to the cul-de-sac and with that I will stand for any questions you may have.

Seal: All right. Thanks, Bill. Would the applicant like to come forward? Good evening, sir. Need your name and address for the record, please.

Lakey: Thank you, Mr. Chairman. Todd Lakey. Borton Lakey Law. Address 141 East Carlton Avenue, Meridian, Idaho. 83642. Thank you, Mr. Chairman, Commissioners.

Here on behalf of the applicant Jarron Langston. I will be brief. Bill always does a great job on your staff reports and so I will just kind hit some of the high points. We do appreciate the recommendation of approval. We have our engineer here if you do have any technical questions on our preliminary plat, but as noted in the staff report we comply with the Comprehensive Plan and the zoning ordinance. This is phase two as was described of the Keep Subdivision. That's a really nice subdivision the City of Meridian can really be proud of and we will kind of create that enduring quality and -- and legacy in the area and my clients in this phase two also collaborated with the neighbors and those in that phase and the neighbor -- and the neighborhood to make sure that it was designed and they understand this is a continuation of that phase one and we will keep that same type of quality low density project. As was noted we are requesting an R-2, which is low density. It's the same as other R-2 zoning in the area, but there is also some R-4, R-8, R-5. So, we are creating some variety, but really a lower density variety, higher quality project. As Bill described, it's consistent with our future land use designation. We do get to spread that lower density over the project and, again, that helps us stay consistent with phase one at 1.46 dwelling units per acre and the nine -- over nine percent open space, we are in compliance with the city standards. In addition to the, you know, large lots that individuals have -- kind of their own open space on their lots; right? Twenty-three lots. Sixteen plus acres. There is the existing home that was shown and that home will connect to the city services as noted in the staff report. The three accesses that we have we will be closing those, with the exception of the one emergency access on Lake Hazel and including the 25 foot landscape strip on Lake Hazel and our open space will include pathways, the pickle ball court, sport court, a covered pavilion and the grassy areas. We are -- we do agree with and accept the proposed conditions in the development agreement. I think we would like some flexibility to at least discuss with staff that condition seven dealing with that cul-de-sac on the northern road that runs parallel to Lake Hazel and see if there isn't a potential for an alternate compliance. We understand what the recommended condition is currently. That would be cheaper for us, frankly, to pull that cul-de-sac back, but we do think it's kind of an inferior design in the overall look and design of the project and don't feel that with that 80 degree turn that's close to a 90 turn that might let us recalculate, that it's not detrimental to the public health, safety or welfare. So, with that, Mr. Chairman, we would ask for your approval. Again appreciate staff's work on this and be happy to answer questions if you have them.

Seal: Any questions for the applicant or staff?

Smith: Mr. Chairman?

Seal: Commissioner Smith, go ahead.

Smith: I do have one -- there we go. All right. So, I do have one question just because you expressed some desire for discussing alternate compliance, just to frame some of the other questions I might have. If the two outcomes that I kind of have in my head tonight are either we continue so you and staff can discuss alternate compliance or we were to perhaps approve the application with that required kind of redesign, would a continuance be preferable to your opinion between the two?

Lakey: Mr. Chairman and Commissioner Smith, I think we would prefer to let you approve it, understanding that that's your recommendation, if that's your recommendation and, then, give us the opportunity to see if we can find some alternate compliance. If we can't, then, you know, it is what it is, but I think we would prefer to have action by the Commission tonight.

Smith: Okay. Thank you.

Lakey: Thank you.

Seal: In that vein do you have a rendering of what that might look like if you were going to need to comply with staff's request or --

Lakey: Mr. Chairman, I -- I have one. It just pulls that cul-de-sac slightly to the east and would require kind of an extended single flag lot drive aisle to that lot that's in the corner. The one that I have -- I don't know if I have a -- I don't have a paper rendering. It's an electronic one.

Seal: Understood. Okay. Just trying to get a better understanding of that just in my hand as we -- as we are taking a look at it here. But that's okay. All right. Thank you very much.

Lakey: Thank you, Mr. Chairman, Commissioners.

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

Lomeli: Mr. Chair, I have a Jeff Lucky online if he would like to speak.

Lucky: Hi. Can you hear me?

Seal: Yes, sir. We will just need your name and address for the record and the floor is yours.

Lucky: Sure. Mr. Chair and Commissioners, my name is Jeff Lucky. I currently live at 4355 South Langdon Street in Meridian. I am a future Keep resident. I would like to thank you for the opportunity to express my concerns and in the interest of time I will just be clear. I have no concern with a developer that's willing to help facilitate your mission and that's to establish a community with diversity in home sizes and incomes that support different levels. Jerron Langston has proven his ability to deliver a low density solution and he is willing to do it again. The only issue I have has to do with the likely traffic flow impact coming from Eagle Road and Discovery Park right through The Keep. Now, I heard you even just a few minutes ago talk about connectivity between the neighborhoods. I get that. I agree with it. But I do have to ask at what cost. So, let me just drill down and try and be specific here. To my knowledge there is no planned solution for the traffic jam that's going to exist at the intersection of Eagle Road and Bingley, which

is the second entrance and exit from The Keep and it's directly across from Skybreak. Can you imagine Eagle Road in each direction being just one lane and one south facing turn into Skybreak. Now, when cars are constantly coming from the freeway going down Eagle Road passing -- excuse me -- the new beautiful intersection that will be in place at Lake Hazel and Eagle, if you transit a couple hundred yards further the road necks down to one lane in each direction. So, now it's almost impossible to get out of The Keep while you have a turn lane going into Skybreak. Then you add Riva Ridge to this equation, which is to the south, which we recall was on last month's docket, a community with increased density, now the situation gets even a little more impossible. So, at this point we are feeling pretty disadvantaged I have to say. But now it gets really challenging when you think about the connectivity between Eagle to Bingley to Wickham into the Brighton community and now directly into the regional park. Why would we facilitate that potential and at what cost? Jarron Langston, the developer, has offered a compromise solution. A pedestrian footbridge and a -- something wide enough to accommodate I guess four wheel off-road vehicles or whatever -- and he will explain that. But it's a viable solution. Last month you kind of took the time at the end of the community meeting at the Riva Ridge docket and explain to us to kind of comfort us that it doesn't always turn out the way we want it to, but the schools don't listen and ACHD has publicly said that the roads will not support the growth pace. But their shortcomings surely shouldn't get in the way of responsible decision making, especially when the consequences are clear. One lane in each direction. People are going to avoid the large streets at the intersection and they are going to cut through The Keep and so that's -- that's a problem. You know, last month's minutes on the docket -- I just read page 23, it says conforming -- the plat is in conformance with scheduled public improvements and concurs with the city's capital improvement program. Staff finds the proposed plat is in conformance with scheduled public improvements. Well, I'm telling you that I don't think there is one. One lane in each direction. And, secondly, the development will not be detrimental to the public health, safety or general welfare. I'm going to go out there a little bit and just disagree with that, because delivery trucks, transit vehicles in the neighborhood do impact safety and welfare of the people and we shouldn't compromise. So, I ask you to pump the brakes a bit and really consider the potential of connectivity through a footbridge. Thank you very much.

Seal: Thank you, Jeff. Appreciate it. Madam Clerk, do we have anybody else?

Lomeli: Mr. Chair, I have Ted Burke. I'm sorry. Jeff Brown marked wanted to testify.

Brown: Mr. Chair, Commissioners, thank you for your time tonight. My name is Jeffrey Brown. I live at 6585 South Pemberley Way in Meridian. It is one of -- it is one address in the current Keep Subdivision. To save time I will say I agree with everything that Jeff Lucky just said in great detail. My specific points are two. Number one the proposed vehicular bridge across the Farr Lateral, I would strongly ask that that be considered to be a pedestrian bridge and that we need that, because we are currently experiencing some high traffic -- people trying to figure out a way to cut through based on the high volumes on Lake Hazel and Eagle at that intersection and I personally experienced an incident where a car was transitioning from -- was driving west -- westbound on Darcy

and made the turn -- almost made the turn to southbound Pemberley Way and the only thing that stopped it was the curb. The car slid. It was a slushy morning, so the person was driving fast. It was not a resident's vehicle. There are many residents on Darcy who have children and they love to play in the street and have friends down the street. The additional traffic is just going to create, in my opinion, a significant danger to those children and to the residents of the community. I have a number of -- there are a number of other residents who are here with me tonight who declined to speak, but they agree and -- and support that position. I also want to thank staff's report on the lateral on the east side of the current subdivision, the smaller one, that it -- to remain open. I think that's a very important part, because one of the attractions to Idaho is the open spaces and the birds and trees and flowers and all that stuff that we get and if we just cap that off and cover it with gravel we lose all of that. So, with that thank you.

Seal: Thank you, sir. Appreciate it. Madam Clerk, next?

Lomeli: Mr. Chair, I have Andrew Williams.

Williams: Can you hear me okay?

Seal: Yep. And poke right into that microphone there.

Williams: Andrew Williams. 2889 East Darcy Drive. Just want to tell a little story. First I want to echo everything Mr. Lucky said. It was flawless. Part of me wants to just say whatever he said and walk back down, but I have got a little story I want to tell. Five years ago my family purchased a home down the street from The Keep in a subdivision called White Bark. It was a beautiful home surrounded mostly by cornfields at the time and we knew one day those cornfields would slowly disappear and ultimately be developed. We were hoping for a park or two, but we took the risk, we made the leap, but little did we know our property was about to be developed from all sides within just two years. Meridian was booming. Along with this rapid development came an extremely heavy flow of automobile traffic through our neighborhood and our once quiet home became dangerous for our children to play in the front yard. After a close call with one of my boys being sideswiped by a construction truck from an adjacent community, we knew the neighborhood was no longer what we desired to be considered safe for our family. That was when we found The Keep. What is a keep? Keeps were built within castles during middle age -- during the Middle Ages and they were used as a refuge of last resort should the rest of the castle fall to enemies. Now, it seems a little extreme, but -- but the name seemed too perfect and with the -- with the rendering we saw of the development this was going to be a small enclosed community with large and spacious lots and it's exactly what we were looking for and my enemy of traffic was to be defeated. I would secure the safety that my family and I desired for my family. I found the victory. So, once again we made the leap, only this time it was calculated and this time I left no room for error. Or so I thought. The Keep is growing. I can't stop that and I don't wish to. I think The Keep is the premier neighborhood of south Meridian and I'm excited to see it grow, but The Keep needs to stay a keep. We cannot allow additional automobile traffic outside of The Keep as it will surely grow traffic to a level that is unsafe for our children and community we so

adamantly desire to protect. I urge the community to approve a pedestrian path in its stead. Please do not break The Keep. Thank you.

Seal: Thank you, sir. Appreciate it. Madam Clerk?

Lomeli: No one else has signed up.

Seal: Anybody else in the audience like to come up and give their words on this? Oh, I have a gentleman coming up already. We will get to you, ma'am. And walk up to the mic. There we go. Name and address, please.

Blau: Danny Blau. 2890 East Wickham Court, Meridian. 83642. So, I apologize for the appearance. I just found out about this and this -- I'm brand new to Idaho and we are the newest residents of The Keep and my wife and my eight year old twins at the time moved here and coming from far away we looked at all the other cities and tried to find exactly what we found on The Keep, somewhere with big lots, somewhere safe, somewhere private and as much as we heard Eagle was the place to be, we fell in love with Meridian. We fell in love with -- with the neighborhood and we made the leap. We had come from a very populated neighborhood. Saw some just not great things in our neighborhood because of the growth and saw some very tragic happen in our old neighborhood regarding a kid on his bike and a speeding teenager. So, ever since then we have really tried to find somewhere safe for our kids and that's where we came to The Keep and we were welcomed with open arms and just -- it's been a great place. Found out what's going on now and really just -- like everyone said -- I have agreed with everything that everyone said here -- love The Keep, love the growth, love what Jarron's doing with The Keep, keeping it very similar to what it already is. Larger lots. It's a great community filled with great people and we would just like to ask if we keep it there and exactly what everyone else has said is that bridge -- we just don't see it necessary to have that traffic coming through that area, just for the amount of safety, the type of kids -- the teenagers that are ripping through that neighborhood trying to get to the park, it's just when they can just head down Lake Hazel and pull in there. We -- like I said we had eight year old twins when we moved in. They are nine. And they -- we let them walk to their friends house. We let them cross the street. But we always say be careful. Be careful. You know. And everyone in The Keep, we all get together, we all know each other, it's like a family in there and we want to keep it that way and so I -- I beg this committee to really consider just some type of cart path, some type of walking path, some type of walking bridge to get over to that area and not let those kind of cars come through. So, appreciate your time

Seal: Thank you, sir. Okay. Madam Clerk -- no. Just asking for people out of the audience. That's right. Ma'am, go ahead and come on up. Just used to asking you before. Good evening.

Newell: Melina Newell. 6751 South Rosings Place, Meridian. 83642. I am also a resident in The Keep. Love the subdivision. Love everything around there. I can just say ditto on what Mr. Lucky said. He's got it down. My concern is you have got Skybreak right across from our subdivision direct through, 300 -- how many lots over there going to

be going in. We have two entrances. That's it. And people will cut through there. It will bring that much more traffic and my kids are older, but there are a ton of little kids and, of course, a park. So, yes, we want them to have access, walking through, riding your bike, on a golf cart, whatever it may be. But if we can cut the traffic and cars, which people cut through, that's all we are looking to do. So, that's all I have to say.

Seal: Thank you very much.

Newell: Thank you.

Seal: Is there anybody else in the audience that would like to come up? Going once. Twice. All right. With that would the applicant light to come back forward.

Lakey: Thank you, Mr. Chairman. Again for the record Todd Lakey. Borton Lakey Law. 141 East Carlton Avenue, Meridian, Idaho. 83642. Mr. Chairman, we -- we appreciate our neighbors and their testimony. You don't always see neighbors this supportive of the project developer. So, I think that speaks volumes and -- and they support Mr. Langston's goals and his approach to this project and, of course, we designed that connectivity as part of the city's goals and objectives for connectivity with the streets, but we are very supportive of that proposed compromise if the city would allow us to utilize a pedestrian bridge instead of a full vehicular access that could be used for connectivity and used by things like golf carts to provide that connectivity between individuals in the two projects. And, then, we have the emergency access. So, it's not a secondary access issue for first responders. But with that, Mr. Chairman, again, we would be supportive of that request from our neighbors and ask for your approval. Happy to stand for questions.

Seal: Okay. Commissioners, do we have questions for the applicant or staff? Seeing nothing.

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: Mr. Chair, I don't know if we can answer this question tonight. So, it's going -- the road that you are -- that is being proposed for connectivity goes over the lateral. So, that's either -- what, Nampa Irrigation or Settlers or whoever irrigation company. It's very rare that they actually allow any kind of streets to go above them, whether they are pedestrian or regular. Do we know from ACHD is that a requirement to have that street go through? Is that a requirement from ACHD?

Parsons: Mr. Chairman, Members of the Commission, yes, it's going to be a requirement to extend the stub street -- just like we had Apex east to -- which is the property to the west -- stub it here. That's what it was for -- intended for. I did want to at least share with the neighbors a little bit more context than -- about connectivity, because Riva Ridge was here last hearing and adjacent to the park -- the park is surrounded with collective streets all the way around it where the master street map that is adopted by -- which is endorsed

by the city, adopted by ACHD, and so this is the local street connections, but there will be -- when these properties come online and develop there will be other roads -- there are roads planned to alleviate traffic and dispersing traffic throughout this area at the mid mile and there will also be a light on Lake Hazel that allows these folks to get out to Lake Hazel through that light using the collector system, too. So, they are not stuck just going out to two access points from their subdivision. So, it's meant to work both ways and help disperse traffic throughout a neighborhood. So, I can't sit here and say are people -- is more traffic going to go through this neighborhood? Probably will. But I think once you look at how the other developments come in and develop around this and you look at this -- the street system that's planned, I -- I don't know if people are going to cut -- jog through all these neighborhoods to get out to go south on Eagle Road when there is going to be a pretty robust collector system in the future to handle and collect all that traffic. But someone will try it as you know. But the way it's designed and looking at my map here, it's -- it's not a straight shot and you are going to have to really weigh driving clear out the neighborhood before you -- you can get to that. So, that's what we try to do, too. We don't want the straight streets going through neighborhoods because that's where you do increase people cutting through, but I think -- I think things are planned and -- and, yes, there are -- there is -- Lake Hazel's going to be built. It's going to be widened and the intersection is going to be widened. There is going to be some congestion in that area until all of those road improvements are done and that's probably the next couple years. So, it will -- it will get a little dicey in that area and a little slower moving.

Lorcher: So, just to reiterate to the -- to the people from The Keep here, the City of Meridian Planning and Zoning, City Council, we know we don't own the roads. It's part of ACHD. It's part of their plan. It's possible that you could petition ACHD to turn it into a pedestrian bridge, but that's not within our ability to be able to make those decisions. So, we can move it on to City Council and you can consult with ACHD to see if that can be adjusted to a pedestrian bridge versus a collector -- or not a collector street, but a connectivity street. My guess is that they have already made their decision and, you know, whether it's for emergency vehicles or safety or whatever the case might be and that -- and when I say safety, I'm -- I'm talking about moving emergency vehicles from one place to another, as opposed to going around the whole thing. In some cases they might have to work their way through. So, I -- I don't -- we are really not in a position here to be able to make a decision about the streets. So, we appreciate you being open to both kinds -- both solutions, whether it's a pedestrian or a connectivity street, but that would be -- have to be a conversation with ACHD and it really wouldn't affect our decision here on approving or disapproving the annexation recommendation to City Council.

Seal: Okay. Anyone else?

Sandoval: Mr. Chair?

Seal: Go right ahead.

Sandoval: Just a follow up for staff. Is the ACHD requirement to have that open to all traffic or emergency only? Do we know?

Seal: Just basically talking about the -- the bridge over the lateral?

Sandoval: Yes.

Seal: Go ahead, Bill. I think I know the answer, but I will let you answer.

Parsons: You do. Mr. Chair, Members of the Commission, Commissioner Sandoval, it's -- yeah, it's public -- it's open to the public. It's vehicle and pedestrian. So, it's -- it's a public street, so -- it's going to be dedicated right of way. But the residents are correct, the lateral companies do like to limit the number of crossings over their waterways and usually you get one, but you are not going to get any more. They are very particular about that. Certainly -- I mean, again, Council could take this under consideration. I can't speak on what the Council is going to do. If the road was not to be extended there is going to have to be a turn around, it's going to take some redesign down there, too. So, there is a lot of implications to just turning this to a pedestrian bridge. The other thing I wanted to mention, too, is -- I want you residents to enjoy the park, too. I don't want you to have to go out onto Eagle Road and, then, turn onto Lake Hazel just to get to a community park that you pay taxes for and get the benefit of using and this will give you a better access and a safer access to get you to that facility, because it will be something special when it's built out and we want you to have access to those parks as well.

Seal: Thank you. Commissioners, anybody else? Thank you.

Lakey: Thank you, Mr. Chairman, Commissioners.

Seal: If there is no further questions I will take a motion to close the public hearing -- hearing for File No. H-2023-0047.

Smith: So moved.

Lorcher: Second.

Seal: It's been moved and seconded to close the public hearing for File No. H-2023-0047. All in favor please say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: FIVE AYES. ONE RECUSE. ONE ABSENT.

Seal: I will kind of start out with this one. So, I'm -- I always lean more towards I would like all the information before we send something to -- to City Council. With something that's kind of as cut and dry as code, I can see that -- I mean it's -- it's going to have to be taken care of. This is -- this isn't open to interpretation, like -- like a lot of other things are that are out there. We have a community that's in support of it, obviously. You know, I mean there is -- and, again, to reiterate, we have very little, if any, control over the road systems that are there. So, unfortunately, if -- you know, a lot of folks come in here and one of their immediate concerns is -- is the traffic and the roads and if you are coming

into Planning and Zoning to voice those concerns we hear you, but ACHD is -- that's the place to have -- you know, the -- the conversations with them, because they own the roads. So, that's unfortunate in a lot of ways, but that's just kind of where we are. So, for me I like -- you know, I -- I like the fact that it's a -- it's -- it's a well-designed piece of land. I mean the parcel itself is -- is very -- you know, I mean to me this -- if it weren't kind of phase two this would just be in-fill. So, that's the way that I look at it. So, it's an extension that's on there. Hopefully we can get something on the -- on the east lateral that will help them to -- you know, help keep that beautified and not just turn it into a large gravel, you know, pit or -- pit or road or -- I mean 40 feet, that's -- that's a lot of gravel. So, hopefully, something can be done about that. But, again, that's really not -- I mean that's something that they are going to have to work with others in order to come up with. So, for me I'm -- you know, I'm happy to support this moving forward to -- to City Council. I don't know that continuing it's going to give us more information as -- as we move forward with it. But I don't make the motions, so more than happy to listen to anything you guys have to say on that.

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: Yeah. I would -- I would like to -- I mean shortly -- echo -- especially about continuing forward and moving this on to Council, it seems like if there is a change that needs to be made it also doesn't -- doesn't appear to drastically change the -- the layout of the development. So, I don't -- I don't think there is anything that would -- yeah, I'm not -- I don't think I'm going to lose any sleep over, you know, whether this cul-de-sac is shifted a little bit around, you know, the -- the angles are shifted slightly. I think in terms -- you know, when you really think of the safety aspect, my -- my initial read was -- was looking at this kind of long straight-ish path and the speeds that are kind of implied when you have that -- that long interrupted -- long uninterrupted roadway. But I trust staff with their analysis and so, yeah, I -- I think I'm fully supportive of this moving forward to Council as is.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: I also agree that the city planners and the developer can work on the cul-de-sac measurement issues and as regard to the -- the connectivity, it would be up to the developer, you know, to talk with the neighbors in The Keep of possibly putting some speed bumps or rumble strips or something else like that in there. That -- that's at their discretion or the -- the ACHD's discretion to be able to slow things down. I know it seems like there is just two lane traffic right now around Lake Hazel and Eagle, but, you know, three or four years from now as our community continues to grow, those will be five lanes minimum, if not greater, and so moving around there, even though it seems like it's congested right now, it will improve. I live in the Highway 16 impact area, I'm in there for the long haul, I know it's going to be three or four years before everything gets built out and things quiet down again without construction equipment, but that's my choice,

because I choose to live there. So, it's just part of it. Your subdivision is growing, your community is growing, especially south of the freeway and, unfortunately, there is only so much ACHD can do with the resources they have and prioritizing things and it will happen. So, the most important thing is, you know, if the developer wants to -- between now and City Council go back to ACHD and see if they can put some safety measures in there to kind of slow things down or even propose that it becomes a pedestrian bridge that would be their discretion and, again, it's not really in our -- we are here to approve -- we are here to recommend -- make a recommendation for the subdivision as a whole to City Council and I'm also in support of the design.

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: Thank you. Just -- Commissioner Lorcher, just spurred a thought to my head also and I just want to make sure it's on record and for anyone in attendance that's interested in those traffic control devices and things like that, I don't know where it is in the process, but to my knowledge I believe ACHD is also revising their standards for traffic control devices, like speed bumps, speed humps, whatever they call them, the different varieties these days and I do believe they are loosening those requirements to be able to offer traffic calming measures to more communities and so I absolutely want to echo and support it. If -- if that is a concern ACHD seems like they are becoming more and more approachable on -- on those specific issues, whether they are willing to -- to help out with putting speed bumps or whatever other device in that is helpful in calming traffic. So, I just wanted to make sure that's hopefully an asset for the community as well.

Seal: Okay. Anything further?

Rivera: Mr. Chair?

Seal: Go ahead.

Rivera: Just the same understanding and I appreciate the -- the information and I also appreciate the residents coming in and -- and testifying and giving their -- their feedback. But, yeah, I am also in agreement with fellow Chair's, fellow Commissioners that I support this to make the recommendation to push it forward to City Council and, you know, look forward to -- you know, it's part of this growth. It just sounds like a really great community and people that live together are great neighbors with each other, so I stand to move it forward as well.

Seal: Okay. Anything to add?

Sandoval: Mr. Chair. So, my only concern with not continuing this is the open space requirements within that one percent. So, it's pretty close, but I think if you pull that cul-de-sac back it's just going to create more of it. So, yeah, I would -- I would be in support of pushing it forward, too.

Seal: Okay. Thank you very much. Before anybody does make -- make a motion here if you want to, I would -- if it so behooves you I should say, you can mention something on the cul-de-sac length as far as -- you know, I mean I don't know if we want to make a recommendation, but, you know, generally wording of, you know, work with staff to provide for, you know, adherence to or something along those lines would -- would be good and, then, you know, we are -- also it isn't within our purview to, you know, ask the applicant to possibly work with ACHD for traffic calming measures or, you know, to provide the -- the bridge to be a pedestrian only. Just if -- if -- if anybody feels that that needs to go on record please make sure to put it in the motion. I will take a motion by the way.

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: After considering all staff, applicant and public testimony, I move to recommend approval to the City Council of File No. H-2023-0047 as presented in the staff report for the hearing date of March 7th, 2023, with one small modification. As a general requirement for the applicant to work with staff to resolve measurement and placement concerns over that northeast cul-de-sac.

Lorcher: Second.

Seal: Okay. It's been moved and seconded to recommend approval of File No. H-2023-0047 with one modification. All in favor, please, say aye. Opposed nay? Motion passes. Thank you very much.

MOTION CARRIED: FIVE AYES. ONE RECUSE. ONE ABSENT.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Rosalyn Subdivision (H-2023-0056) by Givens Pursley, LLP, located at 200 E. Rosalyn Dr.

Applicant Materials: <https://bit.ly/H-2023-0056>

A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district, including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.

B. Request: Combined Preliminary/Final Plat consisting of 6 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.

EXHIBIT A

STAFF REPORT	
COMMUNITY DEVELOPMENT DEPARTMENT	

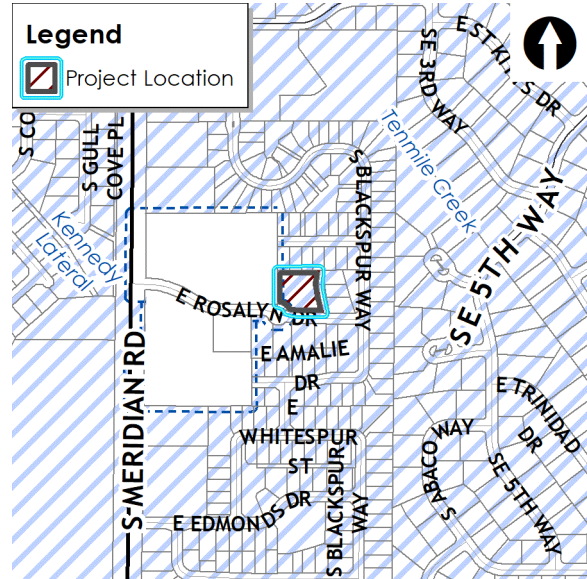
HEARING DATE: April 9, 2024

TO: Mayor & City Council

FROM: Stacy Hersh, Associate Planner
208-884-5533

SUBJECT: Rosalyn Subdivision
[H-2023-0056](#)

LOCATION: 200 E. Rosalyn Drive (Parcel #'s R7699020020 and R2114050060)



I. PROJECT DESCRIPTION

Annexation of 0.014 acre of land with an R-8 zoning district, including the remaining portion of the E. Rosalyn Street cul-de-sac right of way; combined Preliminary/Final Plat consisting of 6 residential building lots and one (1) common lot on 0.733 acres in the R-8 zoning district for Rosalyn Subdivision.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	0.014 Annexation including the remaining portion of the cul-de-sac right of way; 0.733 acres combined PFP	
Future Land Use Designation	Low Density Residential (LDR)	
Existing Land Use	Single-family residential (SFR)	
Proposed Land Use(s)	Single-family detached residential	
Current Zoning	R-8 (Medium Density Residential)	
Proposed Zoning	R-8 (Medium Density Residential)	
Lots (# and type; bldg/common)	6 building lots; 1 common lot	
Phasing plan (# of phases)	1	
Number of Residential Units (type of units)	6 single-family detached units	
Density (gross & net)	6.87 units/acre (gross)	
Open Space (acres, total [%] / buffer / qualified)	0%, not required for developments under 5 acres	

Amenities	None	
Physical Features (waterways, hazards, flood plain, hillside)	None	

Neighborhood meeting date	12/12/2023	
History (previous approvals)	San Gorgonio Subdivision SHP H-2023-0092 (4-Lots); ROW vacation of the E. Rosalyn Street cul-de-sac Instrument #2023-034331.	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	Yes	
• Requires ACHD Commission Action (yes/no)	No	
• Existing Conditions	E. Rosalyn Drive is classified as a local street already improved with curb, gutter, and sidewalk.	
• CIP/IFYWP		

Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	E. Rosalyn Drive is classified as a local street. Access is existing and improvements were constructed previously as required with Larkspur Subdivision No. 2.	
Proposed Road Improvements	None	
Fire Service	<i>No comments received.</i>	
Police Service	<i>No comments received.</i>	

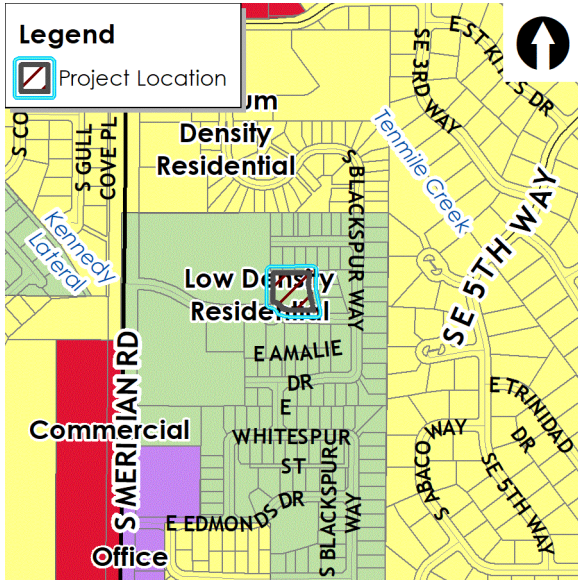
West Ada School District	<i>No comments received.</i>	
Distance (elem, ms, hs)		
Capacity of Schools		
# of Students Enrolled		

Wastewater		
• Distance to Sewer Services	Water available at the site	
• Sewer Shed		
• Estimated Project Sewer ERU's	See application – Additional 900 gpd committed to model.	
• WRRF Declining Balance	WRRF decline balance is 14.62 MGD	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	See Public Works' Site-Specific Conditions in Section B.	
Water		
• Distance to Services	Water available at the site.	
• 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 	None
<ul style="list-style-type: none"> • Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> • Impacts/Concerns 	See Public Works' Site-Specific Conditions in Section B.

C. Project Maps

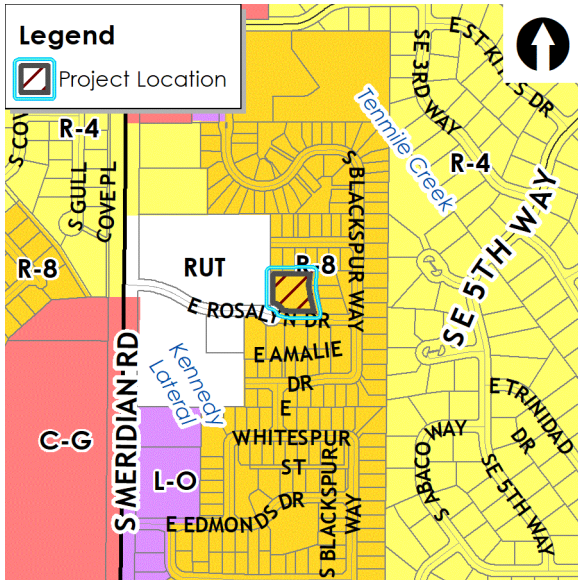
Future Land Use Map



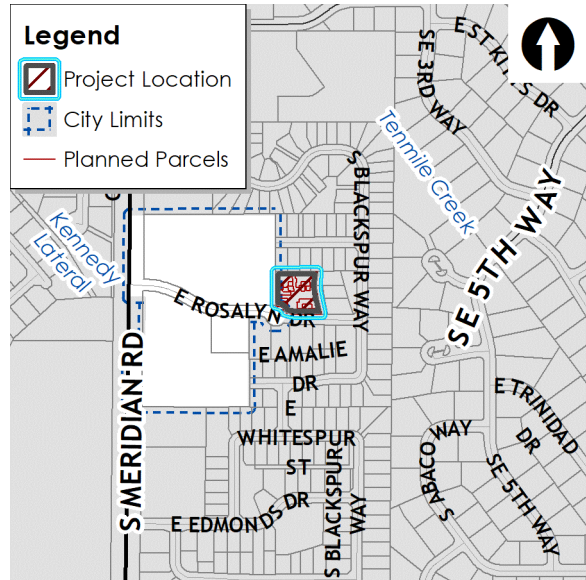
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant:

Brett & Julie Bingham, B-B Rosalyn LLC – P.O. Box 266, Meridian, ID 83680

B. Owner:

Brett & Julie Bingham, B-B Rosalyn LLC – P.O. Box 266, Meridian, ID 83680

C. Representative:

Kristen McNeill, Givens Pursley LLP – 601 W. Bannock Street, Boise, ID 83702

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper notification published in newspaper	1/02/2024	3/24/2024
Radius notification mailed to property owners within 500 feet	12/29/2023	3/22/2024
Public hearing notice sign posted on site	1/5/2024	3/12/2024
Nextdoor posting	12/29/2023	3/25/2024

V. COMPREHENSIVE PLAN ANALYSIS

LAND USE: This property is designated as Low-Density Residential (LDR) on the Future Land Use Map (FLUM) contained in the [Comprehensive Plan](#). This designation is intended to allow for the development of single-family homes on large and estate lots at gross densities of three dwelling units or less per acre. This property was annexed in 2005 with and R-8 zone and granted approval for step-up in density which was allowed under the previous Comprehensive Plan. This policy was removed from the Comprehensive Plan with the 2019 update.

The Applicant proposes a 6-lot subdivision for six single-family residential detached homes at a gross density of 6.87 units per acre, which exceeds the density range intended in the LDR designation. Since a majority of the property is already annexed and zoned with the R-8 district staff must analyze the project based on the merits of the governing zoning district regardless of the proposed density. Below is staff’s analysis on how the project meets other pertinent Comp Plan policies.

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 single-family detached dwellings with a mix of lot sizes will contribute to the variety of housing options in this area and within the City as desired. All existing housing in this area are comprised of single-family detached dwellings on similar sized lots.

- “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)
This area consists primarily of single-family detached dwellings surrounding the subject property, six single-family detached dwellings are proposed within this development. The proposed development offers lot sizes ranging from 4,060 to 5,219 square feet (s.f.) consistent with lot sizes in the area.
- “Require all new development to create a site design compatible with surrounding uses through buffering, screening, transitional densities, and other best site design practices.” (3.07.01A)
The single-family detached dwellings contribute to the variety of residential categories within the surrounding area as desired.
- “Encourage compatible uses and site design to minimize conflicts and maximize use of land.” (3.07.00)
The proposed site design provides maximum use of the land with the proposed residential dwelling types. Staff considers the proposed development to be compatible with the existing developments on adjacent properties. The additional lots proposed for this site integrate well with the existing/surrounding residential dwellings. The proposed common drive exhibit appears to comply with the common drive standards outlined in UDC 11-6C-3D in Section VIII.E.
- “Support infill development that does not negatively impact the abutting, existing development. Infill projects in downtown should develop at higher densities, irrespective of existing development.” (2.02.02C)
The proposed development would not likely have a detrimental impact on the existing abutting developments to the east, west, and south.
- “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 with development of the subdivision; services are required to be provided to and through this development in accord with current City plans.
- “Require pedestrian access in all new development to link subdivisions together and promote neighborhood connectivity.” (2.02.01D)
A 5-foot-wide existing pedestrian sidewalk connection is located along E. Rosalyn Drive. The existing sidewalk provides a link between all subdivisions east of this site.
- “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 are already provided with the proposed development of the subdivision.

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

Development of the subject infill parcel will maximize public services.

Based on the analysis above, staff finds the proposed development is consistent with the Comprehensive Plan.

VI. STAFF ANALYSIS

A. ANNEXATION (AZ)

The Applicant proposes to annex 0.014 of an acre of land with an R-8 zoning district, including the remaining portion of the E. Rosalyn Street cul-de-sac right of way. A legal description and exhibit map for the annexation area is included in Section VIII.A. This property is within the City’s Area of City Impact boundary.

A preliminary plat and conceptual building elevations were submitted showing how the property is proposed to be developed with six (6) single-family detached dwelling units and 1 common lot. The proposed use of the development is consistent with the MDR zoning designation.

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Future development is subject to the dimensional standards listed in UDC Table [11-2A-6](#) for the R-8 zoning district.

There is an existing home on this site directly adjacent to E. Rosalyn Drive. The property owner intends to remove the existing home upon development commencing on the site.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **Since the AZ request only includes remnant and existing right-of way, staff is not recommending a DA.**

B. PRELIMINARY/FINAL PLAT (PFP):

The proposed preliminary plat consists of 6 building lots and 1 common lot on a 0.733-acre property in the existing R-8 zoning district. Proposed lots range in size from 4,060 to 5,219 square feet (s.f.) (or 0.093 to 0.12 acres). The subdivision is proposed to develop in one phase as shown in Section VIII.C.

Existing Structures/Site Improvements: An existing home on the property is proposed to be removed from this site. Any outbuildings located on this site should be removed with development of this property. **Prior to the City Engineer’s signature on the final plat, all existing structures that do not conform to the setbacks of the district are required to be removed.**

Dimensional Standards (UDC 11-2): The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC [Table 11-2A-6](#) for the R-8 zoning district. **The proposed plat appears to comply with the dimensional standards of the district.** Per UDC 11-2A-3B.3, lots taking access from a common drive do not require street frontage.

Access: Access is proposed from E. Rosalyn Drive and a common driveway on Lot 6, Block 1. The interior Lots 3, 4, 5, and 7 Block 1 are proposed to take access via a common drive to E. Rosalyn Drive, meeting the street access requirements of UDC 11-3A-3A.

Common Driveways ([UDC 11-6C-3D](#)): Common driveways shall serve a maximum of four (4) dwelling units. In no case shall more than three (3) dwelling units be located on one (1) side of the driveway. **The Applicant is proposing six (6) dwelling units with four (4) taking access off the common driveway, three (3) dwelling units are also located on one (1) side of the driveway in accordance with the UDC requirements.**

Parking (UDC 11-3C): Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#) for single-family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permit submittal for each residence. **Staff has concerns with overflow parking due to the number of units proposed within this subdivision.**

Landscaping (UDC 11-3B): There are no street buffers required along local streets per UDC Table 11-2A-6. The applicant has provided a landscape plan in Section VIII.D. Landscaping is not required per the UDC.

Sidewalks (11-3A-17): E. Rosalyn Drive is improved with an existing 5-foot wide attached concrete sidewalk abutting the site in accord with UDC standards.

Utilities (UDC 11-3A-21): Connection to City water and sewer services is required 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, if required

Fencing (UDC 11-3A-6, 11-3A-7): All fencing is required to comply with the standards listed in UDC 11-3A-7. **According to the submitted plans, the Applicant is not proposing fencing with this project.**

Pressurized Irrigation System (UDC 11-3A-15): Underground pressurized irrigation water is required to be provided to each lot within the subdivision as set forth in UDC 11-3A-15.

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.

Building Elevations: Two (2) conceptual building elevations were submitted that demonstrate what future homes in this development will look like (see Section VIII.F). Variations of that appear to be single-story and two-story detached homes with a two-car garage are proposed. **The submitted elevations depict several different architectural and design styles with field materials of lap siding, differing color accents, roof profiles, stone and front porches.**

VII. DECISION

A. Staff:

Staff recommends approval of the proposed annexation, and combined preliminary plat/final plat per the provisions in Section IX in accord with the Findings in Section X.

B. The Meridian Planning & Zoning Commission heard these items on March 7, 2024. At the public hearing, the Commission moved to recommend approval of the subject Annexation and Combined Preliminary/Final Plat requests.

1. Summary of Commission public hearing:

- a. In favor: Elizabeth Koeckeritz, Givens Pursley
 - b. In opposition: Jan Larrea, Paul Pelletier, Ken Freeze, Nick Nauslar,
 - c. Commenting: Elizabeth Koeckeritz, Givens Pursley
 - d. Written testimony: Multiple letters of written testimony were submitted and can be found in the record online.
 - e. Staff presenting application: Stacy Hersh, Associate Planner
 - f. Other Staff commenting on application: Bill Parsons, Planning Supervisor
- #### 2. Key issue(s) of public testimony:

- a. The Comprehensive Plan depicts this property as low density residential on the future land use map.
 - b. There are too many lots proposed within this development.
 - c. Lots smaller than 5,000 square feet should not be proposed for a development this small.
 - d. Concerns with the additional traffic and noise.
3. Key issue(s) of discussion by Commission:
- a. None
4. Commission change(s) to Staff recommendation:
- a. None
5. Outstanding issue(s) for City Council:
- a. None

VIII. EXHIBITS

A. Annexation Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83651
Ph (208) 454-0256

e-mail: dholzhey@masonandassociates.us

FOR: B-B ROSALYN LLC
JOB NO.: JY0323
DATE: December 6, 2023

EXHIBIT "A"
ANNEXATION
OF
E. ROSALYN DR. CUL-DE-SAC

A parcel of land in the NW1/4 SW1/4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4, said corner lying N. 00° 37' 11" E., 2649.85 feet from the southwest corner of the NW1/4;

Thence S. 00° 37' 11" W., 2296.92 feet along the west boundary of the NW1/4;

Thence N. 89° 44' 39" E., 620.87 feet to the northwest corner of Larkspur Subdivision No. 2 in Book 97 of Plats, Page 12314-12317, recorded in the Ada County Recorder's Office;

Thence S. 00° 17' 40" E., 387.96 feet to southwest corner of Lot 1 Block 1 of San Gorgonio Subdivision and the **POINT OF BEGINNING**;

Thence a distance of 194.29 feet along the curve right, having a radius of 45.00 feet, a central angle of 247° 23' 42", the long chord of which bears S 33° 23' 00" W., a distance of 74.87 feet;

Thence a distance of 23.52 feet along the curve left, having a radius of 20.00 feet, a central angle of 67° 22' 30", the long chord of which bears N 56° 36' 25" W., a distance of 22.19 feet;

Thence N 00° 17' 40" W., 50.00 feet;

Thence N 89° 42' 20" E., 59.98 feet to the **POINT OF BEGINNING**.



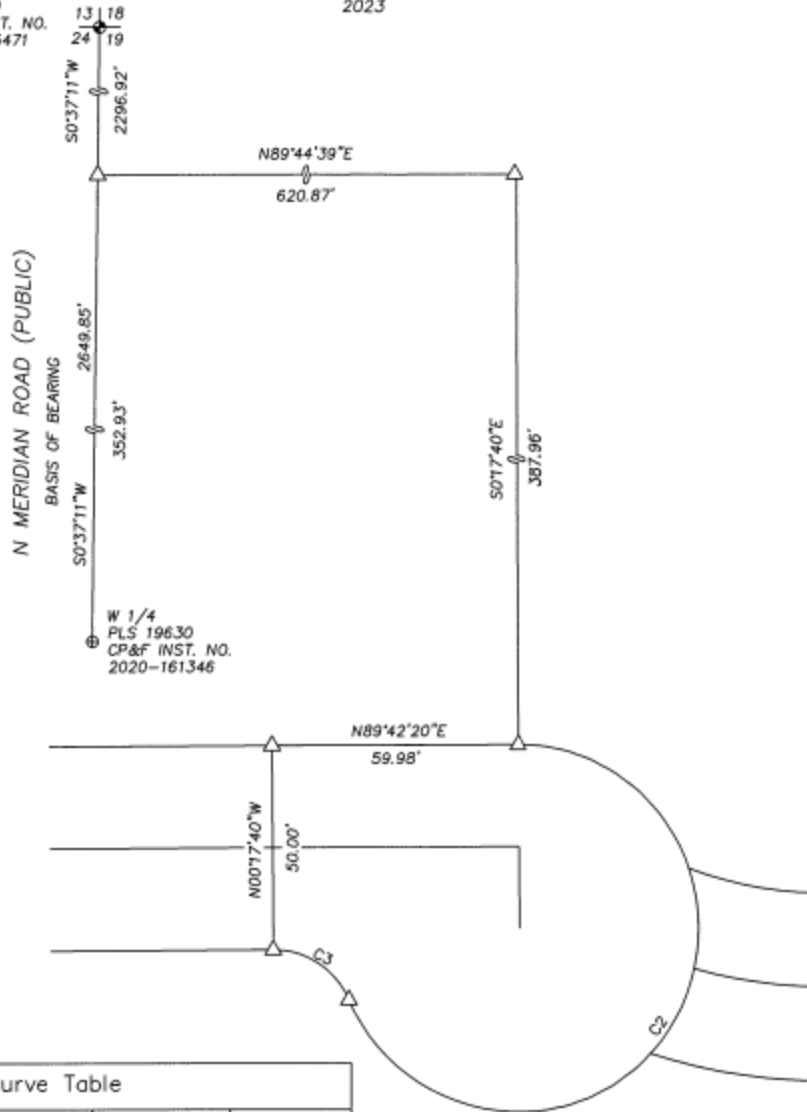
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Page 1 of 1



EXHIBIT "B"

A PART OF THE NW 1/4 SW 1/4, SECTION 19, T. 3 N., R. 1 E., B.M.,
MERIDIAN, ADA COUNTY, IDAHO
2023

PLS 7729
CP&F INST. NO.
2019-015471



N MERIDIAN ROAD (PUBLIC)
BASIS OF BEARING

W 1/4
PLS 196.30
CP&F INST. NO.
2020-161346

Curve Table					
Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C2	194.29	45.00	247°23'42"	N33°23'00"E	74.87
C3	23.52	20.00	67°22'30"	N56°36'25"W	22.19

ANNEXATION OF E. ROSALYN DR. CUL-DE-SAC	
B-B ROSALYN LLC	
<p style="font-size: 8px; margin-top: 5px;">Professional Engineers, Land Surveyors & Planners 84 2nd St., Suite 200 P.O. Box 64200</p>	JOB NO. JY0323
	DWG NO. BDY
	SCALE: N.T.S. REV. △
	FIELD BOOK NO.
DRAWN BY: DH DATE: 12/06/23	

B. Preliminary Plat Legal Description and Exhibit Map



Professional Engineers, Land Surveyors and Planners

924 3rd St. So. Nampa, ID 83651

Ph (208) 454-0256

e-mail: dholzhey@masonandassociates.us

FOR: B-B ROSALYN LLC
JOB NO.: JY0323
DATE: October 10, 2023

SUBDIVISION BOUNDARY

A parcel of land being all of Lot 1 Block 1 of San Gorgonio Subdivision, in Book 118 of Plats, Page 18079-18081, recorded in the Ada County Recorder's Office and a portion of vacated right of way, in the NW1/4 SW1/4 of Section 19, Township 3 North, Range 1 East, Boise Meridian, Ada County Idaho, more particularly described as follows:

Commencing at the northwest corner of the NW1/4, said corner lying N. 00° 37' 11" E., 2649.85 feet from the southwest corner of the NW1/4;

Thence S. 00° 37' 11" W., 2296.92 feet along the west boundary of the NW1/4;

Thence N. 89° 44' 39" E., 620.87 feet to the northwest corner of Larkspur Subdivision No. 2 in Book 97 of Plats, Page 12314-12317, recorded in the Ada County Recorder's Office;

Thence S. 00° 17' 40" E., 245.00 feet to northwest corner of Lot 1 Block 1 of San Gorgonio Subdivision and the **POINT OF BEGINNING**;

Thence N. 89° 44' 39" E., 179.66 feet along the northerly boundary of Lot 1 to the northeast corner of Lot 1;

Thence along the easterly boundary of Lot 1 Block 1 of San Gorgonio Subdivision the following courses and distances;

Thence S. 06° 21' 41" W., 60.40 feet;

Thence S. 08° 33' 35" E., 60.64 feet;



Professional Engineers, Land Surveyors and Planners
Page 1 of 2

Thence S. 13° 15' 00" E., 64.29 feet to the southeast corner of Lot 1;

Thence along the southerly boundary of Lot 1 and the vacated right of way the following courses and distances;

Thence N. 88° 53' 28" W., 121.88 feet to the beginning of a curve right;

Thence a distance of 30.84 feet along the curve right, having a radius of 93.00 feet, a central angle of 19° 00' 03", the long chord of which bears N 79° 23' 28" W., a distance of 30.70 feet;

Thence N. 70° 32' 53" W., 46.54 feet;

Thence N. 00° 17' 40" W., 15.30 feet to the southwest corner of Lot 1;

Thence N. 00° 17' 40" W., 142.96 feet along the westerly boundary of Lot 1 to the **POINT OF BEGINNING**.

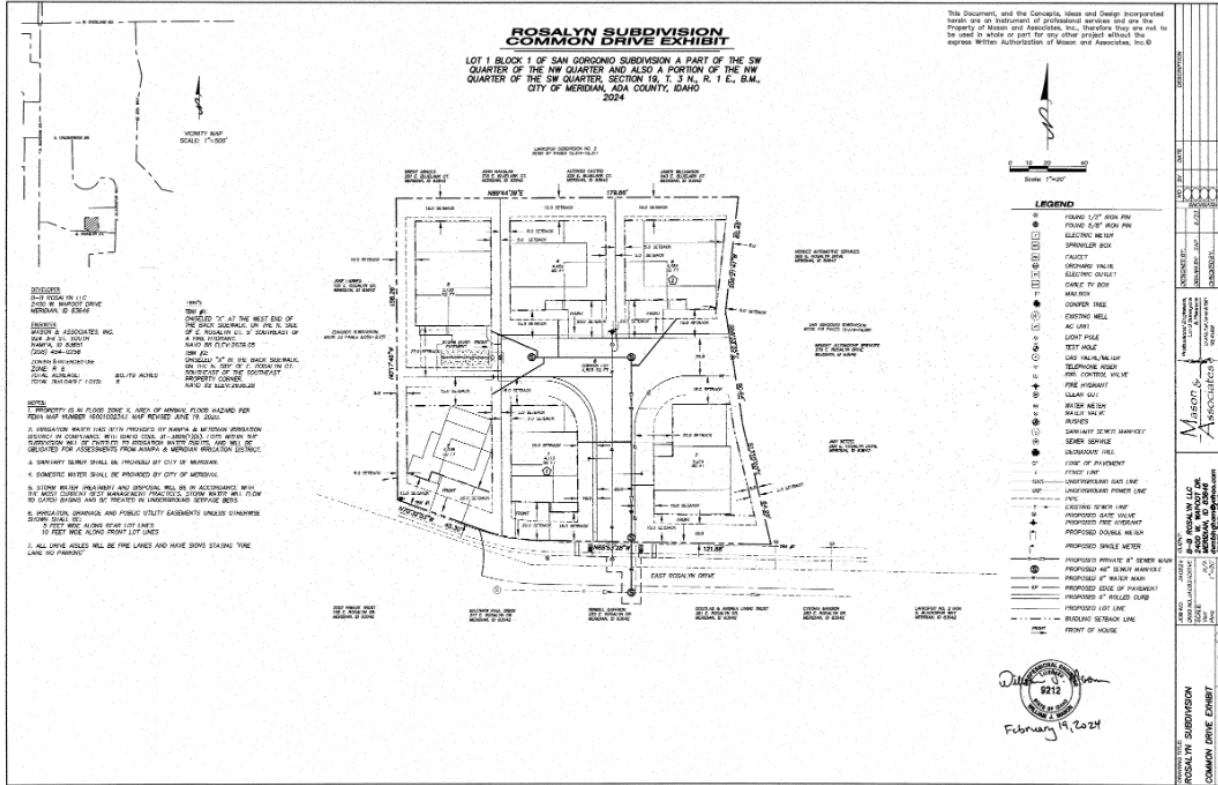
This parcel contains 0.733 acres more or less.

SUBJECT TO: All existing rights of way and easements of record or implied appearing on the above-described parcel of land.



Professional Engineers, Land Surveyors and Planners
Page 2 of 2

E. Common Driveway Exhibit (dated: 2/19/2024)



F. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

1. Future development of this site shall be generally consistent with the preliminary plat, landscape plan, and conceptual building elevations included in Section VIII and the provisions contained herein.
2. The final plat prepared and signed by Darin Holzhey with Mason and Associates on 2/19/2024 is approved as submitted.
3. The landscape plan prepared by Joshua R. Rennaker with Rodney Evans + Partners on 2/22/2024 is approved as submitted.
4. The proposed plat and subsequent development are required to comply with the dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
5. Prior to the City Engineer's signature on the final plat, all existing structures that do not conform to the setbacks of the R-8 zoning district shall be removed.
6. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for single-family dwellings based on the number of bedrooms per unit.
8. All fencing is required to comply with the standards listed in UDC 11-3A-7. If fencing is proposed for the development, the applicant should include it on the site plan submitted with the building permit. Additionally, solid fencing adjacent to common driveways shall be prohibited, unless separated by a minimum five (5) foot wide landscaped buffer planted with shrubs, lawn or other vegetative groundcover in accordance with UDC 11-6C-3D.5.
9. The Applicant shall comply with all ACHD conditions of approval.
10. The applicant and/or assigns shall have the continuing obligation to provide irrigation that meets the standards as set forth in UDC 11-3B-6 and to install and maintain all landscaping as set forth in UDC 11-3B-5, UDC 11-3B-13 and UDC 11-3B-14.
12. The preliminary/final plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer's signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.

B. PUBLIC WORKS

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=312023&dbid=0&repo=MeridianCity>

C. FIRE DEPARTMENT

No comments at this time.

D. POLICE DEPARTMENT

No comments at this time.

E. PARK'S DEPARTMENT

No comments at this time.

F. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315578&dbid=0&repo=MeridianCity>

G. ADA COUNTY DEVELOPMENT SERVICES (ACDS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315717&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

No comments were received from WASD.

I. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=313137&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=315718&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=314790&dbid=0&repo=MeridianCity>

X. FINDINGS

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

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

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

Staff finds the Applicant's request to annex 0.14 of an acre, including the remaining portion of the E. Rosalyn Street cul-de-sac right-of-way with R-8 zoning and develop single-family detached dwellings on the site are consistent with the R-8 zone and policies in the Plan in Section V. above, if all conditions of approval are met.

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

Staff finds the proposed map amendment to R-8 and development generally complies with the purpose statement of the residential districts in that it will contribute to the range of housing opportunities available in the City consistent with the Comprehensive Plan.

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

Staff finds the proposed map amendment for the R-8 zoning for the 0.14 of an acre that encompasses the remaining portion of the E. Rosalyn Street cul-de-sac right-of-way, should not be detrimental to public health, safety and welfare.

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

Staff finds City services are available to be provided to this development. Comments were not received from WASD on this application so Staff is unable to determine impacts to the school district.

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

Staff finds the proposed annexation is in the best interest of the city if all conditions of approval are met.

B. Combined Preliminary Plat/Final Plat (UDC 11-6B-4)

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

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

Staff finds the proposed plat is generally in conformance with the UDC and the Comprehensive Plan.

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

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

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

Staff finds the proposed plat is in conformance with scheduled public improvements in accord with the City's capital improvement program.

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

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

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

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

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

Staff is unaware of any significant natural, scenic or historic features that need to be preserved with this development.

**Public Hearing continued from January 18, 2024 for Rosalyn
Subdivision (H-2023-0056) by Givens Pursley, LLP., located at 200 E.
Rosalyn Dr.**

- A. Request: Annexation of a 0.014-acre of land from RUT in Ada County to the R-8 zoning district including the remaining portion of E. Rosalyn Street cul-de-sac right-of-way.
- B. Request: Combined Preliminary/Final Plat consisting of 7 residential building lots and 1 common lot on 0.733 acres in the R-8 zoning district.
- C. Request: Alternative Compliance to deviate from the common driveway standards in the UDC 11-6C-3D1.

Seal: All right. With that we will continue Item No. H-2023-0056 for Rosalyn Subdivision and we will begin with the staff report.

Hersh: Good evening, Mr. Chair and Commission Members. The applicant has submitted applications for annexation, combined preliminary/final plat and alternative compliance and staff would like to state that the applicant has officially withdrawn the alternative compliance application. They have revised their plan so it's no longer needed at this time. This site consists of 0.733 acres of land. A small portion of right of way zoned RUT and the larger piece of property is currently zoned R-8 and it is located at 200 East Rosalyn Drive. History on the property is there was a short plat that was approved and a right of way vacation. The comprehensive FLUM designation is low density residential. This property was annexed into the city in 2005 with an R-8 zoning district. The applicant proposes to annex 0.14 of an acre of land with an R-8 zoning district, which includes the remaining portion of East Rosalyn Street cul-de-sac right of way. A legal description exhibit map for the annexation area is included in the application. The property is within the city's area of city impact boundary. The applicant proposes a six lot subdivision for six single family residential detached homes. Since a majority of the property is already annexed and zoned with an R-8 district, staff must analyze the project based on the merits of this governing zoning district. The proposed preliminary plan consists of six building lots, one common lot, with an existing R-8 zoning district -- district. The proposed lots range in size from 4,060 to 5,219 square feet. The subdivision is proposed to develop in one phase. There is an existing home on the property that is proposed to be removed from the site. Any outbuildings located on the site should be removed with development of the property. The proposed plat and subsequent development are required to comply with the dimensional standards listed in the UDC table for the R-8 zoning district and the plat appears to comply with the dimensional standards of this district. Lots taking access from the common -- common drive do not require street frontage. Access is proposed from East Rosalyn Drive, a common drive on Lot 6, Block 1. The interior Lots 3, 4, 5 and 7, Block 1, are proposed to take access via a common drive to East Rosalyn Drive, meeting the street access requirements of the UDC. Common driveways shall serve a maximum of four dwelling units. In no case shall

more than three dwelling units be located on one side of the driveway. The applicant is proposing six dwelling units with four taking access off the common driveway. Three dwelling units are located on one side of the driveway in accordance with the UDC. Off-street parking is required to be provided in accordance with the UDC for single family dwellings based on the number of bedrooms per unit. Staff will confirm compliance with these standards at the time of building permits for each residence. There are no street buffers required along local streets per the UDC table. The applicant has provided a landscape plan, but that is actually not required per the UDC. East Rosalyn Drive is improved with an existing five foot wide sidewalk -- attached sidewalk abutting the site in accordance with the UDC. All fencing is required to comply with the UDC standards. According to the submitting plans the applicant is not proposing fencing for this project at this time and two building -- conceptual building elevations were submitted that demonstrate what future homes in the development would look like. Variations appear to be single story, two-story detached homes with a two car garage are proposed. The submitted elevations depict several different architectural and design styles with field materials of lap siding, different coloring, accent roof profiles, stone and front porches. Written testimony. We have received many letters of public testimony for this application and they are uploaded to the record. Concern center around the proposed number of homes on the lot, the potential increase in traffic and accessibility for emergency access to the private drive to the east. Since then the applicant has revised their plan, so they will not be asking or proposing to take access off the private -- private drive to the east. That's actually part of another subdivision. Staff does recommend approval of the proposed annexation and preliminary plat subject to the conditions in the staff report and this concludes staff's presentation and I stand for any questions.

Seal: All right. Thank you very much. Would the applicant like to come forward? Good evening.

Koeckeritz: Good evening. My name is Elizabeth Koeckeritz. I'm with Givens Pursley. 601 Bannock, Boise, Idaho. I'm here on behalf of the applicant team, which is a husband-wife combo of not professional developers -- actually a veterinarian, Brett and Julie Bingham, and they are the owners of the property. I need to start by first saying thank you to Stacy and Bill. For this being a small in-fill development. There have been a lot of iterations. This has gone back and forth. There has been -- the annexation came up at the last minute that there was a portion that hadn't been annexed yet into the city and so this has just gone around a few times, but I do believe in working with them and really listening to a lot of the neighbors' concerns we have ended up with a really good quality project on this smaller size in-fill lot. Rosalyn Subdivision, as Stacy said, will be a -- well, went way too far. One. It will be a single family community with six single family residential lots on an in-fill. It's really an in-fill lot. It's located within the City of Meridian and the property currently does have that one single family home on it. Wow, this goes quickly. Rosalyn Subdivision is a replat of a portion of the San Gorgonio Subdivision, which was approved by the Meridian City Council in 2020. So, most of the surrounding homes have only been in existence since 2020, 2022, around then. The area here highlighted in yellow is the .01 acres of land that was former ACHD right of way that had never been vacated when the stub street was ultimately pushed through. So, the owners

went through the vacation process with ACHD. They do now own that piece of property, but, then, it was discovered that that piece of property, as well as the rest of the cul-de-sac had never been annexed into the city of Meridian and so that is a large part of the annexation application is really just helping clean up those lot lines and get the small sliver into the city. Here in red you can really see the tiny portion on the top that is part of the Rosalyn Subdivision, as well as the bigger area that's being annexed in. The zoning is -- it is designated medium density residential, except for the small portion of right of way. The main property was annexed in 2005. This -- as I mentioned a lot of it was -- that small portion was not included at that point in time. We are requesting medium density residential zoning. It matches all of the zoning that is around it to the north, to the east, to the south. The only area that is not the R-8 zoning is directly to the west and that is still in unincorporated Ada county. It has not yet been annexed into the city. The lot sizes are between 4,060 square feet and 5,200 square feet, which is really comparable to all of the surrounding lot sizes as well and the home size is proposed to be between about 1,500 and 1,800 square feet. This is an in-fill lot. It's ideally situated for a small housing development. Based on feedback from the neighborhood originally that we proposed seven lots with several of them being townhome style with connected walls between them, as well as there was access going off through another portion of the San Gorgonio -- not sure how you pronounce it -- Subdivision directly to the east. However, due to some questions that came up with the city about what rights were allowed for that access, what weren't, we went back and forth for a while, finally decided it was easier just to not even worry about that. It's currently fenced and it is proposed to remain fenced. There will be no driving through this subdivision to the adjacent properties. This hammerhead style driveway does meet the fire requirements. Additionally, it was mentioned that they were -- one and two-story homes are actually all proposed to be one and a half story homes right now. The preliminary plat, if I can stop on it, it looks very similar to the final plat, because this is a combined. It does qualify for preliminary -- the combined preliminary and final plat process. The dimensions do meet all of the city code standards for the medium density residential R-8 zoning district in the UDC. The application contains all of the requirements for both a preliminary plat and the final plat and it really provides much needed housing in a critical area of Meridian that's easy access to I-84, it's two miles to downtown Meridian and within five miles of the majority of Meridian's employment centers. This is the sort of development that will have smaller sized homes than the last ones that you just saw, but that's by design. The Bingham's have children who they are hoping will be able to move into this sort of neighborhood in the future. There is all the public financial capability to support the project. It will not be a burden on the city. The traffic impacts they are so low that the -- they were not even required to do a traffic impact study with ACHD for a development of this size and it really does help the city attain its housing goals in a very quiet small subdivision. Here you can just sort of see a -- the elevations, the one and a half story homes they are proposing to -- homes that will be designed to complement the surrounding neighborhoods. A Craftsman style home, covered French front porch areas, complementary landscape design. There are smaller more manageable home sizes and it will have attractive landscaping. As an in-fill lot all the public services are available to the property and are able to accommodate the proposed development. Sewer and water are located within Rosalyn Drive. There is sufficient surface water rights for irrigation. It's within the West

Ada School District. Children will attend Sienna Elementary School, Victory Middle School, and Mountain View High School. It is served by the Meridian Fire Department. All other services and utilities are currently available. And with that we are in agreement with all of the conditions of approval and we request a recommendation of approval for the annexation and the combined preliminary and final plat. Stand for questions.

Seal: Okay. Thank you very much. Do we have any questions for the applicant or staff?

Smith: Mr. Chair?

Seal: Commissioner Smith, go ahead.

Smith: Thank you, Mr. Chair. Question for staff. Just understanding that a lot of the surrounding development was somewhat recent, looking at these kind of two dead-end east-west streets, I'm assuming -- are those stubs intended for future development with this currently unannexed property? I'm talking to the -- not within this plat, but to the north and south -- I think it's Amalie Drive and I don't know what the other one is. The north. Blue Lark and Amalie.

Hersh: Mr. Chair, Commissioner Smith, I am actually trying to I guess locate those streets. Is that the one -- I see East Rosalyn Drive.

Smith: Yes. So, if you look at it immediately north and south. So, Blue Lark Court looks like it's to the north and Amalie Drive to the south. They both dead end up against that yellow dotted boundary. I'm just curious if -- I don't know that you know for certain, but based on kind of your expertise or your knowledge of this previous development, do you imagine that those are intended to continue on to the rest of this property and eventual annexation and development?

Hersh: East Blue Lark Court looks like it would go to the property west of it eventually, but isn't a part of this application.

Smith: Okay.

Hersh: And I do see where you are talking about the other drive. Neither one of those are proposed to stub to this property.

Smith: Yeah. I was just asking for context within --

Hersh: Oh.

Smith: -- the broader development. Does that --

Parsons: Mr. Chair, Members of the Commission, yes, those two streets are stub streets that were provided with the Larkspur development and they will serve those Ada county parcels when they come in for annexation and subdivide the property and, then, also I

would mention that Rosalyn Drive is also a local street, so you can see here in this -- this aerial it's -- it's unimproved at this time. So, the curb, gutter, sidewalk will be added to that roadway as well when that -- when those properties annex.

Smith: Thank you.

Seal: I just have a quick question on the -- since these are common drives, there is -- like the trash services and mail services and stuff like that -- I know trash service they -- they don't -- there is no requirement that they service common driveways. So, is that something that's going to be addressed? And for the mailboxes can we just make a common -- one common place to have the mailboxes that everybody comes to?

Hersh: Yes, Chairman Seal, I believe that it has been addressed on the final plat. I would have to confirm. Let's pull it up here. I know we have had multiple conversations with trash to date and that they are working on either having them come in here or being able to just pull these trash bins out onto the street. I believe the most recent discussions were that they would do it within this development. As far as the -- as far as the mail, we can certainly look at providing a mail kiosk location if that's not currently on here.

Seal: Okay. Because common drives are -- they are a necessary evil I guess. So, they are -- and this is an interesting layout. I mean it's -- it's very creative for this piece of property. So, kind of creates a little island in there for your -- you know, a really small set of community, but there are issues with common drives, so -- and those are two of the most common where you have, you know, a couple cars and a common drive and a -- and a trash truck, they don't mix. Makes it difficult for everybody.

Hersh: Commissioner, there will be no parking on the Common Drive.

Seal: Okay. And for clarification, what you mean by one -- one and a half story is basically no more than a bonus room upstairs?

Hersh: That is correct.

Seal: Okay. I have heard it a lot and it's had a couple different meanings, so I just wanted to make sure that's where we are at with it. Any other questions? No? All right. Thank you very much. Madam Clerk.

Lomeli: Mr. Chair, I have a Jan Larrea.

Seal: Good evening, ma'am. I need your name and address for the record, please.

Larrea: Is that working? There. Jan Larrea. 100 East Rosalyn, Meridian. I am the RUT next to it, the five acres, and it -- the development does not really fit that many houses in that smaller place. There is going to be too many cars and they are going to be parking all up and down the street. I don't have sidewalks or gutters, because I'm not in the county, which I -- I mean the city and I won't be until my kids inherit the property and I

have been there since 1975. One of the first ones. And I have seen this go and go and go and it's just -- there is too many. I don't mind them doing something with the property. Three houses would be plenty. They would have a good driveway, good access for fire and everything else, but six is just too many and if you do this you are kind of setting the precedence for me and my children to build 30 houses on my property in the future or the next door across the street. So, it's kind of -- it's just too many. I don't mind people doing with the property what they have, but six is too many and it doesn't fit into the neighborhood and I have cows, so -- and they are going to stink, let me tell you. So, I don't want a bunch of complaining. And that's it. Thank you.

Seal: Thank you very much. Madam Clerk.

Lomeli: Mr. Chair, Paul Pelletier.

Seal: Evening, sir. We need your name and address for the record, please.

Pelletier: Paul Pelletier. 264 East Blue Lark Court. We are on a dead end in the cross-street going out. We have an over amount of cars that are using it and adding that many homes, an average of two cars per home, that's going to put about eight homes and as it is right now people are parking on the street and as far as garbage wise and stuff like that, there is no way they are going to get in there, so it's just too many. Should be probably about three or four. Thank you.

Seal: Thank you very much. Madam Clerk.

Lomeli: Okay. Mr. Chair, Ken Freeze.

Seal: Good evening, sir. I need your name and address.

Freeze: Good evening. My name's Ken Freeze. I live at 195 East Rosalyn and I brought a little presentation for you all.

Seal: All right.

Freeze: And what I'm going to talk about -- and I'm -- I'm speaking for the San Gregorio -- Gregorian -- however you want to pronounce it. I wish they would come up with names that were easy to spell and pronounce, but it is what it is. I do the slides this way. How do I advance? Hit the key? That works. Okay. So, I'm going to talk about why this development needs some changes. First of all, I don't believe that the development is in line with Meridian's own Comprehensive Plan, especially the future land map use map. Too many units in this current R-8 zoning and I will explain why I feel that way and, again, it's out of character for the -- for the street and the neighborhood. One of the things that was said was that the homes in the area were rather recent. Well, actually, homes in the area go back to -- I think 1972. So, there -- it's a -- some of the homes that have been in the area for quite a while, some of them are a little bit more recent, but on average I would say probably the homes are at least ten to 12 years old in that neighborhood. On the

Comprehensive Plan -- I'm sure you are all familiar with, which came about in 2019, as an effective vision and source document for the general public, developers, decision makers. So, you can make reference to utilize to ensure that Meridian is a premier place that we all want to live and that's what I want it to stay. I'm sure that's what you all want to maintain. And, then, we have Idaho Code 67-6511 requires that the zoning district shall be in accordance with the adopted plans. Okay. So, we have a Comprehensive Plan that's been adopted and we have an Idaho Code that says you are supposed to follow it. Mapping future land use is a key component to the Comprehensive Plan. It's right out of the plan. So, that development occurs in the direction and manner most desired by the community. Well, this is what the future land use plan has for this area. Low density. The X there is right in the middle of where this piece of property is. The property to the west, eventually, when it's annexed will be R-2 and the lots directly across the street are essentially R-2 right now. Note that the area outlined in green is already in effect on R-2, which is what I said. Allowing the project to go ahead as planned would just invite developers to come in here and use their R-8 and, basically, really kind of screw up the whole place and it would be a step backwards in the city's own plan. Medium residential. R-8. What does that mean? Well -- and I did a little research and I found out that, you know, most cities for R-8 it's 5,000 square feet for a lot. However, in their wisdom Meridian chose to make it 4,000. But I have it on good authority as to why. The smaller lots may give developers more options in large developments, but the average must still be eight units per acre. So, as we have seen with just the project today, we have got laterals, we have got canals, we have got all sorts of things running all over the place and by giving the developers this -- this 4,000 square foot lot for large projects, mind you, it gives them a lot more versatility. Here is an example of one that was just approved last September. If you look at the fine print down here on area calculations, the smallest lot, a little over 4,000 square feet. However, the average lot size is over 6,000. This is where this was appropriate, the 4,000 lot -- 4,000 square foot lot was appropriate. Oops. However, with six units they are only getting them in here by using the four -- some -- some of the lots will be the 4,000 square foot -- feet. The use of the smaller than 5,000 square foot is I believe an abuse of the intent of the 4,000 foot -- square foot lot size that Meridian Code has set and we -- in this particular case we have four lots that are just a little over 4,000 square feet. Lots of less than 5,000 square feet should not be used in a -- in a development this small when you are talking less than an acre. Again, that -- again, I have it on good authority that the whole purpose of that 4,000 square foot was to give large developments some versatility that's necessary when they are dealing with all sorts of weird shapes, laterals, canals and whatnot. I came across another problem, too, when I was looking at this. I did -- pulled out my calculator did a little math and I found out that what they have for their lots is different than the total amount of square footage in the -- in the area. Now, granted, it's only 21 square feet difference, but it kind of makes me wonder where else are the numbers not quite right in this proposal. So, the neighborhood is all single family homes. Average lot size is over 5,000 square feet. Homes directly across the street are on lots -- the smallest is just under 12,000 square feet to over -- to over 16,000 square feet. That's the -- that's the lots right directly across the street. Three lots to the east, which is the -- the most recent development. There is three lots there. The smallest one is almost 5,500 square feet. Again, I'm saying that the lots inside this particular development are just smaller than they should be. So, the HOA doesn't have

any problems with development of the lot, it's just that six lots -- six homes in this small lot is just too dense for the neighborhood. Not opposed to -- to fewer -- four or fewer single family homes in the lot. Two homes would be great, because that would be right in keeping with the -- with the future land use map, in keeping with the Comprehensive Plan. Fewer homes would fit with the surrounding homes and could actually be a nice addition to the neighborhood. Thank you. Do you have any questions?

Seal: Any questions?

Freeze: Thank you.

Seal: Okay. Madam Clerk.

Lomeli: Mr. Chair, Nick Noslov. Yeah. Sorry.

Seal: Good evening, sir. Need your name and address, please.

Nauslar: Yeah. Good evening, Mr. Chair and Commissioners. My name is Nick Nauslar. I live at 215 East Blue Lark Court in Meridian. I share a fence line on the north part of the proposed property. While I applaud the Bingham's for reducing, you know, the seven duplexes or townhomes that they initially designed for this, it still in my opinion violates the R-8 zoning. If you need eight units per acre you only have .733 acres or if they get this .747 acres, that means at most you could build would be five units. If that's the way it works, I am naive and ignorant how all this works. This is my first planning and zoning meeting. So, if I interpreted that wrong I apologize. And as Ken said, you know, the future zoning is R-2. So, I don't know how much weight that carries in a decision, what the current zoning is versus future zoning, but, obviously, wanted to bring that up. I understand the Bingham's wanting a return on their investment with this property. When we saw them move in and have all their trailers and everything like that and the family, we are like, oh, good, someone is not going to develop that. But, then, we soon found that they were and we get that. There is a need for housing and I one hundred percent respect property rights and people trying to get return on their investment. So, I don't want to impinge on that whatsoever. But like Ken said, five houses would be -- and, you know, the way I interpret the zoning and law would be appropriate. Four would be better. We enjoy our view right now. We have a nice clear view behind us. Less noise. Less cars. Less chance for noisy dogs. But we understand the need for housing in the valley and I think you would have much less resistance if the plan became four houses. And, honestly, if it was five or less I wouldn't feel like I would have much of a leg to stand on for being against it, other than just personal reasons. So, Mr. Chair and the Commissioners, thank you for the time. I would ask you to reject the current plan and ask them to revise it slightly to be in accordance with current zoning or in future zoning. Thank you.

Seal: Thank you very much. Madam Clerk.

Lomeli: Mr. Chair, no one else has signed up.

Seal: Anybody else like to come up and testify? Going once. Going twice. Would the applicant like to come back up.

Koeckeritz: Elizabeth Koeckeritz. 601 Bannock. Givens Pursley. On behalf of the applicant. As we have discussed this subdivision is in absolute conformity with every single requirement of the R-8 zoning district. We are not asking for any deviations. We are not asking for alternative compliance. This subdivision, quite honestly, it fits what was intended for an R-8 development per the code. If you look at this map right here, all of -- it's difficult to read, but all of those homes in green are on lots that are smaller than 5,000 square feet. This is not out of the ordinary for this area. This is absolutely consistent with how the area has been developing. We think that this is a good development. It's a quality development and it takes really good account of this lot size and provides a really nice in-fill location and with that I believe -- make sure -- we -- I mean I guess we could go over -- we do meet numerous goals of the Comprehensive Plan, including all of the goals about -- I have them written down here -- about in-fill development providing a diversity of housing for individuals. Let's go through these. Maximizing public services by prioritizing in-fill development encouraging diverse housing options. This does provide a nice housing option for people. It is going to be a beautiful and high quality development. The list of support from the Comprehensive Plan -- it really does go on and on and so with that we would just ask for a recommendation of approval.

Seal: Okay. Thank you very much. Commissioners, do we have questions, comments?

Smith: Mr. Chair?

Seal: Commissioner Smith.

Smith: Question for the staff and/or applicant. Just curious, again, for context. Do you know what the density of the development -- developed properties, especially to the north of this, whether that's just Blue Lark itself or kind of that entire meandering segment?

Hersh: Chairman Seal, Commissioner Smith, that is an R-8 development. Everything -- if you look on this map here you can see the red is this property and, then, it is surrounded by the R-8 development.

Smith: Specifically I think -- I think, for example, you are also an R-8 and I think the gross per acre is 6.87 I think I saw. Do we have any rough estimate on what the per acre kind of gross is in -- in that R-8 section to the north?

Hersh: Mr. Chair, Commissioner -- Commissioner Smith, Bill is looking that up at this time. I do not know that off the top of my head. But staff would also like to say and reiterate that density doesn't equal zoning. It is what meets the lot sizes for the zone that the applicant is requesting.

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: While -- while Bill is looking at that up, I just -- for context I'm just kind of thumb in the wind looking at this and it -- it generally doesn't seem to me that this deviates too much in terms of density from this property in the north. I mean if you look to the south and to the east there is some deviation for sure. I'm just trying to get a rough estimate of -- obviously the zoning is what the zoning is, but in terms of just getting a better understanding and -- and better context for myself and for every -- the other -- other Commissioners, that's specifically why I'm asking. It looks -- at first glance that this looks kind of in line to me and so I'm trying to square my visual assessment with what the members of the community are saying is why I asked that.

Hersh: Mr. Chair, Members of the Commission, so the -- all of Larkspur is determined to be 4.75 units an acre.

Smith: And you said that's for all of Larkspur, that entire section?

Hersh: That's north.

Smith: Thank you.

Hersh: You are welcome.

Seal: Yeah. I mean the way I kind of square that in my head -- especially with this picture right here -- is if you move that red box up to encompass this -- you know, the homes that are above it, you have got six to eight homes that are going to be within that square. So, you know, I mean that's -- you know, it's -- it's no more or less than that. I mean the only strange thing to it is really the layout. So, I mean it's -- it's either really creative or it's really crowded. You know, I don't know how to explain it any other way. So, I can -- you know -- and, again, common drives, if -- if you have been listening to these as long as I have been here you know I'm not a big fan of them. So, there is -- there are some that have been done very creatively that are -- that are really a good addition to -- to most -- to the subdivisions they are in, but common drives just seem to cause problems in other places, so -- and that is why I brought up the trash service, because it's kind of an afterthought and, then, all of a sudden, you know, people move in and have no way to have that serviced or creates a dangerous situation in doing so. But I will get off that soapbox for certain.

Parsons: Mr. Chair?

Seal: Go ahead.

Parsons: I could just tell this gentleman in the audience his math is right. You did it right. The -- the difficulty that we have here is that when Larkspur -- or this R-8 zoning came into place it was a different plan. It's a different vision. At the time that that

Comprehensive Plan was in effect it allowed for a developer to request a step up in density and so, yes, you see green on a map that says three or less to the acre, but at the time that they received zoning for this property that developer received an approval from City Council that allowed them to come in with the 4,000 square foot lots with an R-8 zone and so once we annex a property and assign it a zone all staff can do is analyze the project based on the dimensional standards of the current zoning designation, which is R-8, and this particular property checks all the boxes. So, that's really our purview tonight. It's not to discuss density. We all consider and say the density is way out of whack from what it is, but what it is is what it is. It's R-8 zoning. The plat conforms to the dimensional standards and the subdivision ordinance. Therefore, we have to recommend approval.

Seal: Okay. Staff. Not us.

Parsons: I just want to clarify that to the audience. It's -- it's -- we hear you. We understand. We hear your argument, but -- so, don't -- we try to get people away from correlating zoning with the zone with the comp plan, because a few years ago when we changed our zoning code we did have maximum density allowances -- requirements in the code and we -- we removed those to allow some -- developer request different zones, but still develop the property in content -- context of the Comprehensive Plan. So, if this were to come in today -- if this was an annexation today we could not be supporting it, because it did not align with the comp plan. But because we have already had previous actions that have set the zoning in place for this property, again, we have to stay -- we just -- all we can do is regulate it based on zoning -- the current zone, not necessarily what the current comp plan is.

Seal: Okay. Appreciate the explanation on that, Bill. Any other questions? All right. Thank you very much. And with that I will take a motion to close the public hearing for File No. H-2023-0056.

Lorcher: So moved.

Rivera: Second.

Seal: It's been moved -- excuse me. Been moved and seconded to close the public hearing for File No. H-2023-0056 for Rosalyn Subdivision. All in favor say aye. Opposed nay? The public hearing is closed.

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Anybody want to go first?

Smith: Mr. Chair?

Seal: Go right ahead.

Smith: Yeah. Some of the -- the reasoning behind some of the questions that I asked specifically, because -- because of the zoning, because of what the developer is entitled to, I wanted to also make sure that, you know, I -- I can personally understand that -- you know, and -- and see how this can be a good fit for the community as well beyond just the -- the zoning and the -- the legal allowance and that being said, looking at all the numbers and things like that, you know, we can say it's -- the zoning is what the zoning is, but I also am of the personal opinion that I think in a context of this RUT eventually at some point in time being developed, that's what those dead-end streets are likely stubbed to be connected to. With all this kind of development that's happening around it, as far as in-fill projects go, some of it's a little creative I think is the word you said, but I think this is relative to other in-fill developments we have seen in similar circumstances I think this is generally a pretty good development and so I understand some of the -- some of the opposition and I get some of the concerns, but I -- I -- again, comparing this to other -- other developments and other proposals, this seems like it's, you know, a -- a decent fit for the community in terms of the rough density, the -- the rough lot sizes and things like that and, yeah, they -- they have to get a little creative with that common drive and why while I share the same animus necessarily -- I don't know if animus is the right word. I am a little common drive skeptical sometimes, but I think this is well done creatively. I think it's done well. I think that's all I will say.

Seal: Okay. Any other comments?

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: In regard to the design, I actually like that two parcels have their drives on Rosalyn Drive and, then, it's a perfect description from Elizabeth as that hammerhead street, which only would service four of them. There is six houses, 12 cars maximum. There is no parking in the streets. The houses are between 1,500 and 1,800 square feet, which would allow a married couple, single -- you know, single people maybe with small children to be in a new starter home, close to the schools, close to downtown. And I like how you made that analogy. If you take that red box and you put it directly north it would be exactly the same six houses. So, I know change is hard and especially with the owner to the parcel to the west who has the cows and her acreage, as well as the ones that we really can't see on this picture of being R-2, it's actually a good transition and I know that's not what you want to hear, but it does actually fit into the Black Spur Way and the Blue Lark Court of what's already happening there. City Council's the ultimate decision maker, so you will be able to have your voice heard again with your concerns, but as we look at the layout of the houses and how it fits into this in-fill project it is a good design based on what is there and what can be put there for an in-fill project.

Seal: Okay. Anything further? I will take a motion. I would entertain any and all.

Lorcher: Mr. Chair?

Seal: Go right ahead.

Lorcher: After considering staff, applicant and public testimony, I move to recommend approval to City Council of File No. H-2023-0056 as presented in the staff report of the hearing date of March 7th, 2024, with no modifications.

Smith: Second.

Seal: It's been moved and seconded to recommend approval of File No. H-2023-0056 for Rosalyn Subdivision with no modifications. All in favor, please, say aye. Opposed nay? Motion passes. Thank you very much.

MOTION CARRIED: SIX AYES. ONE ABSENT