



CITY COUNCIL REGULAR MEETING

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, April 05, 2022 at 6:00 PM

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

Agenda

VIRTUAL MEETING INSTRUCTIONS

To join the meeting online: <https://us02web.zoom.us/j/81427067896>

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

Webinar ID: 814 2706 7896

ROLL CALL ATTENDANCE

___ Jessica Perreault

___ Joe Borton

___ Brad Hoaglund

___ Treg Bernt

___ Liz Strader

___ Luke Cavener

___ Mayor Robert E. Simison

PLEDGE OF ALLEGIANCE

COMMUNITY INVOCATION

ADOPTION OF AGENDA

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

PUBLIC FORUM – Future Meeting Topics

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

PROCLAMATIONS [Action Item]

1. Owyhee High School Boys Basketball State Champions Day

ACTION ITEMS

Public Hearing process: Land use development applications begin with presentation of the project and analysis of the application by Planning Staff. The applicant is then allowed up to 15

minutes to present their project. Members of the public are then allowed up to 3 minutes each to address City Council regarding the application. Citizens acting as a representative of a Homeowner's Association may be allowed up to 10 minutes to speak on behalf of represented homeowners who have consented to yielding their time. After all public testimony, the applicant is allowed up to 10 minutes to respond to questions and comments. City Council members may ask questions throughout the public hearing process. The public hearing is then closed, and no further public comment is heard. City Council may move to continue the application to a future meeting or approve or deny the application. The Mayor is not a member of the City Council and pursuant to Idaho Code does not vote on public hearing items unless to break a tie vote.

- 2. Public Hearing** for Community Development Block Grant Plan Year 2022
- 3. Public Hearing** for Proposed Summer 2022 Fee Schedule of the Meridian Parks and Recreation Department
- 4.** Resolution No. 22-2318: A Resolution Adopting the Summer 2022 Fee Schedule of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date
- 5. Public Hearing** for Meridian Parks and Recreation Department 2022 Pool Fees
- 6.** Resolution No. 22-2319: A Resolution Adopting New Fees of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date
- 7. Public Hearing** Continued from March 15, 2022 for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.
 - A. Request: Annexation and Zoning of 10.058 acres of land from RUT in Ada County to the R-8 zoning district.
 - B. Request: Preliminary Plat consisting of 41 building lots and 7 common lots.
- 8.** Findings of Fact, Conclusions of Law Continued from March 15, 2022 for Friendship Subdivision (H-2021-0083) by Mike Homan, Located Near the Southeast Corner of N. Meridian Rd. and E. Chinden Blvd.
- 9. Public Hearing** Continued from March 15, 2022 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.
 - A. Request: Annexation and Zoning of 80 acres of land with a R-8 zoning district.
 - B. Request: A Preliminary Plat consisting of 294 building lots and 25 common lots.
- 10. Public Hearing** for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, Near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd., North of Compass Charter School

A. Request: Preliminary Plat or 48 building lots (37 single family attached lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot.

B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.

FUTURE MEETING TOPICS

ADJOURNMENT



AGENDA ITEM

ITEM TOPIC: Owyhee High School Boys Basketball State Champions Day



The Office of the Mayor

PROCLAMATION

- Whereas, being an Owyhee High School Boys Basketball player is more than scoring points...
Whereas, this brand-new West Ada school sports program did what no 5A basketball team had done since 1995...
Whereas, Owyhee finished the year on a 20-game winning streak...
Whereas, the Owyhee Storm Basketball team concluded a historic first season...
Whereas, the leadership, training and discipline of coaches...

Therefore, I Mayor Robert E. Simison, hereby proclaim April 5th, 2022 as

Owyhee High School Boys Basketball State Champions Day

in the City of Meridian and call upon the community to join me in congratulating the Owyhee High Storm on their remarkable athletic achievement and for representing Meridian so proudly in the state tournament.

Dated this 5th day of April, 2022

[Signature]
Robert E. Simison, Mayor



- Brad Hoaglun, City Council President
Joe Borton, City Council Vice-President
Treg Bernt, City Council
Luke Cavener, City Council
Jessica Perrault, City Council
Liz Strader, City Council



AGENDA ITEM

ITEM TOPIC: Public Hearing for Community Development Block Grant Plan Year 2022

CDBG Basics

Meridian's CDBG Program receives funding from the U.S. Department of Housing and Urban Development (HUD) to promote decent housing, a suitable living environment, and expanded economic opportunities principally for persons with low to moderate incomes.

There are four (4) main components to the CDBG Program:

1. Consolidated Plan (Con Plan) - identifies the housing and community development needs, especially for its low-moderate income residents, and the strategies and resources to meet those needs over a five-year period.
2. Action Plan – identifies the specific projects and actions that will meet the goals of the Con Plan. This is submitted annually and acts as an application for the next year's funding.
3. Project Implementation – the service/activity occurs over the designated timeframe, typically a program year that runs from October to September. During this time staff processes reimbursement requests, progress reports, and monitors the project.
4. CAPER – outcomes achieved during the implementation of the Consolidated Plan and Action Plans are reported annually in the Consolidated Annual Performance and Evaluation Report (CAPER).

CDBG Projects

All projects are evaluated to ensure the following criteria are met:

- National Goals
 - Provide decent, safe, and sanitary housing
 - Provide a suitable living environment
 - Expand economic opportunities
 - Benefit low-moderate income persons
 - Aid in the prevention or elimination of slums or blight
- National Objectives
 - Low/Mod Benefit
 - Slum/Blight
 - Urgent Need
- Meridian Consolidated Plan – must address the goals identified in the Con Plan.
- Allowable Activity – must be eligible in accordance with the regulations at 570.201–570.207.

Consolidated Plan

When developing a Consolidated Plan, the City must first analyze the needs within Meridian and then propose strategies to meet those needs. The Consolidated Plan and First Year Action Plan consists of the following sections:

- ES - Executive Summary

- PR – The Process
- NA - Needs Assessment
- MA - Market Analysis
- SP - Strategic Plan
- AP – Annual Action Plan 2022

The **Housing Needs Assessment (NA)** and **Housing Market Analysis (MA)** outline levels of relative need in affordable housing, homelessness, special needs, and community development. This information is gathered through several methods, including consultation with local agencies, public outreach, a review of demographic and economic data sets, and a housing market analysis.

The **Strategic Plan (SP)** details how the City will address its priority needs and utilize funding over the next five years. The strategies must reflect the current condition of the market, expected availability of funds, and local capacity to administer the plan. The **Annual Action Plan (AAP)** describes funding and projects for the upcoming year and gives a more specific look into how the program will operate.

The City utilized the following analysis to further gather information about the needs in Meridian:

- Analysis of Impediments to Fair Housing (AI) – reviews housing challenges and fair housing issues in the city and broader region. This document is typically completed on a 5-year cycle in conjunction with the Consolidated Plan.
- Analysis of Built Environment – evaluates the impact of Meridian’s built environment on the health of its citizens, particularly in LMI areas.

Housing Stability

The definitions of “homeless” and “at risk of homelessness” used by the U.S. Department of Housing and Urban Development (HUD) are derived from the McKinney-Vento Homeless Assistance Act, as amended by the Homeless Emergency Assistance and Rapid Transition to Housing (HEARTH) Act of 2009.

The definition of those who are **experiencing homelessness** includes:

1. An individual or family who lacks a fixed, regular, and adequate nighttime residence, such as those living in emergency shelters, transitional housing, or places not meant for habitation, **or**
2. An individual or family who will imminently lose their primary nighttime residence (within 14 days), provided that no subsequent housing has been identified and the individual/family lacks support networks or resources needed to obtain housing, **or**
3. Unaccompanied youth under 25 years of age, or families with children and youth who qualify under other Federal statutes, such as the Runaway and Homeless Youth Act, have not had a lease or ownership interest in a housing unit in the last 60 or more days, have had two or more moves in the last 60 days, and who are likely to continue to be unstably housed because of disability or multiple barriers to employment, **or**
4. An individual or family who is fleeing or attempting to flee domestic violence, has no other residence, and lacks the resources or support networks to obtain other permanent housing

The definition of those who are **at risk of homelessness** includes individuals and families who:

1. Have an annual income below 30 percent of median family income for the area, as determined by HUD, **and**
2. Do not have sufficient resources or support networks, immediately available to prevent them from moving to an emergency shelter or place not meant for habitation, **and**
3. Exhibit one or more risk factors of homelessness, including recent housing instability or exiting a publicly funded institution or system of care such as foster care or a mental health facility

Potential Goals and Priority Needs

This section is a draft of the goals and priorities that will be submitted in the Con Plan for approval.

Priority Needs

The following priority needs were identified in the City of Meridian’s Consolidated Plan to guide funding allocations during the five-year planning cycle.

Provide Decent Housing

A decent place to live removes the barriers to opportunity, success, and health that have been part of a family's life for years, if not generations. Creating safe and decent places to live can have incredibly positive effects on a family's health, on the study habits of students, and a neighborhood's overall attractiveness and stability. Decent housing includes a spectrum of solutions: new construction, repair, and renovation, housing finance, infrastructure development, secure land tenure, among others.

Create a Suitable Living Environment

A good living environment is essential for good quality of life. A functional and sound living environment allows different people to lead their daily lives and fulfill their basic needs: living, services, working, recreation, hobbies, and rest and privacy.

Expand Opportunities for LMI Persons

Expanding opportunities to low- and moderate-income persons helps to foster local economic development, neighborhood improvement, and individual self-sufficiency.

Goals

To address these needs, the Meridian CDBG Program identified the following goals for the 2022-2026 Consolidated Plan. These goals will guide the activity selection for the duration of this plan.

Goal	Description	Potential Projects
<i>Public Facilities and Improvements</i>	Public Facilities and Improvements are publicly-owned facilities and infrastructure such as streets, playgrounds, underground utilities,	Meridian's goal to improve and expand public facilities may include, but is not limited to:

	<p>and buildings owned by non-profits open to the general public. Safe and accessible infrastructure is essential to the quality of life and building communities that support community diversity and stability. In general, public facilities and public improvements are interpreted to include all facilities and improvements that are publicly owned or owned by a nonprofit and open to the general public. Acquisition, construction, reconstruction, rehabilitation, and installation of public facilities and improvements are eligible activities.</p>	<ul style="list-style-type: none"> • ADA Improvements • Senior Centers • Homeless and Domestic Violence Facilities • Neighborhood Facilities • Health Facilities
<i>Public Infrastructure</i>	<p>Public Infrastructure Improvements will focus on safe and accessible infrastructure essential to the quality of life and building communities that support community diversity and stability. In general, public infrastructure improvements will include acquisition, construction, reconstruction, and installation of public infrastructure.</p>	<p>Meridian's goal to improve and expand public infrastructure may include, but is not limited to:</p> <ul style="list-style-type: none"> • ADA Improvements • Sidewalks • Curb cuts
<i>Public Services</i>	<p>Public services are an integral part of a comprehensive community development strategy. Public Service activities provide for a wide range of activities that address needs in the community provided for the target population. Public services can strengthen communities by addressing the needs of specific populations. They can address a range of individual needs and increase CDBG dollars' impact by complementing other activities.</p>	<p>Meridian's goal to improve and provide public services may include, but is not limited to:</p> <ul style="list-style-type: none"> • Employment services • Crime prevention and public safety • Child care • Health services • Substance use services • Fair housing counseling • Education programs • Energy conservation • Services for homeless persons • Services for seniors • Welfare services (excluding income payments)

	<p>The City of Meridian may allocate up to 15% of CDBG funds to public services programs that provide supportive services to low- to moderate-income persons or prevent homelessness. In general, these services are provided by local non-profit partners. This funding is capped at 15% of the CDBG entitlement plus program income.</p>	<ul style="list-style-type: none"> • Down payment assistance • Recreational services
<p><i>Housing</i></p>	<p>The City prioritized goals and objectives for using CDBG funding to strategically and effectively benefit low- and moderate-income residents by increasing access to decent housing and creating a suitable living environment while expanding economic opportunities for LMI persons. Meridian is committed to improving and expanding access to safe and affordable housing for low- and moderate-income (LMI) residents. Affordable and safe housing helps to provide financial stability, reduces the chances of a person becoming homeless, and promotes housing sustainability.</p>	<p>Meridian's projects to improve housing sustainability may include, but are not limited to:</p> <ul style="list-style-type: none"> • Homeownership Assistance • Rehabilitation (single-unit residential and/or multi-family residential) • Energy efficiency improvements • Acquisition • The administrative cost for rehabilitation activities • Lead-based paint testing/abatement • Housing counseling
<p><i>Program Administration</i></p>	<p>General Administrative funds will pay reasonable program administrative costs and carrying charges related to the planning and execution of community development activities. Administering federal funds and ensuring compliance is critical for utilizing Federal resources. Meridian is committed to using CDBG entitlement funding for administration to help to continue growing a community development</p>	<p>Meridian may have administration projects that include, but are not limited to:</p> <ul style="list-style-type: none"> • General management, oversight, and coordination • Providing local officials and citizens with information about the CDBG program • Preparing budgets and schedules • Preparing reports and other HUD-required documents • Program planning • Public Information • Monitoring program activities

<p>program that is efficient, effective, and resourceful.</p>	<ul style="list-style-type: none"> • Fair Housing activities • Indirect costs • Submission of applications for Federal programs
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Applying for CDBG

The Meridian Community Development Block Grant (CDBG) Program opens two competitive applications each year.

- Public Service Application – available from April 1 to April 30.
- Housing, Public Facility, and Infrastructure Application – requires a higher level of review to ensure projects are eligible and viable, so it has an added Notice of Intent (NOI) to apply requirement. If the project appears to be a good fit, the organization will be invited to complete the full application. The NOI is available from March 1 to March 15 and the complete application is available from April 6 to May 6.

Applications are evaluated using: 1) Project Eligibility Determination to ensure the project meets the basic federal guidelines; 2) Pre-Award Risk Assessment to determine the level of risk associated with the project; and, 3) Notice of Intent Evaluation to determine if the project falls within the guidelines of the Consolidated Plan. If the applications meet all of the criteria they are reviewed by a scoring committee who will evaluate and score the application. These scores will determine the rank of proposed projects.

Meridian divides funding into four (4) categories:

- Admin (20% cap)
- Public Services (15% cap)
- Housing
- Public Facilities and Improvements

The City typically funds 4-7 projects per year.

Important Dates

- April 30/May 6 – Applications are due.
- May – Applications scored and ranked.
- June 24 to July 29 – Con Plan and Action Plan (including ranked projects) are open for public comment.
- June 28 – Con Plan and Action Plan presented to Council.
- July 26 – Public hearing for Con Plan and Action Plan.
- August 2 – Resolution on consent agenda.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Proposed Summer 2022 Fee Schedule of the Meridian Parks and Recreation Department

CITY OF MERIDIAN

RESOLUTION NO. _____

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER

A RESOLUTION ADOPTING NEW FEES OF THE MERIDIAN PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE MERIDIAN PARKS AND RECREATION DEPARTMENT TO COLLECT SUCH FEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following publication of notice in the *Meridian Press* on March 13, 2022 and March 20, 2022, according to the requirements of Idaho Code section 63-1311A, on April 5, 2022 the City Council of the City of Meridian held a hearing on the adoption of proposed new fees of the Meridian Parks and Recreation Department, as set forth in *Exhibit A* hereto; and

WHEREAS, following such hearing, the City Council, by formal motion, did approve said proposed new fees of the Meridian Parks and Recreation Department;

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

Section 1. That the 2022 Summer Fee Schedule of the Meridian Parks and Recreation Department, as set forth in *Exhibit A* hereto, is hereby adopted.

Section 2. That the fees adopted for the 2022 Summer Activity Guide shall remain in effect as to those classes until such classes are concluded, at which point the fees set forth in *Exhibit A* hereto shall supersede any and all fees for the enumerated services previously adopted.

Section 3. That the Meridian Parks and Recreation Department is hereby authorized to implement and carry out the collection of said fees.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the City Council of the City of Meridian, Idaho, this ___ day of Apr. 2022.

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

APPROVED:

Robert Simison, Mayor
ATTEST:

Chris Johnson, City Clerk

**CITY OF MERIDIAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the ordinances of the City of Meridian and the laws of the State of Idaho, that the City Council of the City of Meridian will hold a public hearing at **6:00 p.m. on Tuesday, April 5, 2022**, at Meridian City Hall, 33 East Broadway Avenue, Meridian, Idaho, regarding proposed new and amended fees as set forth below. Further information is available at the Parks & Recreation Department at Meridian City Hall, 33 East Broadway Avenue, Meridian, Idaho. Any and all interested persons shall be heard at the public hearing. Written testimony is welcome; written materials should be submitted to the City Clerk. All testimony and materials presented shall become property of the City of Meridian. For auditory, visual, or language accommodations, please contact the City Clerk’s Office at (208) 888-4433 at least 48 hours prior to the public hearing. Proposed new or amended fees:

EXHIBIT A

2022 Summer Activity Guide Class Fees:	
Touch the Sky – Public Tree Climb	\$20.00 - \$30.00
Motions Cheer Camp	\$30.00
Motions Medley Class	\$50.00
Enchanted Dance Classes	\$40.00 - \$45.00
Motions Dairy Days Dancing Parade Camp	\$40.00
Motions Tumbling Camp	\$30.00 - \$45.00
Amazing Athletes	\$75.00
Little Pallet Art Classes	\$20.00 - \$80.00
Introduction to Rock Climbing	\$200.00
Martial Arts for All Ages, Beginning & Intermed. /Advanc.	\$40.00
Kendo: Japanese Fencing	\$70.00
Lego Camps	\$70.00 - \$85.00
Introduction to the sport of Fencing	\$120.00
Dance Like an Egyptian	\$40.00
Belly Dance	\$50.00
Teen Art and Anime Camp	\$165.00
CPR/First Aid/AED	\$50.00
Outdoor Adventure Camp	\$120.00 - \$200.00
Let’s Play Sports Camp	\$28.00 - \$48.00
Tiny Tots Tennis Lessons	\$58.00
Junior Tennis Lessons	\$58.00
Camp Mer-IDA-Moo	\$75.00 - \$125.00
Young Rembrandt Art Classes	\$65.00 - \$125.00
Yoga – All Levels	\$50.00
Yoga – Gentle Yoga	\$50.00
Yoga – Unlimited Yoga	\$70.00
Somatic Yoga & Gentle Stretch	\$50.00

Item #3.

Intro to Yoga Workshop	\$12.00
Jazzercise	\$69.00
Pickleball 101	\$80.00
Line Dancing – Beginner	\$24.00 - \$30.00
Line Dancing – Intermediate	\$24.00 - \$30.00
Line Dancing- Improver	\$24.00 - \$30.00
Line Dancing – Choose your dates option	\$65.00
Intermediate 2-step	\$40.00 - \$50.00
Intro to Dance	\$40.00 - \$50.00
West Coast Swing	\$40.00 - \$50.00
Couples Social Dance- Optional Days	\$105.00
Prime Time Health Classes	\$25.00 - \$50.00
Cornhole for Beginners	\$15.00 - \$25.00
Digital Photography	\$75.00
The Photographers Eye	\$75.00
Starlight Mt. Theater	\$27.00
Whitewater Rafting- Full Day Trip	\$95.00
Whitewater Rafting- Half Day Trip	\$55.00

DATED this ____ day of _____, 2022.

Chris Johnson, CITY CLERK

PUBLISH on March 13 and March 20.



AGENDA ITEM

ITEM TOPIC: Resolution No. 22-2318: A Resolution Adopting the Summer 2022 Fee Schedule of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date

CITY OF MERIDIAN

RESOLUTION NO. 22-2318

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER

A RESOLUTION ADOPTING NEW FEES OF THE MERIDIAN PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE MERIDIAN PARKS AND RECREATION DEPARTMENT TO COLLECT SUCH FEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following publication of notice in the *Meridian Press* on March 13, 2022 and March 20, 2022, according to the requirements of Idaho Code section 63-1311A, on April 5, 2022 the City Council of the City of Meridian held a hearing on the adoption of proposed new fees of the Meridian Parks and Recreation Department, as set forth in *Exhibit A* hereto; and

WHEREAS, following such hearing, the City Council, by formal motion, did approve said proposed new fees of the Meridian Parks and Recreation Department;

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

Section 1. That the 2022 Summer Fee Schedule of the Meridian Parks and Recreation Department, as set forth in *Exhibit A* hereto, is hereby adopted.

Section 2. That the fees adopted for the 2022 Summer Activity Guide shall remain in effect as to those classes until such classes are concluded, at which point the fees set forth in *Exhibit A* hereto shall supersede any and all fees for the enumerated services previously adopted.

Section 3. That the Meridian Parks and Recreation Department is hereby authorized to implement and carry out the collection of said fees.

Section 4. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the City Council of the City of Meridian, Idaho, this ___ day of Apr. 2022.

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

APPROVED:

Robert Simison, Mayor
ATTEST:

Chris Johnson, City Clerk

**CITY OF MERIDIAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the ordinances of the City of Meridian and the laws of the State of Idaho, that the City Council of the City of Meridian will hold a public hearing at **6:00 p.m. on Tuesday, April 5, 2022**, at Meridian City Hall, 33 East Broadway Avenue, Meridian, Idaho, regarding proposed new and amended fees as set forth below. Further information is available at the Parks & Recreation Department at Meridian City Hall, 33 East Broadway Avenue, Meridian, Idaho. Any and all interested persons shall be heard at the public hearing. Written testimony is welcome; written materials should be submitted to the City Clerk. All testimony and materials presented shall become property of the City of Meridian. For auditory, visual, or language accommodations, please contact the City Clerk’s Office at (208) 888-4433 at least 48 hours prior to the public hearing. Proposed new or amended fees:

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Motions Cheer Camp	\$30.00
Motions Medley Class	\$50.00
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Motions Dairy Days Dancing Parade Camp	\$40.00
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Martial Arts for All Ages, Beginning & Intermed. /Advanc.	\$40.00
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Dance Like an Egyptian	\$40.00
Belly Dance	\$50.00
Teen Art and Anime Camp	\$165.00
CPR/First Aid/AED	\$50.00
Outdoor Adventure Camp	\$120.00 - \$200.00
Let’s Play Sports Camp	\$28.00 - \$48.00
Tiny Tots Tennis Lessons	\$58.00
Junior Tennis Lessons	\$58.00
Camp Mer-IDA-Moo	\$75.00 - \$125.00
Young Rembrandt Art Classes	\$65.00 - \$125.00
Yoga – All Levels	\$50.00
Yoga – Gentle Yoga	\$50.00
Yoga – Unlimited Yoga	\$70.00
Somatic Yoga & Gentle Stretch	\$50.00

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Line Dancing – Intermediate	\$24.00 - \$30.00
Line Dancing- Improver	\$24.00 - \$30.00
Line Dancing – Choose your dates option	\$65.00
Intermediate 2-step	\$40.00 - \$50.00
Intro to Dance	\$40.00 - \$50.00
West Coast Swing	\$40.00 - \$50.00
Couples Social Dance- Optional Days	\$105.00
Prime Time Health Classes	\$25.00 - \$50.00
Cornhole for Beginners	\$15.00 - \$25.00
Digital Photography	\$75.00
The Photographers Eye	\$75.00
Starlight Mt. Theater	\$27.00
Whitewater Rafting- Full Day Trip	\$95.00
Whitewater Rafting- Half Day Trip	\$55.00

DATED this 13th day of March, 2022.

Chris Johnson, CITY CLERK

PUBLISH on March 13 and March 20.



AGENDA ITEM

ITEM TOPIC: Public Hearing for Meridian Parks and Recreation Department 2022 Pool Fees

CITY OF MERIDIAN

RESOLUTION NO. _____

BY THE CITY COUNCIL:

BERNT, BORTON, CAVENER,
HOAGLUN, PERREAULT, STRADER

A RESOLUTION ADOPTING NEW FEES OF THE MERIDIAN PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE MERIDIAN PARKS AND RECREATION DEPARTMENT TO COLLECT SUCH FEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following publication of notice in the *Idaho Press* on March 25, 2022 and April 1, 2022, according to the requirements of Idaho Code section 63-1311A, on April 5, 2022 the City Council of the City of Meridian held a hearing on the adoption of proposed new fees of the Meridian Parks and Recreation Department, as set forth in *Exhibit A* hereto; and

WHEREAS, following such hearing, the City Council, by formal motion, did approve said proposed new fees of the Meridian Parks and Recreation Department;

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

Section 1. That the fees set forth in *Exhibit A* hereto are hereby adopted.

Section 2. That the Meridian Parks and Recreation Department is hereby authorized to implement and carry out the collection of said fees.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the City Council of the City of Meridian, Idaho, this ____ day of April, 2022.

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

APPROVED:

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

EXHIBIT A

SWIMMING POOL FEE SCHEDULE

Swim Lessons	Fee
Group Lesson	\$42.45 plus tax = \$45.00/child
Private lesson	\$94.34 plus tax = \$100.00/child
Semi-Private	\$141.51 plus tax = \$150.00/2 children
Open Swim or Lap Swim	Fee
Adult (18+)	\$3.77 plus tax = \$4.00
Ages 4-17	\$2.83 plus tax = \$3.00
3 and under	\$1.89 plus tax = \$2.00
Season Pass	Fee
Family of 4	\$150.94 plus tax = \$160.00
Each additional family member	\$18.87 plus tax = \$20.00
Private Party	Fee
1-50 people	\$141.51 plus tax = \$150.00/hour
50-100 people	\$188.68 plus tax = \$200.00/hour
100-150 people	\$283.02 plus tax = \$300.00/hour
Party room (30 people max)	\$47.17 plus tax = \$50.00/hour
Swim Team	Fee
Swim Meet	\$1132.07 plus tax = \$1,200.00/meet
Practice	Lifeguards' hourly rate

**CITY OF MERIDIAN
NOTICE OF PUBLIC HEARING**

NOTICE IS HEREBY GIVEN, pursuant to the ordinances of the City of Meridian and the laws of the State of Idaho, that the City Council of the City of Meridian will hold a public hearing at **6:00 p.m., on Tuesday, April 5, 2022**, at Meridian City Hall, 33 East Broadway Avenue, Meridian, Idaho, regarding proposed new fees as set forth below. Further information is available at the Parks & Recreation Department at Meridian City Hall, 33 East Broadway Avenue, Meridian, Idaho. Any and all interested persons shall be heard at the public hearing. Written testimony is welcome; written materials should be submitted to the City Clerk. All testimony and materials presented shall become property of the City of Meridian. For auditory, visual, or language accommodations, please contact the City Clerk’s Office at (208) 888-4433 at least 48 hours prior to the public hearing. Proposed new fees:

Swim Lessons	Fee
Group Lesson	\$42.45 plus tax = \$45.00/child
Private lesson	\$94.34 plus tax = \$100.00/child
Semi-Private	\$141.51 plus tax = \$150.00/2 children
Open Swim or Lap Swim	Fee
Adult (18+)	\$3.77 plus tax = \$4.00
Ages 4-17	\$2.83 plus tax = \$3.00
3 and under	\$1.89 plus tax = \$2.00
Season Pass	Fee
Family of 4	\$150.94 plus tax = \$160.00
Each additional family member	\$18.87 plus tax = \$20.00
Private Party	Fee
1-50 people	\$141.51 plus tax = \$150.00/hour
50-100 people	\$188.68 plus tax = \$200.00/hour
100-150 people	\$283.02 plus tax = \$300.00/hour
Party room (30 people max)	\$47.17 plus tax = \$50.00/hour
Swim Team	Fee
Swim Meet	\$1132.07 plus tax = \$1,200.00/meet
Practice	Lifeguards’ hourly rate

DATED this ____ day of _____, 2022.

Chris Johnson, CITY CLERK

PUBLISH on March 25, 2022 and April 1, 2022.



AGENDA ITEM

ITEM TOPIC: Resolution No. 22-2319: A Resolution Adopting New Fees of the Meridian Parks and Recreation Department; Authorizing the Meridian Parks and Recreation Department to Collect Such Fees; and Providing an Effective Date

CITY OF MERIDIAN

RESOLUTION NO. 22-2319

BY THE CITY COUNCIL:

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

A RESOLUTION ADOPTING NEW FEES OF THE MERIDIAN PARKS AND RECREATION DEPARTMENT; AUTHORIZING THE MERIDIAN PARKS AND RECREATION DEPARTMENT TO COLLECT SUCH FEES; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following publication of notice in the *Idaho Press* on March 25, 2022 and April 1, 2022, according to the requirements of Idaho Code section 63-1311A, on April 5, 2022 the City Council of the City of Meridian held a hearing on the adoption of proposed new fees of the Meridian Parks and Recreation Department, as set forth in *Exhibit A* hereto; and

WHEREAS, following such hearing, the City Council, by formal motion, did approve said proposed new fees of the Meridian Parks and Recreation Department;

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

Section 1. That the fees set forth in *Exhibit A* hereto are hereby adopted.

Section 2. That the Meridian Parks and Recreation Department is hereby authorized to implement and carry out the collection of said fees.

Section 3. That this Resolution shall be in full force and effect immediately upon its adoption and approval.

ADOPTED by the City Council of the City of Meridian, Idaho, this ____ day of April, 2022.

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

APPROVED:

Robert E. Simison, Mayor

ATTEST:

Chris Johnson, City Clerk

EXHIBIT A

SWIMMING POOL FEE SCHEDULE

Swim Lessons	Fee
Group Lesson	\$42.45 plus tax = \$45.00/child
Private lesson	\$94.34 plus tax = \$100.00/child
Semi-Private	\$141.51 plus tax = \$150.00/2 children
Open Swim or Lap Swim	Fee
Adult (18+)	\$3.77 plus tax = \$4.00
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Family of 4	\$150.94 plus tax = \$160.00
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Party room (30 people max)	\$47.17 plus tax = \$50.00/hour
Swim Team	Fee
Swim Meet	\$1132.07 plus tax = \$1,200.00/meet
Practice	Lifeguards' hourly rate



AGENDA ITEM

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

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

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



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: April 5, 2022

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

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

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

Information Resources:

[Click Here for Application Materials](#)

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

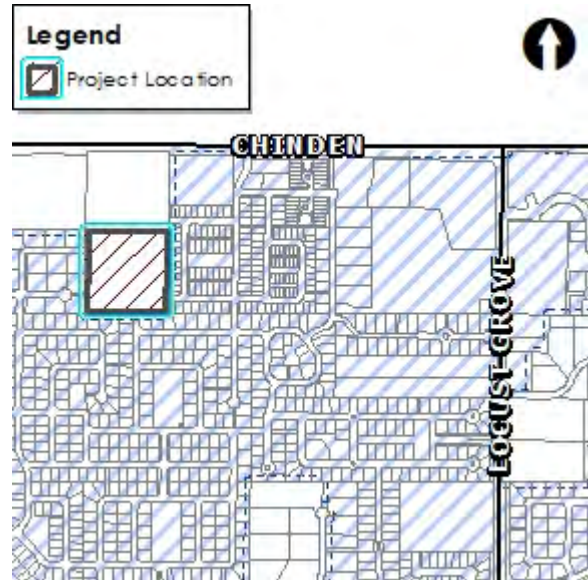
STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 3/15/2022
 TO: Mayor & City Council
 FROM: Alan Tiefenbach
 208-884-5533

SUBJECT: AZ, PP - H-2021-0083
 Friendship Subdivision

LOCATION: 6168 N. Elk Ranch Ln, located near the southeast corner of N. Meridian Rd and E. Chinden Blvd.



I. PROJECT DESCRIPTION

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

II. SUMMARY OF REPORT

A. Project Summary

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

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

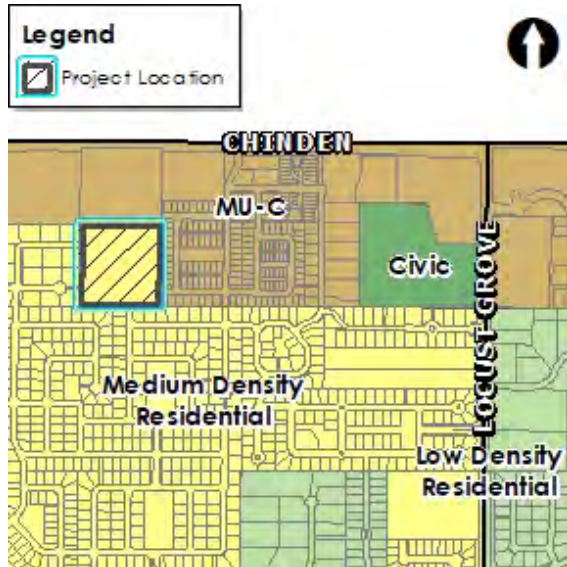
B. Community Metrics

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

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

C. Project Area Maps

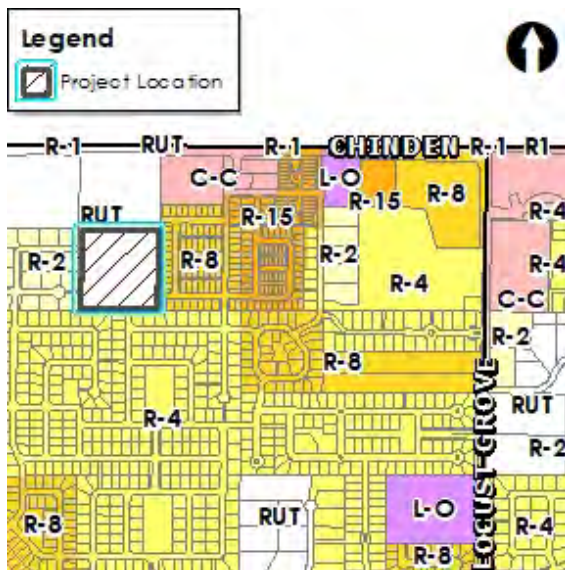
Future Land Use Map



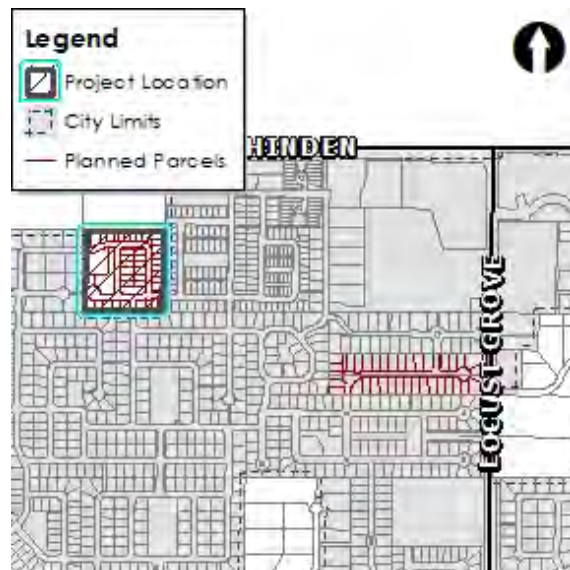
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

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

B. Owner:

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

IV. NOTICING

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

V. STAFF ANALYSIS

A. Annexation:

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

B. Zoning

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

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

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

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

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

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

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

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

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

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

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

Qualified open space and amenities are discussed below.

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

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

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

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

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

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

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

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

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

E. Existing Structures/Site Improvements:

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

F. Proposed Use Analysis:

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

G. Dimensional Standards (UDC 11-2):

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

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

There are no common driveways proposed with this subdivision.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

VI. DECISION

A. Staff:

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

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

1. Summary of the Commission public hearing:

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

2. Key issue(s) of public testimony:

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

VII. EXHIBITS

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



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

**Friendship Subdivision
Boundary Description**

30 September 2021

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

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

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

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

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

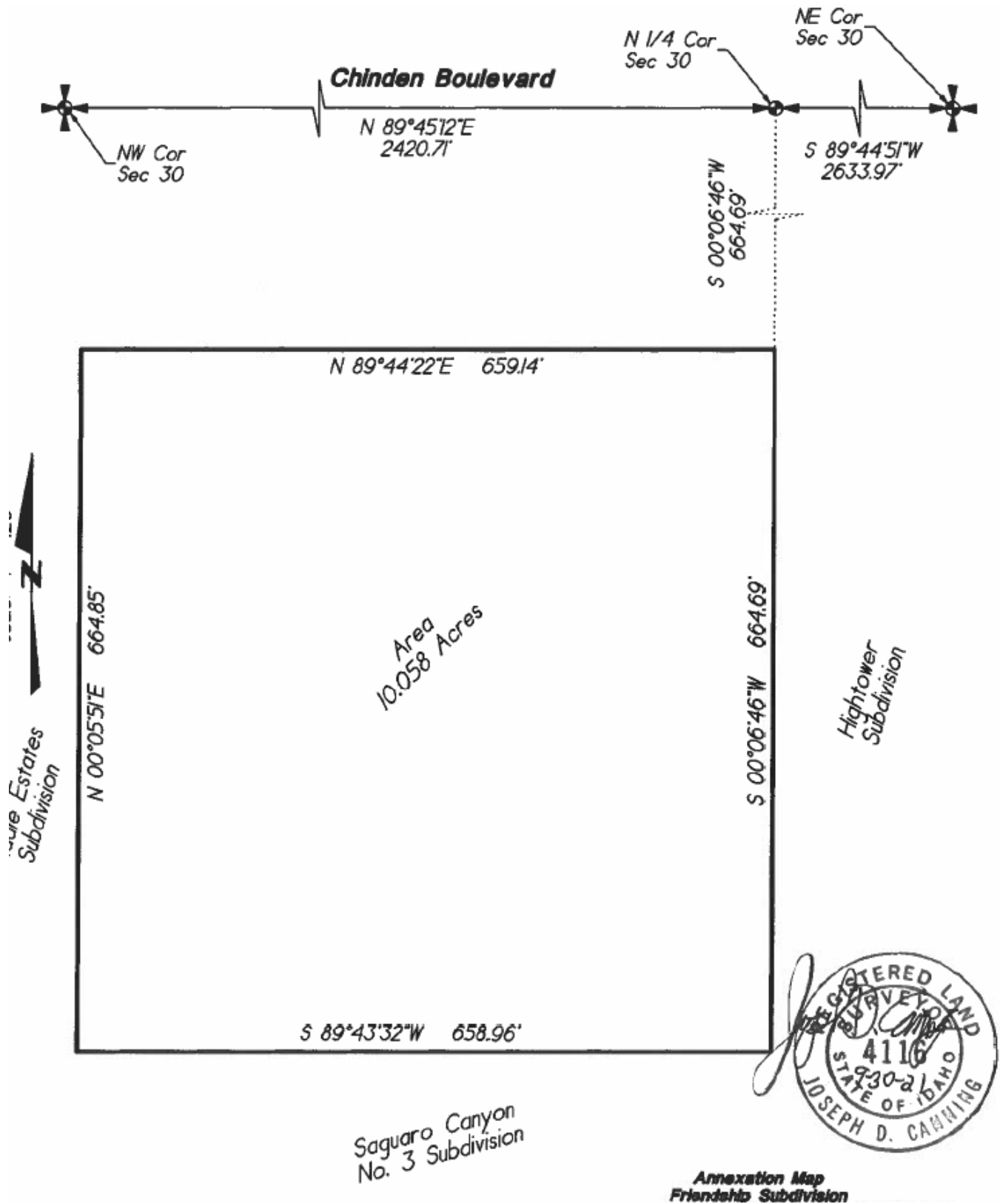
Thence N89°44'22"E, 659.14 feet along the northerly boundary of said Lot 2 to the **Point of Beginning**.

Comprising 10.058 Acres, more or less.

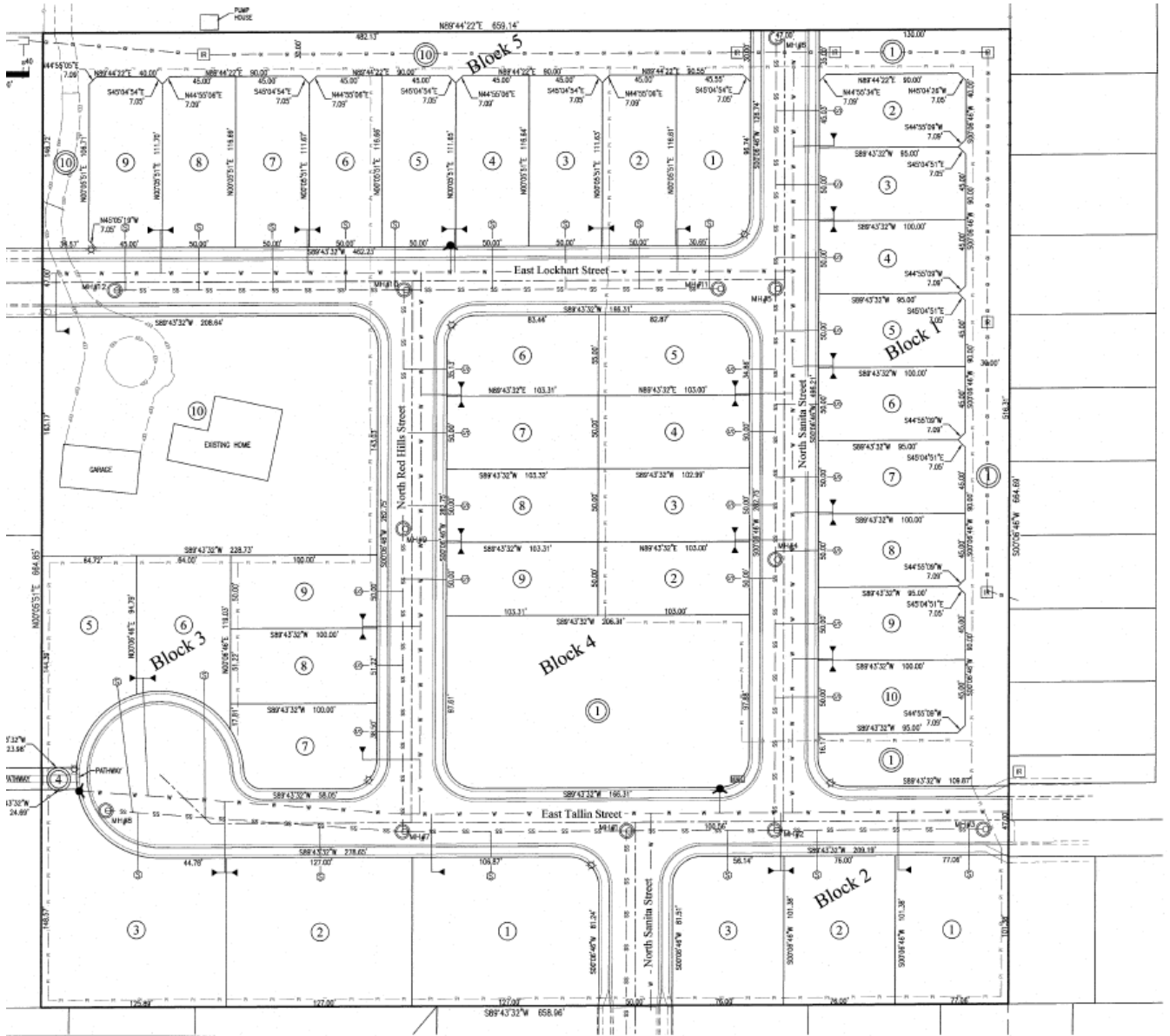
Subject to all existing easements and rights-of-way of record or apparent.



Proud to be Serving

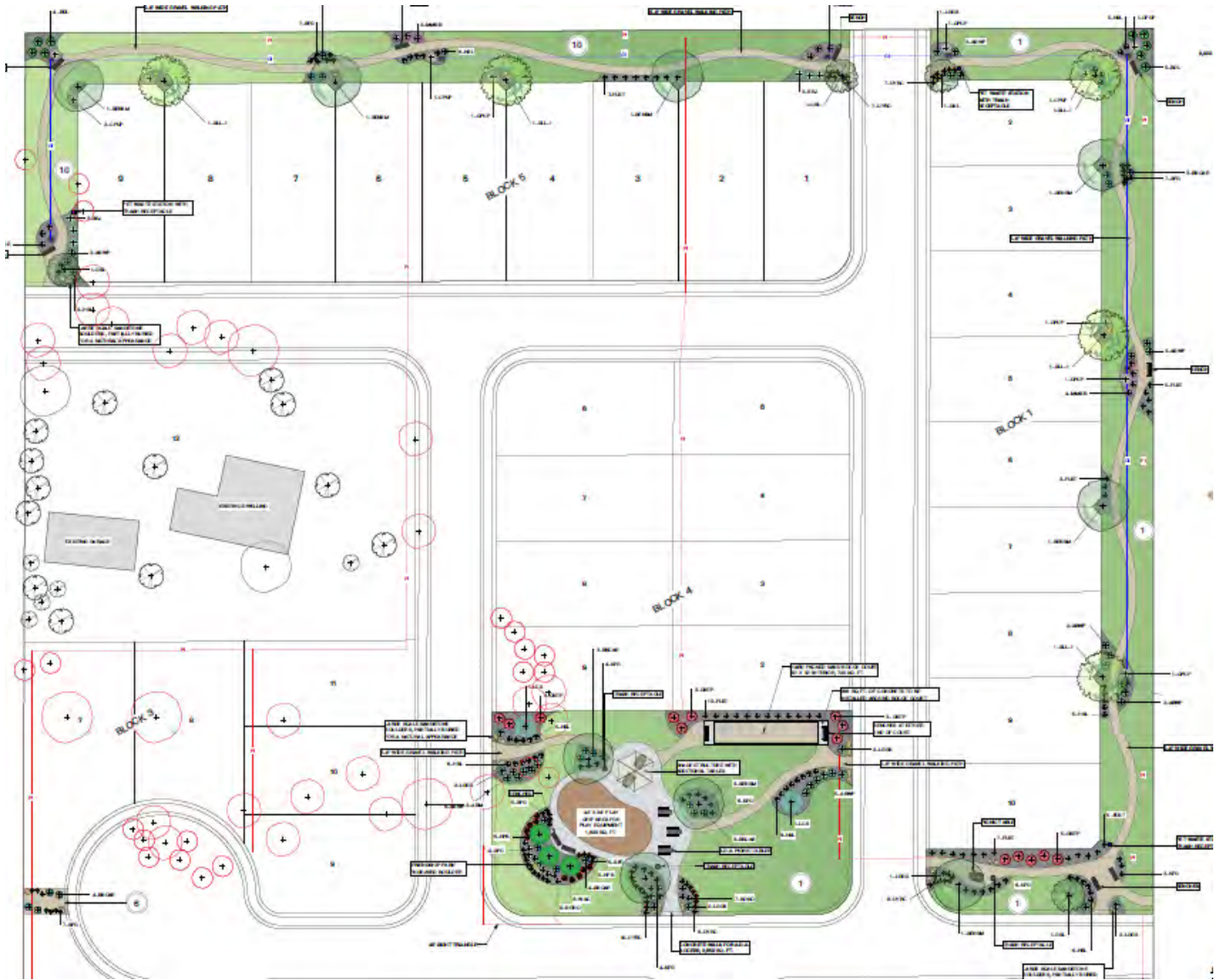


B. Preliminary Plat (date: 12/17/2021 2/22/2022)



Local Street Section	Setback/Zoning Table	Land Use Calculations	Underground Utility Note																				
	<table border="1"> <tr> <td>PROPOSED ZONE</td> <td>R-8</td> </tr> <tr> <td>MINIMUM LOT AREA - INTERIOR LOT</td> <td>4,000 SF</td> </tr> <tr> <td>MINIMUM LOT AREA - CORNER LOT</td> <td>4,000 SF</td> </tr> <tr> <td>FRONT YARD SETBACK</td> <td>10 FEET</td> </tr> </table>	PROPOSED ZONE	R-8	MINIMUM LOT AREA - INTERIOR LOT	4,000 SF	MINIMUM LOT AREA - CORNER LOT	4,000 SF	FRONT YARD SETBACK	10 FEET	<table border="1"> <tr> <td>DESCRIPTION</td> <td>AREA (ACRES)</td> <td>PERCENTAGE</td> </tr> <tr> <td>PROJECT</td> <td>10.06</td> <td>100%</td> </tr> <tr> <td>RESIDENTIAL LOTS</td> <td>8.19</td> <td>61.6%</td> </tr> <tr> <td>QUALIFIED OPEN SPACE AREA LOTS</td> <td>1.41</td> <td>14.0%</td> </tr> </table>	DESCRIPTION	AREA (ACRES)	PERCENTAGE	PROJECT	10.06	100%	RESIDENTIAL LOTS	8.19	61.6%	QUALIFIED OPEN SPACE AREA LOTS	1.41	14.0%	<p>THE UNDERGROUND UTILITIES SHOWN HAVE BE LOCATED FROM FIELD SURVEY INFORMATION AN EXISTING DRAWINGS. THE SURVEYOR MAKES A GUARANTEE THAT THE UNDERGROUND UTILITIES COMPRISE ALL SUCH UTILITIES IN THE AREA. S DEVELOPER IS RESPONSIBLE FOR VERIFYING THIS</p>
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C. Landscape Plan (date: ~~12/27/2021~~ 1/31/2022)



CONCEPT PHOTO - WOODEN PLAY SYSTEM 40'x40' LBS. ZONE REQUIRED



CONCEPT PHOTO - HOSKINS TOP SHED/STRUCTURE OF 10'x10'



CONCEPT PHOTO - WOODEN TABLE AND BENCHES A RECTANGULAR AND SQUARE FOR MULTIPLE USE





CONCEPT PHOTO - WASHINGTON BENCH 60"X18"X30" HIGH

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



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

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

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



H. Conceptual Elevations



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

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

- ~~e. Details of the proposed amenities shall be included on the landscape plan.~~
- ~~d. The plan shall note all existing trees eligible for preservation and/or the City Arborist's recommendations for mitigation as required by UDC 11-3B-10~~

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

B. PUBLIC WORKS DEPARTMENT

SITE SPECIFIC CONDITIONS:

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

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

GENERAL CONDITIONS:

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

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

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

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

C. MERIDIAN FIRE DEPARTMENT

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

D. NAMPA & MERIDIAN IRRIGATION DISTRICT

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

E. DEPARTMENT OF ENVIRONMENTAL QUALITY

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

IX. FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Simison: Councilman Hoaglund.

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

Bernt: Second.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

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

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

Cavener: No.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

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

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

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

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

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

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

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

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

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

Strader: Thanks.

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

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

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

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

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

Simison: Thank you. Council, any questions?

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

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

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

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

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

Simison: Okay. So, it has functionality?

Canning: Yes.

Simison: Okay. Thank you.

Canning: Yeah.

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

Canning: Thank you.

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

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

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

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

Simison: Thank you. Council, any questions?

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

Marsey: David Marsey.

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

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

Simison: All right. Thank you very much.

Marsey: Thank you.

Johnson: Mr. Mayor, next is Darrell Gallup.

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

Simison: Thank you.

Johnson: Mr. Mayor, next is Greg Barron.

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

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Barron: Tallinn Street --

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

Barron: Right.

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

Barron: And then left.

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

Barron: Yeah.

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

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

Hoaglun: Right. So, the normal spot.

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

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

Barron: Right.

Hoaglun: Okay. Thank you, sir.

Barron: Thank you.

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

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

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

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

Simison: Thank you.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

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

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

Cavener: Okay. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

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

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

Canning: It would be this area.

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

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

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

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

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

Strader: Thank you for the feedback.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

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

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

Hoaglun: And Mr. Mayor -- oh.

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

Hoaglun: East side. Yes.

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

Hoaglun: Okay. Mr. Mayor?

Simison: Councilman Hoaglun.

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

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

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

Tiefenbach: They can do less, but not more.

Hoaglun: Right. Okay. Thank you.

Simison: Council, any additional questions, comments?

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

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Borton: Mr. Mayor?

Simison: Councilman Borton.

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

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

Simison: Yes, Alan.

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

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

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

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

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

Nary: Mr. Mayor?

Simison: Mr. Nary.

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

Strader: Mr. Mayor?

Simison: Council Woman Strader.

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

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

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

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

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

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

Hoaglund: That would -- Mr. Mayor?

Simison: Councilman Hoaglund.

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

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund?

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

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

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

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

Homan: Correct.

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

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

Hoaglund: Okay.

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

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

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

Strader: Second the motion.

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

MOTION CARRIED: FIVE AYES. ONE ABSENT.

Nary: Mr. Mayor?

Simison: Mr. Nary.

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

Simison: Alan, would you like to rebut that?

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

Hoaglund: Minus -- minus two.

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

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

ORDINANCES [Action Item]

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

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Would the Commissioners like a five minute break?

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

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

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

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

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

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

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

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

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

McCarvel: Thank you.

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

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

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

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

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

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

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

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

Seal: Thank you.

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

Canning: Thank you.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Seal: Okay. Thank you.

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

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

McCarvel: To make it substantial.

Homan: Yeah.

McCarvel: Any other --

Cassinelli: Madam Chair?

McCarvel: Commissioner Cassinelli.

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

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

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

Cassinelli: Okay. Thank you.

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

Cassinelli: So moved.

Seal: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Yearsley: Madam Chair?

McCarvel: Commissioner Yearsley.

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

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

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

McCarvel: Uh-huh.

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

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

Grove: Madam Chair?

McCarvel: Commissioner Grove.

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

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

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

McCarvel: Commissioner Cassinelli.

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

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

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

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

Cassinelli: Okay.

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

Cassinelli: Okay. Thank you.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

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

McCarvel: Comments? Motion?

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

Cassinelli: So, do we continue this and --

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

Cassinelli: We would have to reopen --

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

Cassinelli: So moved.

Seal: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

McCarvel: Would the applicant like to come forward.

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

Grove: Madam Chair?

McCarvel: Commissioner Grove.

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

McCarvel: On the fly. Yeah.

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

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

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

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

Seal: I think you have said it eloquently.

McCarvel: Okay.

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

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

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

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

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

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

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

Homan: Okay. Thank you.

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

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

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

McCarvel: Yeah.

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

McCarvel: Right. I mean --

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

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

Seal: Agreed.

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

Seal: So moved.

Cassinelli: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Madam Chair?

McCarvel: Commissioner Seal.

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

Yearsley: Second.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

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

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

Cassinelli: I will second that nomination.

McCarvel: -- Chairman.

Cassinelli: I will second that.

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

Seal: Thank you. Appreciate that.

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

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: I don't get a vote?

McCarvel: Nope.

Yearsley: Well, you can, but --

McCarvel: You can, but you have been outvoted.

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

McCarvel: Former Chair McCarvel made the motion.

Johnson: Thanks.

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

Seal: Second.

Cassinelli: Third.



AGENDA ITEM

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

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



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

Case No(s). H-2021-0083

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

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of March 15, 2022, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of March 15, 2022, incorporated by reference. The conditions are concluded to be

reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for annexation and preliminary plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of March 15, 2022, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

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

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

E. Judicial Review

Pursuant to Idaho Code § 67-6521(1)(d), if this final decision concerns a matter enumerated in Idaho Code § 67-6521(1)(a), an affected person aggrieved by this final decision may, within twenty-eight (28) days after all remedies have been exhausted, including requesting reconsideration of this final decision as provided by Meridian City Code § 1-7-10, seek judicial review of this final decision as provided by chapter 52, title 67, Idaho Code. This notice is provided as a courtesy; the City of Meridian does not admit by this notice that this decision is subject to judicial review under LLUPA.

F. Notice of Right to Regulatory Takings Analysis

Pursuant to Idaho Code §§ 67-6521(1)(d) and 67-8003, an owner of private property that is the subject of a final decision may submit a written request with the Meridian City Clerk for a regulatory takings analysis.

G. Attached: Staff Report for the hearing date of March 15, 2022

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

COUNCIL PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL VICE PRESIDENT JOE BORTON VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER TREG BERNT VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office



AGENDA ITEM

ITEM TOPIC: Public Hearing Continued from March 15, 2022 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

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

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



PUBLIC HEARING INFORMATION

Staff Contact: Alan Tiefenbach

Meeting Date: April 5, 2022

Topic: **Public Hearing** Continued from March 15, 2022 for Jamestown Ranch Subdivision (H-2021-0074) by Walsh Group, LLC, Located Near the Southeast Corner of the N. Black Cat and W. McMillan Rd. Intersection at 4023 W. McMillan Rd. and parcels S0434223150, S0434212970, S0434212965, and S0434212920.

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

Information Resources:

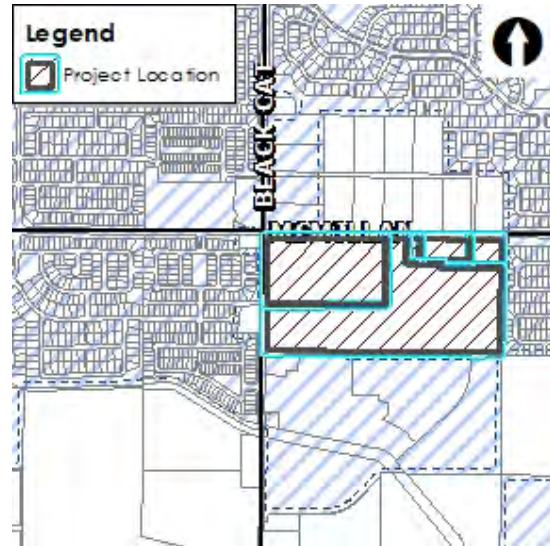
[Click Here for Application Materials](#)

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

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



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



I. PROJECT DESCRIPTION

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

II. SUMMARY OF REPORT

A. Project Summary

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

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

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

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

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

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

C. Project Area Maps

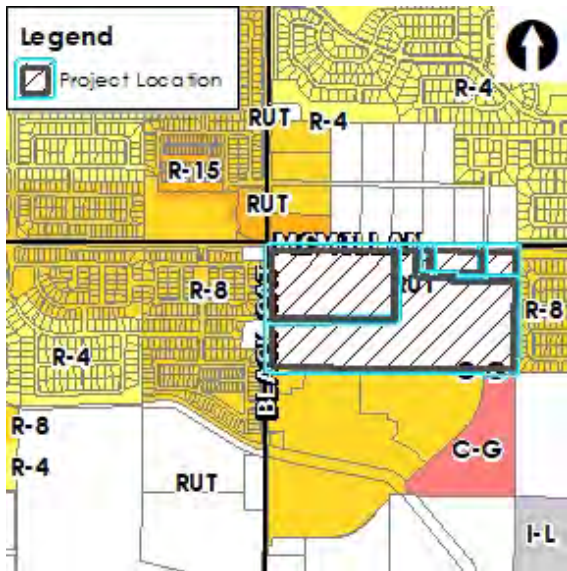
Future Land Use Map



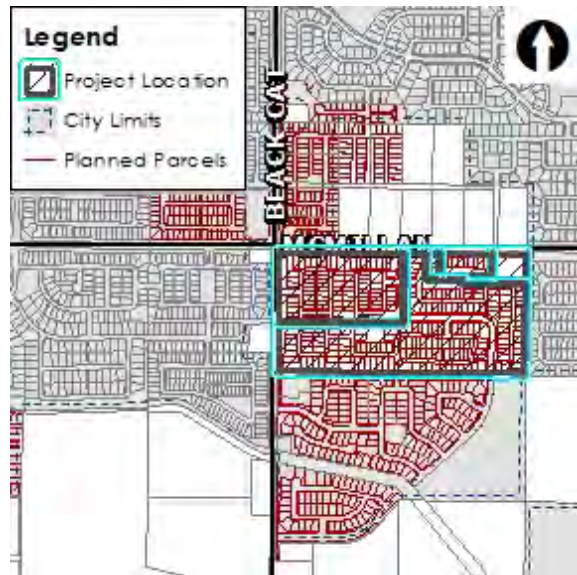
Aerial Map



Zoning Map



Planned Development Map



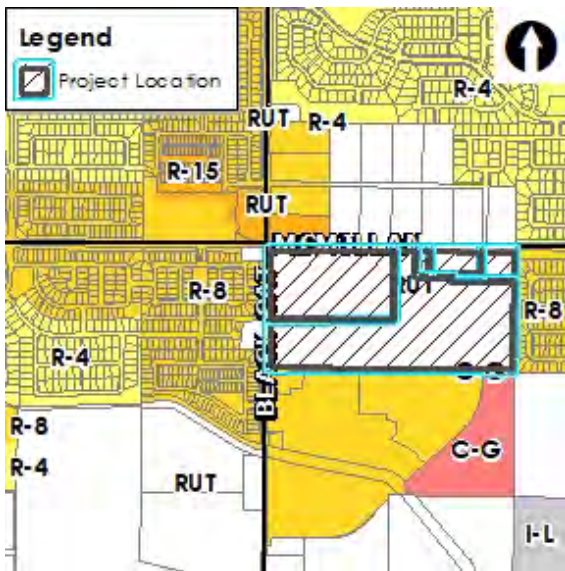
Future Land Use Map



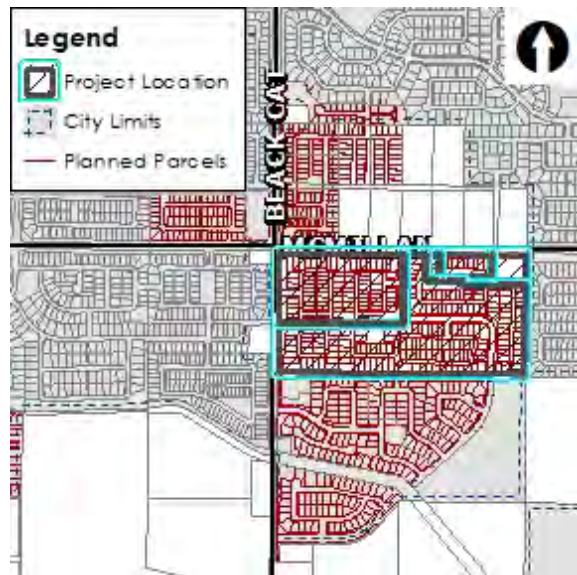
Aerial Map



Zoning Map



Planned Development Map



III. APPLICANT INFORMATION

A. Applicant Representative:

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

B. Owner:

Walsh Group – PO 1207, Eagle, ID 83616

IV. NOTICING

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

V. STAFF ANALYSIS

A. Annexation:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*This development proposes architecture consisting of one and two-story homes with pitched roofs, stone bases and / or lap siding with gabled roofs and dormers comparable to what has been approved with adjacent subdivisions. **In order to ensure compatibility and quality of design with existing and approved residential uses surrounding the property, staff recommends a condition that rear and/or sides of 2-story structures on facing W. McMillan Rd, N. Black Cat Rd. and N. Grand Lakes Wy. incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.***

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

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

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

D. Existing Structures/Site Improvements:

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

E. Proposed Use Analysis:

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

F. Dimensional Standards (UDC 11-2):

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As noted in the Comprehensive Plan section, a large number of the houses will be very visible from W. McMillian Rd. N. Black Cat Rd. and N. Grand Lakes Wy. Therefore, staff recommends a condition that the rear and/or sides of 2-story structures that face W. McMillian Rd. and N. Black Cat Rd. incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement. Planning approval will be required at time of building permit.

VI. DECISION

A. Staff:

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

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

VII. EXHIBITS

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

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

Exhibit A
City of Meridian Annexation Legal Description

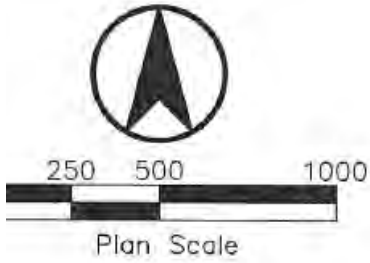
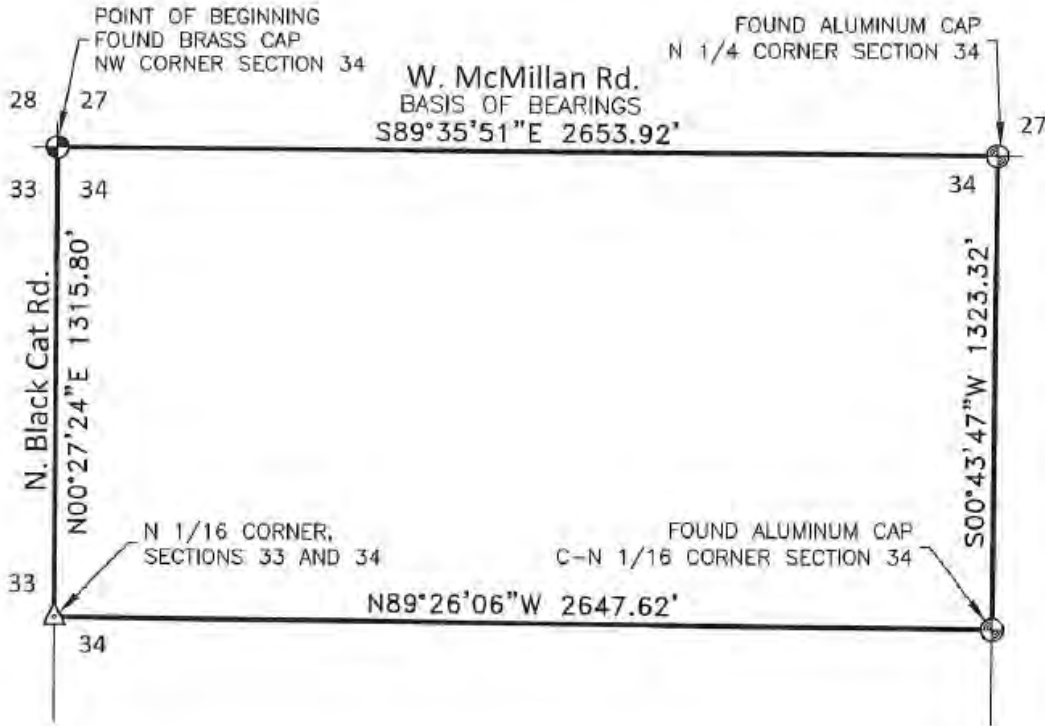
A parcel of land being all of the North 1/2 of the Northwest 1/4 of Section 34, Township 4 North, Range 1 West, Boise Meridian, Ada County, Idaho, and being more particularly described as follows:

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







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

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

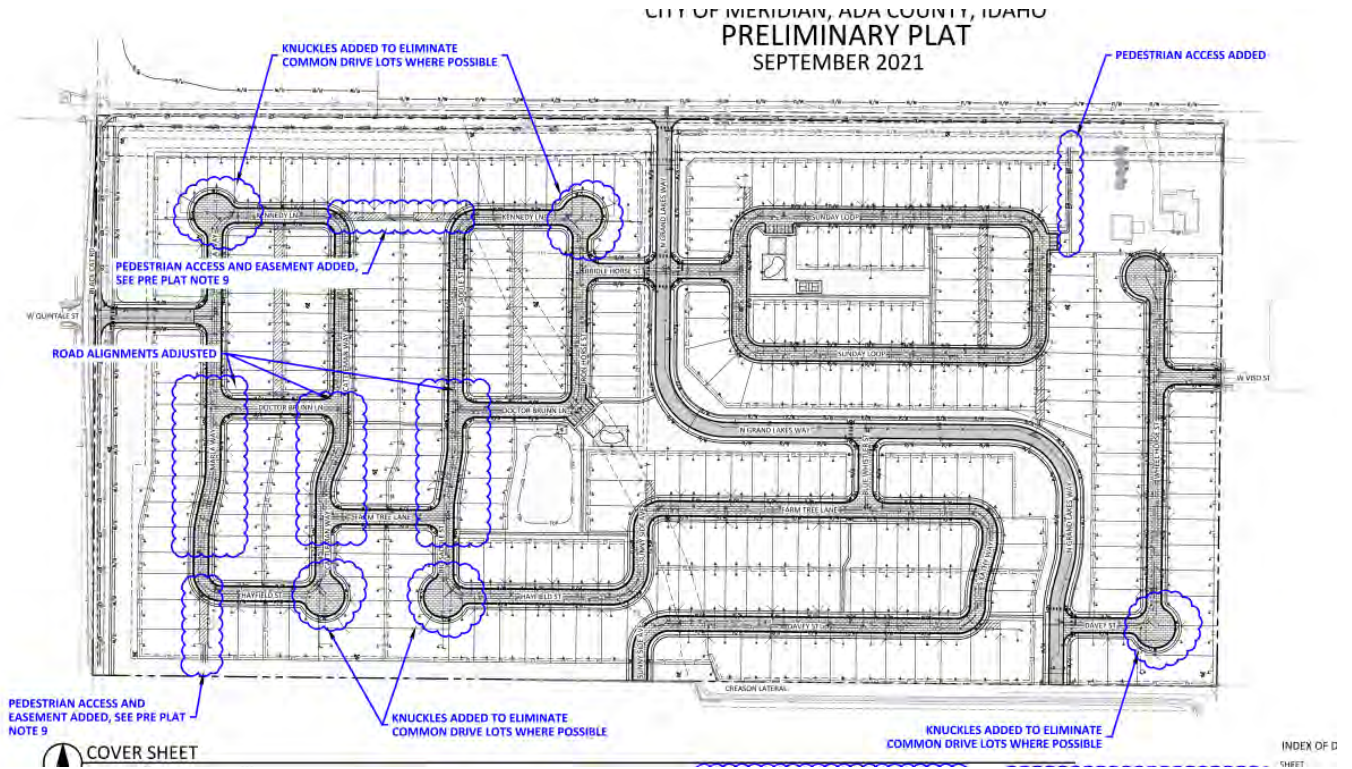




LEGEND

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

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



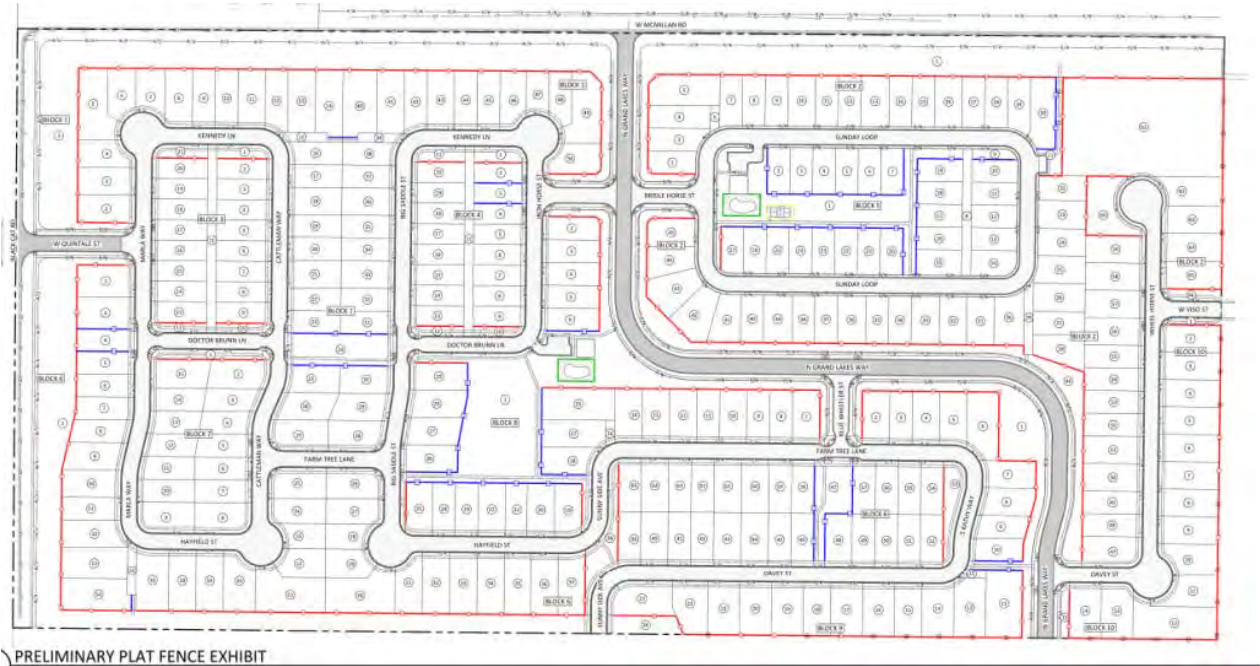
C. Color Landscape Plan (date: ~~9/9/2021~~ 2/7/22)



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



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



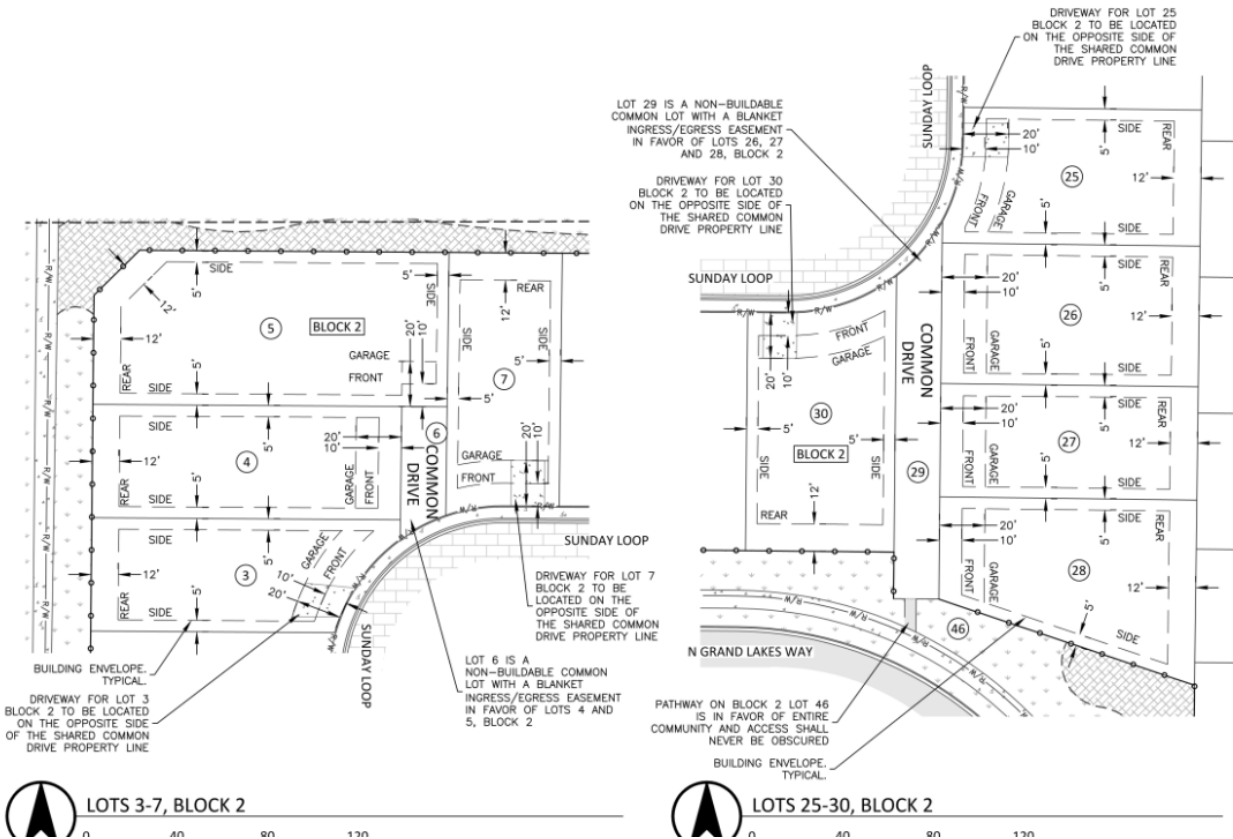
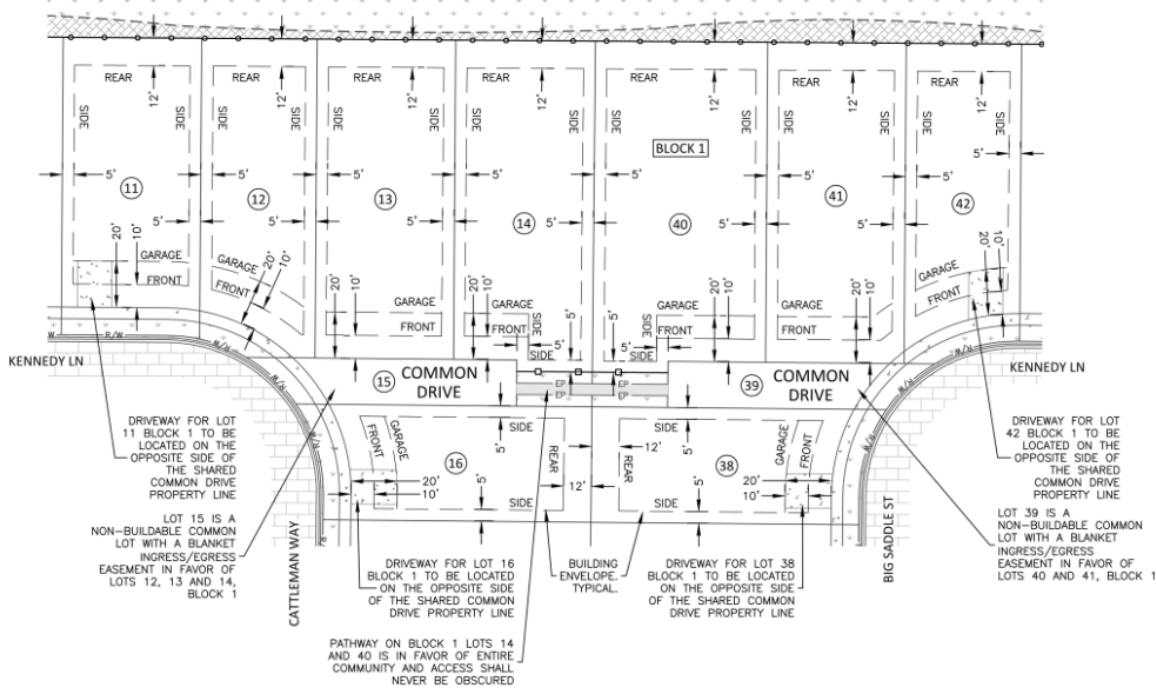
FENCE SCHEDULE

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

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



G. Common Drive Exhibits



H. Conceptual Elevations



Item #9.



Item #9.



I. Clubhouse Elevation



VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

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

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

~~C. PUBLIC WORKS DEPARTMENT~~

~~Site Specific Conditions of Approval~~

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

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

General Conditions of Approval

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

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

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

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

D. MERIDIAN FIRE DEPARTMENT

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

E. MERIDIAN POLICE DEPARTMENT

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

F. SETTLERS IRRIGATION

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

G. NAMPA & MERIDIAN IRRIGATION DISTRICT

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

H. COMPASS

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

I. DEPARTMENT OF ENVIRONMENTAL QUALITY

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=239400&dbid=0&repo=MeridianCity>

IX. FINDINGS

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

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

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

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

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

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

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

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

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

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

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

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

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

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

Wheeler: Mr. Chair?

Seal: Mr. Wheeler, go ahead.

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

Koeckeritz: Yes.

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

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

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

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

Wheeler: Okay.

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

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

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

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

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

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

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

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

Koeckeritz: Yes. That is -- I apologize.

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

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

Wheeler: Okay. Okay. Thank you.

Cassinelli: Mr. Chair?

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

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

Seal: Okay. Thank you. Commissioner Cassinelli.

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

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

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

Seal: Go right ahead.

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

Koeckeritz: Yes.

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

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

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

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

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

Koeckeritz: Right.

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

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

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

Koeckeritz: You can't drive through.

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

Koeckeritz: Right.

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

Koeckeritz: No. Those are for that community.

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

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

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

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

Grove: Correct.

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

Grove: Mr. Chair, one other question.

Seal: Go ahead.

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

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

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

Grove: Thank you.

Seal: Anybody else?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

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

Koeckeritz: Yes.

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

Koeckeritz: Yes.

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

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

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

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

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

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

Seal: Go right ahead.

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

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

Cassinelli: Okay. Thank you.

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

Weatherly: Mr. Chair, there is not.

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

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

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

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

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

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

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

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

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

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

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go ahead.

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

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

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

Walsh: Thanks for your time.

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

Weatherly: Mr. Chair, not raising their hand.

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

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

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

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

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

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

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

Lorcher: So moved.

Cassinelli: Second.

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Who would like to jump in first?

Cassinelli: Mr. Chair?

Seal: Commissioner Cassinelli, go right ahead.

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

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

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

Lorcher: Commissioner Seal.

Seal: Go right ahead.

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

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

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

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

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

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

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

Seal: Go ahead.

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

Tiefenbach: You are talking about the northeast corner?

Cassinelli: Correct.

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

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

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

Cassinelli: Oh. Okay.

Tiefenbach: You see it here.

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

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

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

Tiefenbach: No. You are correct.

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

Tiefenbach: Yes, sir.

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

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

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

Cassinelli: Second.

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

MOTION CARRIED: SIX AYES. ONE ABSENT.

Seal: Thank you.

Wheeler: Is it your honors tonight, Bill?

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

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

Lorcher: Second.

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

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

ANDREW SEAL - CHAIRMAN
ATTEST:

_____|_____|_____
DATE APPROVED

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Public Hearing for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, Near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd., North of Compass Charter School

A. Request: Preliminary Plat or 48 building lots (37 single family attached lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot.

B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.



PUBLIC HEARING INFORMATION

Staff Contact: Joseph Dodson

Meeting Date: April 5, 2022

Topic: **Public Hearing** for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, Near the Northeast Corner of N. Black Cat Rd. and W. Franklin Rd., North of Compass Charter School

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 - B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.
-

Information Resources:

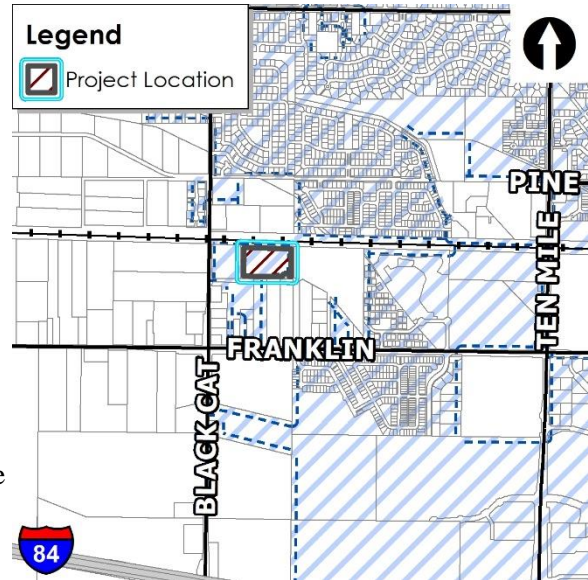
[Click Here for Application Materials](#)

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

STAFF REPORT
COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: April 5, 2022
 TO: Mayor & City Council
 FROM: Joseph Dodson, Associate Planner
 208-884-5533
 SUBJECT: H-2021-0096
 Aviation Subdivision
 LOCATION: The site is located near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., to the north and northeast of Compass Public Charter School, in the SW ¼ of the SW ¼ of Section 10, Township 3N., Range 1W.



I. PROJECT DESCRIPTION

Preliminary Plat for 48 building lots (6 single family attached lots, 31 townhome lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot and a Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acreage	9.8 acres	
Future Land Use Designation	Medium-High Density Residential (8-12 du/ac)	
Existing Land Use(s)	Vacant	
Proposed Land Use(s)	Attached Single-Family Residential (SFR), Detached SFR, Townhomes, and Multi-family Residential	
Lots (# and type; bldg./common)	48 building lots (37 single family attached, 2 detached single family <u>6 single family attached lots, 31 townhome lots, 2 detached single-family, 9 multi-family</u>); 8 common lots; 1 other lot (irrigation pump house) – <u>75 total residential units.</u>	
Physical Features (waterways, hazards, flood plain, hillside)	Purdam Gulch Drain runs diagonal through site from the southeast corner to the northwest corner. Applicant proposes to tile this drain and realign it along the east and north boundaries to make better utilization of the property.	
Neighborhood meeting date; # of attendees:	September 16, 2021, no attendees	

Description	Details	Page
History (previous approvals)	H-2018-0048 (Compass Charter School AZ, CPAM; DA Inst. #2018-079763); H-2020-0111 (Aviator Sub. CPAM, MDA, RZ; DA Inst. #2021-067235).	

B. Community Metrics

Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> Staff report (yes/no) Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Access (Arterial/Collectors/State Hwy/Local) (Existing and Proposed)	<p>Access is proposed via extension of W. Aviator Street, designated as a towncenter collector street on the Master Street Map (MSM) and within the TMISAP (two travel lanes and on-street bike lanes).</p> <p>Access to the lots within the subdivision are proposed via a new local street that loops through the site and connects to Aviator in two places; multi-family drive aisles are proposed to connect to this local street for access to those units.</p>	
Traffic Level of Service	<p>Black Cat Road (0' of frontage) – Better than “E” (474/575 VPH)</p> <p>W. Aviator Street – no known traffic counts were given by ACHD.</p>	
Stub Street/Interconnectivity/Cross Access	Applicant is proposing to extend W. Aviator Street and bring it through the subject site and stub it to the eastern property boundary north of the irrigation district pump station in the southeast corner of the site.	
Existing Road Network	W. Aviator ends in a temporary turnaround approximately 200 feet along the property’s southern boundary. Next closest street is N. Black Cat Road, an arterial, and is in the ACHD CIP for widening in 2031-2035.	
Proposed Road Improvements	<p>W. Aviator extension through the site to the east property boundary.</p> <p>ACHD – CIP</p> <p>Black Cat is listed in the CIP to be widen to 5-lanes from Franklin to Cherry between 2031-2035.</p> <p>Black Cat is listed in the CIP to be widen to 5-lanes from Overland to Franklin between 2036-2040.</p> <p>Franklin Road is listed in the CIP to be widen to 5-lanes from McDermott Road to Black Cat between 2026-2030.</p>	
Distance to nearest City Park (+ size)	Fuller Park (21.96 acres) – 1.3 miles by foot; approximately 1.7 miles by vehicle.	

Fire Service

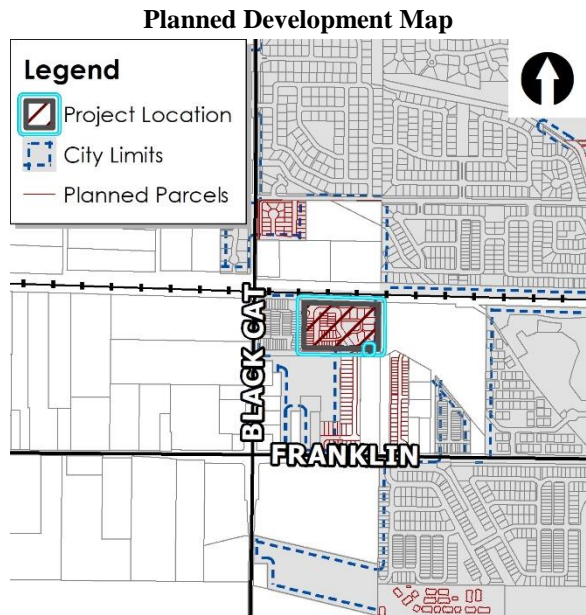
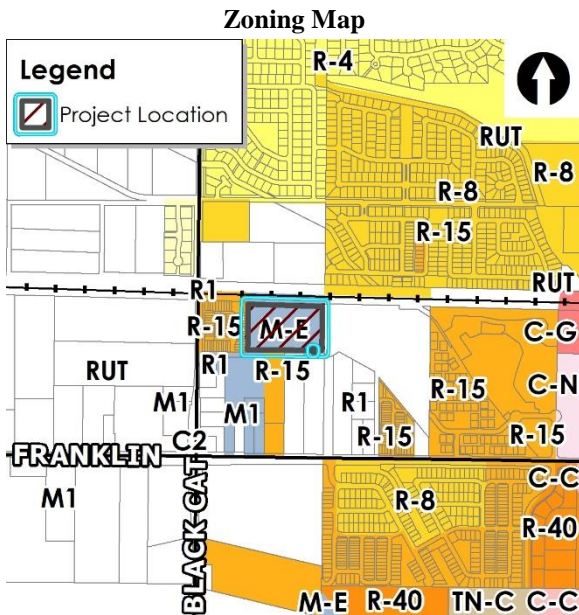
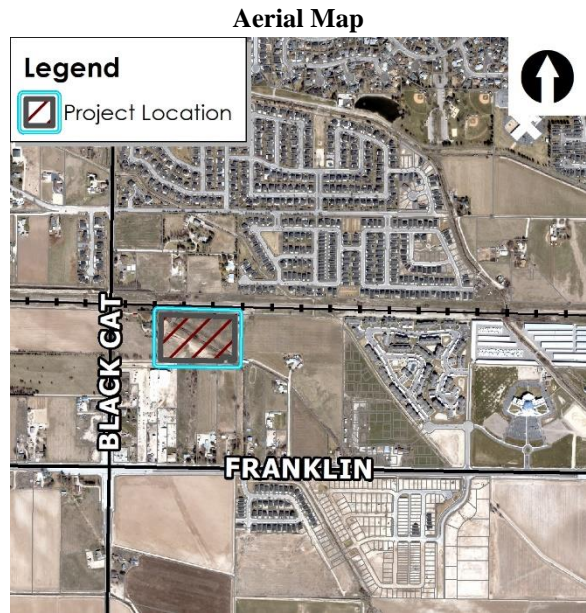
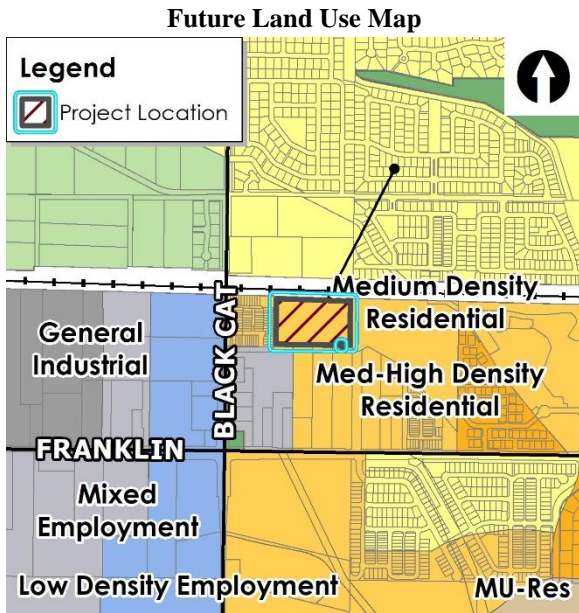
<ul style="list-style-type: none"> Distance to Fire Station Fire Response Time Resource Reliability Accessibility 	<p>2.5 miles from Station #2</p> <p>Falls outside of the 5-minute response time goal</p> <p>85% (above the goal of 80%)</p> <p>As submitted, plat does not meet all requirements – Site needs secondary emergency access.</p>	
<ul style="list-style-type: none"> Additional Comments/Concerns 	<ul style="list-style-type: none"> Because project is at a dead-end road with no secondary access, ALL single family units constructed will be required to be built with fire sprinklers. 	

Description	Details	Page
	<ul style="list-style-type: none"> Aviator Street is currently shown without a turnaround at its terminus; Applicant will be required to terminate Aviator with a Fire and ACHD approved turnaround. 	
Police Service		
<ul style="list-style-type: none"> Distance to Station 	Approximately 4.2 miles from Meridian Police Department	
<ul style="list-style-type: none"> Response Time 	Approximately 4 minute response time to an emergency.	
<ul style="list-style-type: none"> Call Data 	<p>Between 12/1/2019- 11/30/2021, the Meridian Police Department responded to 2,591 calls for service within a mile of the proposed development. The crime count on the calls for service was 234.</p> <p>Between 12/1/2019- 11/30/2021, the Meridian Police Department responded to 52 crashes within a mile of the proposed development.</p>	
<ul style="list-style-type: none"> Additional Concerns 	Traffic congestion at the intersection of Black Cat and W. Aviator during peak times at the nearby charter school.	

Wastewater	
<ul style="list-style-type: none"> Distance to Sewer Services 	Directly adjacent
<ul style="list-style-type: none"> WRRF Declining Balance 	14.26
<ul style="list-style-type: none"> Project Consistent with WW Master Plan/Facility Plan 	Yes
<ul style="list-style-type: none"> Impacts/concerns 	<ul style="list-style-type: none"> Flow is committed Additional 7,500 GPD of flow committed to model See Public Works Site Specific Conditions

Water	
<ul style="list-style-type: none"> Distance to Water Services 	Directly adjacent
<ul style="list-style-type: none"> Pressure Zone 	1
<ul style="list-style-type: none"> Estimated Project Water ERU's 	See application
<ul style="list-style-type: none"> Water Quality 	None
<ul style="list-style-type: none"> Project Consistent with Water Master Plan 	Yes
<ul style="list-style-type: none"> Impacts/Concerns 	See Public Works Site Specific Conditions

C. Project Maps



III. APPLICANT INFORMATION

A. Applicant:

Jadon Schneider, Bronze Bow Land – 3625 N. Carr Lane, Garden City, ID 83714

B. Owner:

Larry Jacobson, Sandrock Development – 1468 James Road, Gardenville, NV 89460

C. Representative:

Same as Applicant

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	2/15/2022	
Radius notification mailed to properties within 500 feet	2/14/2022	
Public hearing notice sign posted on site	2/17/2021	
Nextdoor posting	2/14/2022	

V. STAFF ANALYSIS

A. COMPREHENSIVE PLAN/DEVELOPMENT AGREEMENT

The subject 9.8 acres were annexed into the City of Meridian in 2018 with the Compass Charter School application and also received CPAM approval at that time to change the underlying land use from medium-high density residential to mixed employment. Later, this 9.8 acre parcel was no longer a part of the long-term plan for the school and was subsequently sold. In 2020, a new application for a Comprehensive Plan Map Amendment, Development Agreement Modification, and Rezone were requested and approved to allow for residential zoning and uses instead of Mixed Employment or other industrial uses desired in the previous mixed employment designation. With these approvals, the property was returned to its original future land use of Medium-High Density Residential (MHDR) and included a new concept plan with a residential development and the proposed and preferred location of the Aviator Street extension.

The MHDR designation allows for a mix of dwelling types including townhouses, condominiums, and apartments. Residential gross densities should range from 8 to 12 dwelling units per acre. These areas are relatively compact within the context of larger neighborhoods and are typically located around or near mixed use commercial or employment areas to provide convenient access to services and jobs for residents. Developments need to incorporate high quality architectural design and materials and thoughtful site design to ensure quality of place and should also incorporate connectivity with adjacent uses and area pathways, attractive landscaping and a project identity. Per the Ten Mile Interchange Specific Area Plan (TMISAP), MHDR designated areas should include a mix of housing types such as row houses, townhouses, condominiums, alley-loaded homes, and apartments with higher densities near MU-C and Employment designated areas transitioning to smaller-scale and lower density buildings as the distance increases from higher intensity uses.

The Applicant is requesting a Preliminary Plat and Conditional Use Permit to construct a mix of single-family and multi-family residential units. The Applicant is proposing ~~73~~ 75 total residential units on the subject 9.8 acres in the R-15 zoning district which constitutes a gross density of ~~7.44~~ 7.65 du/ac. This density ~~does not comply with the minimum density required within the DA nor the future land use designation which requires a~~ can be rounded up to the minimum of 8 du/ac per provisions within the Comprehensive Plan. The Applicant should revise the plat to include at least one more dwelling unit to meet the minimum density requirement. Furthermore, In addition, the existing DA includes conceptual floor plans that depict front loaded single-family homes with recessed garages to create a more porch and pedestrian dominated front façade on the public local streets. The ~~submitted~~ revised conceptual elevations ~~with this application do not now show compliance~~ comply with the elevations and floor plans included in the DA and the Ten Mile Plan. Specifically, the Applicant has revised each of the townhome units to be 2-bedroom/2.5-bath units with a 1-car garage and parking pad that complies with the minimum required off-street parking. Furthermore, the garage is now shown 16 feet behind the living area façade, as desired within the Ten Mile Plan. Therefore, Staff supports the revised elevations and

~~believes they adequately comply with those elevations and floor plans within the DA and in the Ten Mile Plan. Therefore, the Applicant should submit a DA Modification to revise the existing elevations and floor plans in the DA OR revise their proposed building design to be more consistent with the existing DA. Staff believes the floor plans within the DA should be maintained and would not be supportive of a DA Modification to remove them from the DA because they are more consistent with the Ten Mile Plan.~~

In addition to the subject parcel, surrounding development should be taken into account, directly west of this site, Hensley Station is currently under construction as a medium-high density residential subdivision and less than a half mile to the east of the subject site additional high-density residential projects are currently underway. In addition, south of Franklin Road is a larger area of the Ten Mile Plan with a mix of residential, commercial, employment, and industrial zoning. This site is part of a large area of MHDR that is slowly redeveloping from both the west and the east and development of the subject is a logical direction of development in this area in terms of density and road improvements. However, the transportation element of this area of the Ten Mile Plan is important and there are known traffic issues in this area caused by the adjacent Compass Charter School, most notably at typical pick-up and drop-off times in the morning and afternoon.

The congestion associated with the school creates traffic along the entire Black Cat corridor between Franklin and Cherry and significantly impedes the intersections of Aviator and Black Cat and Black Cat and Franklin during the peak times noted above. Staff notes that applications for the site to the east are likely forthcoming which would connect Aviator from Black Cat to N. San Marco Way within the Entrata Farms Subdivision to the southeast. This east-west connection would create the needed secondary access for Fire as well as provide a different connection to Franklin Road for this area. To help mitigate this issue as well as the overall phasing element of the site, Staff is recommending conditions of approval around the phasing of the project in relation to the construction of W. Aviator Street.

If the project is revised per Staff’s recommended conditions of approval, Staff finds the project to be generally consistent with the Comprehensive Plan. Specific general comprehensive plan policies are analyzed below.

Staff finds the following Comprehensive Plan policies to be applicable to this application and apply to the proposed use and development 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 development contains multiple types of housing units (multi-family, attached single-family, townhouse, and detached single-family) that will contribute to the variety of residential categories in the Ten Mile area as desired.

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

City water and sewer service is available and can be extended by the developer 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)

Four (4) housing types are proposed in this development, as noted above, which contributes to the variety of housing types in this area. The Applicant is proposing 16 units to front on green space and provide for an alley loaded product while the remaining 23 units are front-loaded. In addition, the Applicant is proposing 9 multi-family buildings that contain 4-units each. The proposed development

provides a number of housing types within one concentrated area and within the Ten Mile area as a whole.

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

The proposed residential dwellings and site design should be compatible with existing and planned development on adjacent properties that are also designated for MHDR uses.

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

The proposed plat depicts a large amount of usable common open space along the entire north and east property boundaries due to the requirement to reserve a 100-foot wide irrigation easement for the rerouted Purdam Gulch Drain. Because of irrigation district standards, no amenities are proposed in this area but it should provide for a large open area for residents to utilize for recreation and activity. The Applicant is also proposing other open space within the site that contains children play equipment and pathways. All of the sidewalks proposed within the site are detached from the roadways, which provides for safer pedestrian connectivity throughout the site. There is ample connectivity from the site to the detached sidewalk along the extension of Aviator Street.

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

The proposed development will connect to City water and sewer systems; services are proposed to be provided to and though this development in accord with current City plans.

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

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

In addition to the general Comprehensive Plan, the following sections of the Ten Mile Interchange Specific Area Plan (TMISAP) should also be used to analyze the project (Staff analysis is in *italics*):

Street Network (3-17): The Transportation System Map included in the TMISAP depicts a towncenter collector street planned on this site that continues to the east through an adjacent site. *The Applicant is proposing to extend W. Aviator, the collector street, from its current location to the east property boundary. According to the submitted plat, the Applicant is showing a small portion of this road extension on a property to the south that is not part of this application and is not annexed into the City of Meridian. It is not typical of road extensions to utilize area not on the subject property but it allows the Applicant to have more usable land area that is significantly reduced due to the existence of the Purdam Gulch Drain and its 100-foot wide easement.*

To ensure the proposed road layout is adhered to, Staff is recommending the Applicant provide a copy of a formal agreement between land owners that allows this Applicant to utilize a portion of the adjacent property for the Aviator extension; this agreement should be presented to staff prior to the City Council meeting. If the Applicant cannot reach an agreement with the adjacent property owner, the submitted plat will have to be revised in order for the Applicant to make those revisions with the requirement of extending Aviator wholly on the subject site. Further analysis of the Aviator extension is below in the Access section, including analysis on the ACHD staff report. A final plat for this project will not be

accepted until an agreement has been formalized and the right-of way is dedicated to allow the construction of the off-site portion of Aviator Street.

Connectivity (3-17): Connectivity to adjacent parcels is proposed by extending W. Aviator through the site. Because of the railroad corridor along the north boundary and the requirement to cross the Purdam Drain at least once, there is limited opportunity for other points of vehicular connectivity. Furthermore, there is also no stub street or pedestrian connection along the west boundary to Hensley Station. Therefore, Aviator Street and the proposed detached sidewalks throughout the site provide the needed connectivity between existing and planned sites.

Access Control (3-17): In order to move traffic efficiently through the Ten Mile area, direct access via arterial streets is prohibited except for collector street connections. *The subject site has no arterial access except via W. Aviator Street, a collector street. The project complies with this policy.*

Complete Streets (3-19): The TMISAP incorporates the concept of “complete streets,” meaning all streets should be designed to serve all users, including bicycles and pedestrians unless prohibited by law or where the costs are excessive or where there’s clearly no need. *The proposed development includes detached sidewalks and parkways throughout the entire site for pedestrian use and on-street parking along the new local street. W. Aviator, the collector street, is required to be constructed with two lanes of travel and on-street bicycle lanes which helps create a network of complete streets.*

Streetscape (3-25): All streets should include street trees within the right-of-way. *The proposed development incorporates tree-lined streets with detached sidewalks throughout the site.*

DESIGN:

Street-Oriented Design – Residential Buildings (3-33): Usable porches should be a dominant element of these building types. Porches should be located along at least 30% of the front façade of the buildings (the façade facing the primary street) although a higher percentage is recommended as is porches on one or more facades as well. When possible, garages should be loaded from a rear alleyway. **Where garages must be accessed from the front, the garages must be located no less than 20’ behind the primary façade of the residential structure.**

*The proposed alley-loaded units (taking access from a public, minor urban-local street) have porches along the street frontage or face green space entirely (i.e. Lots 7-13, Block 2); all of the remaining front-loaded townhomes have a garage dominated façade facing the internal local street. As discussed above, **the front-loaded garages are not located 20’ behind the primary façade of the structure and do not comply with the approved conceptual elevations and floor plans in the DA. However, with the noted site constraints and the current lot configuration, full compliance with the garage setback requirement may not be possible – the lots would need to be widened and the number of units would need to be reduced to comply. The revised elevations now show the garage being 16 feet behind the living area and Staff finds this to be an acceptable compromise between the Ten Mile Plan, city code, and the Applicant. This design change allows the Applicant to place the living area closer to the street and maximize the porches as the dominant feature along the streets. However, Staff notes that the R-15 zoning district will not allow the footings of the front porches any closer than 10 feet behind the detached sidewalk because this is the minimum front setback—in this way, city code does not perfectly align with the desired outcomes of the Ten Mile Plan and this standard but the revisions should add to overall livability and aesthetic of the development. The Applicant is required to increase the number of units to comply with the minimum density requirements in the DA and the MHDR designation so losing additional lots is not viable under the terms of the approved DA unless the DA is amended. Therefore, Staff recommends the Applicant explore alternate design options to be more consistent with this requirement while maintaining a gross density of at least 8 units per acre; an alternate floor plan and revised elevations in compliance with the recorded DA should be submitted in accord with this provision prior to the City Council hearing.***

NOTE: The proposed 4-plex multi-family buildings are not required to comply with this provision as they are not proposed with any garages.

Buildings to Scale (3-34): The key elements to consider are the continuity of building sizes, how the street-level and upper-level architectural detailing is treated, elements that anchor and emphasize pedestrian scale, roof forms, rhythm of windows and doors, and general relationship of buildings to public spaces such as streets, plazas, other open space and public parking. Human-scale design is critical to the success of built places for pedestrians. *Staff believes the proposed 2-story homes demonstrate continuity of building sizes within the development. However, the street level and upper level architectural detailing does not appear to correspond with each other to unify the design and do not provide for enough modulation in wall plan nor roof height. Further, the Applicant could add decks to the second level that are closer to the street to help comply with the street-oriented design provision. The use of stone along the first story facades closest to the tree-lined streets help anchor and emphasize the pedestrian scale of the development as desired.*

Neighborhood Design (3-36): In the Ten Mile area, all residential neighborhoods should be developed in consideration of traditional neighborhood design principles and concepts, which include mixed housing stock, architecture and design, streetscapes and streets. *A mix of housing stock is proposed consisting of single-family attached, townhomes, two single-family detached dwellings, and multi-family 4-plexes which contribute to the diversity of housing stock desired in this area. The public street proposed within this development loops through the site and has a minor urban local street connecting the two streets that will function as an alley. Therefore, the proposed block lengths are relatively short and provide for ample pedestrian connectivity. The proposed parkways add to the project’s consistency with the neighborhood design element of the Ten Mile Plan.*

As noted above, if the project is revised per Staff’s recommendations, Staff finds the project to be generally consistent with the Ten Mile Interchange Specific Area Plan. In general, Staff finds the project to be generally consistent with the City of Meridian Comprehensive Plan, per Staff’s recommended revisions.

B. PRELIMINARY PLAT (PP)

The proposed preliminary plat consists of 48 building lots (6 single family attached lots, 31 townhome lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot on 9.8 acres of land in the R-15 zoning district. The minimum lot size proposed is 2,050 square feet and the plat is currently proposed to develop in one phase. However, the phasing of building construction will likely occur east to west, per the Applicant, in order to allow the development of properties to the east that would further extend Aviator Street and allow the Applicant to construct the single-family portion of the project without fire sprinklers. Staff has included a condition of approval surrounding the timing of development in coordination with Meridian Fire Department.

Existing Structures/Site Improvements:

There are no existing structures on this site, the site is vacant/undeveloped.

Dimensional Standards (UDC 11-2):

The proposed subdivision and subsequent development are required to comply with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 district. Staff has reviewed the proposed plat and it complies with these standards. **Zero lot lines should be depicted on the plat where single-family attached and townhome structures are proposed.**

Access (UDC 11-3A-3):

Access for the project is from two new local street connections to W. Aviator Street, a collector street the Applicant is required to extend into the site and stub to the east boundary; Aviator is the projects only connection to an arterial (Black Cat). Vehicular access for the single-family portion of the project is via construction of a new local street that loops through the site. In addition, access to the multi-family

portion of the project is via two 25-foot wide drive aisle connections to the eastern local street. ACHD has approved all of the ingress and egress points and their offsets. ACHD has noted the proposed design of Aviator Street does not meet district policy and should be revised—the Applicant will need to revise the street section to be 1-foot wider and include detached sidewalk on both sides of the street.

Access to the “alley-loaded” units that front on the collector street buffer and internal green space of the site are via a 28-foot wide minor urban local street, according to the latest plat submitted. It appears that ACHD reviewed this street section on a previous version of the plan where the street was 24 feet wide instead; Staff and the Applicant will verify with ACHD the proposed road width still complies with ACHD standards.

There is no secondary access to the site because Aviator will still be a dead-end street after its extension with this project. As noted above, the Fire Department requires a secondary access for each access that has more than 30 units taking access from it (Hensley Station to the west takes up the 30+ units already). Thus, the construction phasing of the project plays a role in how Staff must address this issue as all of the structures will need to be sprinklered if the single-family is constructed first (the multi-family is required to be sprinklered). There is an anticipation of a project being constructed on the property to the east that would extend Aviator to their east boundary and connect to an existing stub street in Entrata Farms and provide for the required means of secondary access in the future. To date, the City has not received an official application for that property. Therefore, this project must comply with all Fire Department requirements.

The Applicant has stated their plan is to extend Aviator into the site to the point of no more than 150 feet past the eastern local street connection to avoid the need of a temporary turnaround (the local street within the project would be constructed at the same time). This complies with the technical requirements of the UDC and Fire code but is not consistent with general practice of requiring public streets to be extended to-and-through sites with the first phase of development (prior to or in timing with the first buildings being constructed). However, the Applicant is continuing to work with ACHD on a plan to construct Aviator as noted and road trust for the remaining portion so it can be extended with any future road project that occurs on the parcel to the east. Staff is supportive of this option as the road would be a dead-end street and constructing a temporary turnaround would be both wasteful of space and would need to be located on top of the Purdam Drain which could further hinder the Applicant’s ability to develop the site due to complications with the irrigation district. In conversations, ACHD has noted an openness to this option but did not include it in their staff report specifically. So, Staff has included a condition of approval to encompass both potential outcomes of the Aviator Street extension.

Pathways (UDC 11-3A-8):

There are no pathways depicted on the Pathways Master Plan for this property. However, Staff believes the Applicant should work with the irrigation district to install a micro-path through the large open space lot containing the Purdam Drain. The addition of a meandering 5-foot wide pathway in this open space lot could connect in multiple places throughout the site and allow for a pedestrian connection near the northeast corner of the property for future pedestrian connectivity to that parcel. The exact location of this connection should not be set in stone and should instead be coordinated with the adjacent land owner once a more solid plan is known for that parcel.

Sidewalks (UDC 11-3A-17):

Detached sidewalks are proposed along the internal local street that loops through the site (shown as N. Duplicate Avenue, W. Topeka Street, and N. Stronghold Avenue) with 8-foot parkways throughout. In addition, the Applicant is showing a 5-foot wide detached sidewalk on the north side and a 5-foot wide attached sidewalk on the south side of the W. Aviator Street extension. This does not meet ACHD nor UDC standards for sidewalks along collector streets. Therefore, the Applicant is required to construct 5-foot wide detached sidewalks along both sides of the Aviator Street extension. The Applicant is proposing 5-foot wide sidewalks within the multi-family portion of the project that connect to the local

street sidewalks. *Overall, the proposed sidewalk network for this development meets and exceeds UDC requirements except for those noted along Aviator.*

Parkways (UDC 11-3A-17):

8-foot wide parkways with street trees are shown along both sides of the proposed local street that loops through the site. **All parkways within the site adjacent to detached sidewalks shall be landscaped per the standards listed in UDC 11-3B-7C.** With the future final plat application, the Applicant should add data to the plan to demonstrate compliance with these standards.

Landscaping (UDC 11-3B):

A 20-foot wide street buffer is required along the extension of W. Aviator Street (measured from back of curb), landscaped per the standards in UDC Table 11-3B-7C. A 20-foot wide common lot is shown on the north side of Aviator on the submitted plat in accord with UDC standards. The common lot along the south side of Aviator that is on the property is wider than 20 feet but is shown with an attached sidewalk instead of a detached sidewalk. Further, there are no trees shown on the south side of Aviator as required by the UDC. Per the plat condition noted, the Applicant should revise the landscape plan to show the required buffer trees on the south side of the Aviator extension.

Note, the alignment of Aviator street along the southern boundary allows for a buffer area that is wider than code requirements as a segment of the street does not lay within the subject site. Therefore, the submitted landscape plan shows a buffer on the north side of Aviator as approximately 30 feet wide, measured from the back of curb to the building lot lines with the required trees at the edge of the property.

According to the submitted landscape plan, some trees are included in the common open space areas due to the parkway trees along the local street. Staff is recommending an additional tree be placed in the center of the open space lot within the single-family portion of the project (Lot 6, Block 2) to add an area of shade in the center of this open space lot.

Staff has excluded the open space area that has the Purdam Drain irrigation easement within this calculation as the irrigation district does not generally allow trees within their easement. **However, Staff recommends the Applicant coordinate with the irrigation district to see if some trees could be placed strategically in order to provide some areas of shade in this area closest to the buildings, so this area could count towards qualified open space.**

In addition to the proposed open space areas, the Applicant is platting a common lot along the west boundary that contains a private drainage lot developed for the charter school across the street, the previous land owner. This drainage area has been in place for years coinciding with the development of the school. The plat should address who is responsible for maintaining this drainage and open space area; Staff has included a condition of approval regarding this.

Qualified Open Space & Site Amenities (UDC 11-3G):

The area of the preliminary plat is 9.8 acres within the R-15 zoning district. According to the standards listed in UDC 11-3G-3, a minimum of 15% qualified open space should be provided. However, the applicability section of this code would only apply to the single-family portion of the project and not the entire site overall because a portion of the project is proposed with multi-family residential and is subject to specific use standards (UDC 11-4-3-27). NOTE: The Applicant has stated that all of the open space within the development will be shared and Staff finds the amount of open space is more than sufficient for the project. However, for the purpose of calculating the minimum amount of open space required, Staff has split the project into two areas, one for the single-family and one for multi-family.

The single-family area is approximately 5 acres in size and the multi-family area is approximately 4.8 acres in size (total property size is 9.8 acres). Therefore, the minimum amount of qualified open space required to meet UDC 11-3G-3 for the single-family portion of the site is 0.75 acres, or approximately 32,700 square feet. The minimum amount of qualified open space that is needed to satisfy the multi-

family specific use standards (UDC 11-4-3-27) is an amount per unit based on the size of the units—the provision in this section of code to require a minimum 10% in addition to the per unit amount is not applicable as the multi-family area of the site is not greater than five (5) acres. According to the Applicant, each unit will be approximately 1,500 square feet requiring 350 square feet per unit of qualified common open space. Therefore, with 36 units proposed, the minimum amount of qualified common open space for the multi-family development is 12,600 square feet. So, in total, the amount of open space provided should be at least 45,300 square feet, or 1.04 acres.

According to the submitted plans, the Applicant is proposing approximately 155,200 square feet (3.56 acres) of common open space within common lots (not all of this is qualified). However, this area is still not fully accurate as some of the Purdam Drain easement area is located on buildable lots and the open space calculation does not include the parkways that are qualifying open space. This shows the actual open space area is even greater. If only the two central open space lots, the Purdam Drain common lot (excluding the area on the buildable lots), and the common lot in the southeast corner of the site is taken into account, the amount of qualified open space is approximately 2.5 acres. Therefore, the proposed open space vastly exceeds the minimum amount required by code for both the single-family and the multi-family portions of the project.

Based on the size of the single-family area of the plat, one (1) point of site amenity is required to meet UDC 11-3G-3 standards. According to the submitted plans, the Applicant has not provided an amenity to satisfy these requirements. The Applicant should revise the landscape plans to include an amenity worth at least one amenity point within the single-family area of the project (i.e. a picnic area). The amenity analysis for the multi-family portion of the development is provided below.

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

All fencing constructed on the site is required to comply with the standards listed in UDC 11-3A-6 and 11-3A-7. It is unclear if any fencing is proposed for this project. Staff will verify compliance with UDC standards with the future Final Plat application.

Parking: On-site parking for each unit is required per the standards listed in UDC Table 11-3C-6 based on the number of bedrooms per unit. Two car garages with two (2) parking pads per unit are shown on the proposed plans in accord with UDC standards for up to 4-bedroom homes. A number of on-street parking spaces are also available due to the design of the project.

Parking for the multi-family residential component is required at specific ratios according to UDC Table 11-3C-6 based on the number of bedrooms per unit. According to the Applicant, each unit contains 2 bedrooms which requires which requires 72 off-street parking spaces for 36 units (at least 36 must be covered or garage parking) per UDC Table 11-3C-6. In addition, code requires 1 guest space for every 10 units so an additional 4 spaces (rounded up from 3.6) are required bringing the total to 76 off-street parking spaces. According to the ~~submitted~~ revised CUP Site plan, the Applicant is proposing 72-79 total parking stalls, 2 per unit, and it is not clear if any are covered spaces as required with 41 of these stalls shown as being covered by carports. **Therefore, the Applicant is not now complying with the minimum off-street parking standards for multi-family residential units.**

~~Based on the submitted site plan and number of units, Staff recommends some of the units contain 1-bedroom units to help reduce the amount of parking required (1.5 spaces per unit instead of 2 spaces). Furthermore, the site plan shows a few areas where additional off-street parking spaces may be added. Lastly, as noted above, the local street within the site will allow on-street parking along the entire north and east side of the street except for the areas of the multi-family drive aisle. **If the Applicant cannot find the space within the multi-family area to provide the required number of off-street parking spaces, the Applicant could apply for Alternative Compliance to propose alternative parking solutions (i.e. on-street parking in vast excess of minimum requirements) but Staff notes that this is not guaranteed for approval by the Director.**~~

Waterways: The Purdam Gulch Drain, an NMID facility, bisects the property from the southeast corner to the northwest corner of the site and requires a 100-foot wide easement, wholly on this property. The drain is proposed to be piped and rerouted with this development in a common lot that runs along the entire east and north property boundaries. ~~According to the submitted plat, at least half of the easement area is on some of the multi-family building lots which does not comply with code.~~ Per UDC 11-3A-6, no more than 10 feet of the irrigation easement shall be located on a buildable lot. So, the Applicant ~~should~~ has revised the plat to reduce the multi-family building lots so that no more than 10 feet of the Purdam easement is located on those lots (Lots 1-7, Block 4). Any encroachment within this easement will require a License Agreement with NMID. An exclusive NMID access easement will be required and the HOA will be responsible for maintenance of this lot. **The common lot appears to show grass to help prevent weeds; the Applicant should verify if this is allowed by NMID. If it is not allowed, the Applicant should obtain a letter to that affect from NMID; should this area not be allowed to contain grasses, it may not qualify towards the open space calculation.**

Utilities (UDC 11-3A-21):

Connection to City water and sewer services is proposed in accord with UDC 11-3A-21. Street lighting is required to be installed in accord with the City’s adopted standards, specifications and ordinances. See Section VIII.B below for Public Works comments/conditions.

Pressurized Irrigation System (UDC 11-3A-15):

An underground pressurized irrigation (PI) system is required to be provided for the development as set forth as set forth in UDC 11-3A-15.

Building Elevations (UDC 11-3A-19 | Architectural Standards Manual) (TMISAP)

Conceptual building elevations were submitted for the proposed 2-story townhome structures and the multi-family 4-plex buildings as shown in Section VII.F; conceptual elevations for the single-family attached units and the two detached units were not submitted. See additional analysis in the Comprehensive Plan section above (Section V.A). The conceptual building elevations for the townhomes do not list specific materials but appear to show a combination of stone and stucco field materials. The conceptual elevations for the 4-plex units depict varying designs of board & batten siding with stone accents. As noted above in Section V.A, ~~Staff is recommending~~ the Applicant made changes to the front-loaded townhome units in order to better comply with the Ten Mile Plan. In addition to those ~~recommendations~~ changes, Staff is also recommending the Applicant provide modulation in the building placement for the townhome buildings, especially those along the west boundary, to ensure the building wall-plane is not a monotonous wall of garages.

Final design is required to comply with the design standards listed in the Architectural Standards Manual and the design guidelines in the TMISAP as stated herein. Submittal and approval of an Administrative Design Review application is required prior to submittal of building permit application(s).

C. CONDITIONAL USE PERMIT (CUP) –

11-4-3-27. - Multi-family development.

A. Purpose.

1. To implement the goals and policies of the Comprehensive Plan:
 - a. Plan for safe, attractive, and well-maintained neighborhoods that have ample open space, and generous amenities that provide varied lifestyle choices.
 - b. Require the design and construction of pathways connections, easy pedestrian and bicycle access to parks, safe routes to schools, and the incorporation of usable open space with quality amenities as part of new multi-family residential and mixed-use developments.

2. To create multi-family housing that is safe and convenient and that enhances the quality of life of its residents.
 - a. To create quality buildings and designs for multi-family development that enhance the visual character of the community.
 - b. To create building and site design in multi-family development that is sensitive to and well-integrated with the surrounding neighborhood.
 - c. To create open space areas that contribute to the aesthetics of the community, provide an attractive setting for buildings, and provide safe, interesting outdoor spaces for residents.

B. *Site design.*

1. Buildings shall provide a minimum setback of ten (10) feet unless a greater setback is otherwise required by this title and/or title 10 of this Code. Building setbacks shall take into account windows, entrances, porches and patios, and how they impact adjacent properties. *Based on the submitted revised CUP Site Plan, it is unclear if this requirement is met, because Staff cannot tell if what is being shown on the site plan are the exact building footprints or merely the potential buildable area. Staff is recommending a condition of approval the Applicant provide a clearer site plan for the multi-family residential part of the site prior to the City Council hearing to ensure compliance with this standard.*
2. All on-site service areas, outdoor storage areas, waste storage, disposal facilities, and transformer and utility vaults shall be located in an area not visible from a public street, or shall be fully screened from view from a public street. *The Applicant shall comply with this standard.*
3. A minimum of eighty (80) square feet of private, usable open space shall be provided for each unit. This requirement can be satisfied through porches, patios, decks, and/or enclosed yards. Landscaping, entryway and other accessways shall not count toward this requirement. In circumstances where strict adherence to such standard would create inconsistency with the purpose statements of this section, the Director may consider an alternative design proposal through the alternative compliance provisions as set forth in section 11-5B-5 of this title. *The submitted elevations do not clearly depict compliance with this standard and no floor plans were submitted as an additional means of verification. Staff will verify compliance with this requirement with the future Certificate of Zoning Compliance (CZC) application; the Applicant is required to comply with this requirement or obtain Alternative Compliance, as noted.*
4. For the purposes of this section, vehicular circulation areas, parking areas, and private usable open space shall not be considered common open space. *None of these areas were used towards the common open space calculation.*
5. No recreational vehicles, snowmobiles, boats or other personal recreation vehicles shall be stored on the site unless provided for in a separate, designated and screened area. *The Applicant shall adhere to this standard.*
6. The parking shall meet the requirements set forth in chapter 3, "regulations applying to all districts", of this title. *See the parking section in the general analysis above.*
7. Developments with twenty (20) units or more shall provide the following:
 - a. A property management office.
 - b. A maintenance storage area.
 - c. A central mailbox location, including provisions for parcel mail, that provide safe pedestrian and/or vehicular access.

- d. A directory and map of the development at an entrance or convenient location for those entering the development.

The Applicant is proposing more than 20 units (36 units) so the Applicant is required to comply with these standards. The ~~submitted revised CUP Site Plan does not appear to~~ now shows a the required property management office ~~or~~ and a maintenance storage area. Staff is less concerned with the mailbox and directory map location as these items can be easily verified with the future CZC application. ~~However, the Applicant should revise the site plan to show the management office and maintenance storage area prior to the City Council hearing.~~

C. Common open space design requirements.

1. The total baseline land area of all qualified common open space shall equal or exceed ten (10) percent of the gross land area for multi-family developments of five (5) acres or more. *The multi-family area is less than 5 acres in size so this portion of the code is not applicable on this project. In general, the Applicant is proposing open space for the entire development well in excess of code requirements due to the open space area that is the Purdam Gulch Drain easement area. See the open space section above for more specific analysis.*
2. All common open space shall meet the following standards:
 - a. The development plan shall demonstrate that the open space has been integrated into the development as a priority and not for the use of land after all other elements of the development have been designed. Open space areas that has been given priority in the development design have:
 - (1) Direct pedestrian access;
 - (2) High visibility;
 - (3) Comply with Crime Prevention through Environmental Design (CTED) standards; and
 - (4) Support a range of leisure and play activities and uses.
 - b. Open space shall be accessible and well connected throughout the development. This quality can be shown with open spaces that are centrally located within the development, accessible by pathway and visually accessible along collector streets or as a terminal view from a street.
 - c. The open space promotes the health and well-being of its residents. Open space shall support active and passive uses for recreation, social gathering and relaxation to serve the development.

Staff finds the proposed open space complies with these standards by providing open space that is well connected, highly visible, and promotes health and well-being by supporting a range of leisure and play activities.
3. All multi-family projects over twenty (20) units shall provide at least one (1) common grassy area integrated into the site design allowing for general activities by all ages. This area may be included in the minimum required open space total. Projects that provide safe access to adjacent public parks or parks under a common HOA, without crossing an arterial roadway, are exempt from this standard.
 - a. Minimum size of common grassy area shall be at least five thousand (5,000) square feet in area. This area shall increase proportionately as the number of units increase and shall be commensurate to the size of the multi-family development as determined by the decision-making body. Where this area cannot be increased due to site constraints, it may be included elsewhere in the development.

- b. Alternative compliance is available for these standards, if a project has a unique targeted demographic; utilizes other place-making design elements in Old-Town or mixed-use future land use designations with collectively integrated and shared open space areas.

The submitted plans depict compliance with this standard in multiple places throughout the site.

- 4. In addition to the baseline open space requirement, a minimum area of outdoor common open space shall be provided as follows:
 - a. One hundred fifty (150) square feet for each unit containing five hundred (500) or less square feet of living area.
 - b. Two hundred fifty (250) square feet for each unit containing more than five hundred (500) square feet and up to one thousand two hundred (1,200) square feet of living area.
 - c. Three hundred fifty (350) square feet for each unit containing more than one thousand two hundred (1,200) square feet of living area.

See the common open space analysis above in V.B.

- 5. Common open space shall be not less than four hundred (400) square feet in area, and shall have a minimum length and width dimension of twenty (20) feet. *Applicant complies.*
- 6. In phased developments, common open space shall be provided in each phase of the development consistent with the requirements for the size and number of dwelling units. *N/A*
- 7. Unless otherwise approved through the conditional use process, common open space areas shall not be adjacent to collector or arterial streets unless separated from the street by a berm or constructed barrier at least four (4) feet in height, with breaks in the berm or barrier to allow for pedestrian access.

The Purdam Drain open space lot has access to W. Aviator Street, a collector street, because the street must cross the drain in order to stub to the east property boundary. Due to the large area of this lot, its excellent accessibility, and the proposed landscaping along Aviator, Staff finds it applicable to allow this common open space area to count without constructing a berm along the street. Commission and Council may require this if they see fit.

D. *Site development amenities.*

- 1. All multifamily developments shall provide for quality of life, open space and recreation amenities to meet the particular needs of the residents as follows:
 - a. *Quality of life.*
 - (1) Clubhouse.
 - (2) Fitness facilities.
 - (3) Enclosed bike storage.
 - (4) Public art such as a statue.
 - (5) Dog park with waste station.
 - (6) Commercial outdoor kitchen.
 - (7) Fitness course.
 - (8) Enclosed storage
 - b. *Open space.*
 - (1) Community garden.

- (2) Ponds or water features.
 - (3) Plaza.
 - (4) Picnic area including tables, benches, landscaping and a structure for shade.
 - c. *Recreation.*
 - (1) Pool.
 - (2) Walking trails.
 - (3) Children's play structures.
 - (4) Sports courts.
 - d. *Multi-modal amenity standards.*
 - (1) Bicycle repair station.
 - (2) Park and ride lot.
 - (3) Sheltered transit stop.
 - (4) Charging stations for electric vehicles.
2. The number of amenities shall depend on the size of multifamily development as follows:
- a. For multifamily developments with less than twenty (20) units, two (2) amenities shall be provided from two (2) separate categories.
 - b. For multifamily development between twenty (20) and seventy-five (75) units, three (3) amenities shall be provided, with one (1) from each category.
 - c. For multifamily development with seventy-five (75) units or more, four (4) amenities shall be provided, with at least one (1) from each category.
 - d. For multifamily developments with more than one hundred (100) units, the decision-making body shall require additional amenities commensurate to the size of the proposed development.
3. The decision-making body shall be authorized to consider other improvements in addition to those provided under this subsection (D), provided that these improvements provide a similar level of amenity.

For the 36 multi-family units proposed, a minimum of three (3) amenities should be provided to satisfy the specific use standards. According to the submitted plans, one (1) qualifying amenity is proposed, children play equipment. Therefore, the Applicant does not comply with this standard. Prior to the City Council hearing, the Applicant should revise applicable plans to show compliance with this requirement and ensure one amenity from each of the first three categories above is included in the development. According to the revised CUP Site Plan, the Applicant is proposing picnic tables with a gazebo, children's play structures, and a fenced dog park with a waste station in the central open space lot of the multi-family area. Therefore, the Applicant now complies with these specific use standards.

- E. *Landscaping requirements.*
- 1. Development shall meet the minimum landscaping requirements in accord with chapter 3, "regulations applying to all districts", of this title.
 - 2. All street facing elevations shall have landscaping along their foundation. The foundation landscaping shall meet the following minimum standards:
 - a. The landscaped area shall be at least three (3) feet wide.

- b. For every three (3) linear feet of foundation, an evergreen shrub having a minimum mature height of twenty-four (24) inches shall be planted.
- c. Ground cover plants shall be planted in the remainder of the landscaped area.

Applicant shall show compliance with this standard for the buildings facing any public street with the future CZC application.

- F. *Maintenance and ownership responsibilities.* All multifamily developments shall record legally binding documents that state the maintenance and ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features. *Applicant shall comply.*

(Ord. 05-1170, 8-30-2005, eff. 9-15-2005; Ord. 09-1394, 3-3-2009, eff. retroactive to 2-4-2009; Ord. 16-1672, 2-16-2016; Ord. 18-1773, 4-24-2018; Ord. 19-1833, 7-9-2019, [Ord. No. 21-1950](#), § 19, 10-10-2021).

VI. DECISION

A. Staff:

Staff recommends approval of the proposed Preliminary Plat and Conditional Use Permit per the provisions included in Section VIII in accord with the Findings in Section IX.

B. The Meridian Planning & Zoning Commission heard these items on March 3, 2022. At the public hearing, the Commission moved to recommend approval of the subject Preliminary Plat and Conditional Use Permit requests.

1. Summary of Commission public hearing:

- a. In favor: Jadon Schneider, Applicant Representative;
- b. In opposition: None
- c. Commenting: Jadon Schneider
- d. Written testimony: 4 pieces of testimony in opposition of the project design with requests to keep the Purdam Drain open instead of piped; 1 piece of testimony in support of the project and extension of Aviator from adjacent developer (property to the east).
- e. Staff presenting application: Joseph Dodson, Associate Planner
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. None

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

- a. What kind of changes are Staff looking for to better comply with the Ten Mile Plan and will those affect the overall project layout;
- b. History of the existing attached sidewalk along Aviator Street versus the requirement for detached sidewalk required with this project;
- c. Potential of any outstanding issues between Commission and Council and if project should be continued out;
- d. Applicant’s proposed phasing of the Aviator extension in relation to future development to the east;

4. Commission change(s) to Staff recommendation:

- a. None beyond what was discussed at the hearing due to clarification by the Applicant and Staff regarding the number of units proposed (strike condition 12.a).

5. Outstanding issue(s) for City Council:

- a. None

Item #10.

VII. EXHIBITS

A. Preliminary Plat Legal Description

Description for
Aviation Subdivision
January 12, 2022

A portion of the West 1/2 of the Southwest 1/4 of Section 10, Township 3 North, Range 1 West of the Boise-Meridian, City of Meridian, Ada County, Idaho, more particularly described as follows:

Commencing at the Section corner common to Sections 9, 10, 15, and 16, Township 3 North, Range 1 West, Boise-Meridian, from which the 1/4 corner common to said Sections 9 and 10 bears North 0°38'55" East, 2653.02 feet; thence on the west boundary line of said Section 10, North 0°38'55" East, 1621.66 feet to the south boundary line of the railroad right-of-way; thence on said south boundary line, South 88°26'12" East, 495.23 feet to the **REAL POINT OF BEGINNING**;

thence continuing South 88°26'12" East, 824.15 feet to the east boundary line of the West 1/2 of the Southwest 1/4 of said Section 10;

thence on said east boundary line, South 0°36'35" West, 514.83 feet;

thence leaving said east boundary line, North 89°15'50" West, 824.04 feet to the Southeast corner of Hensley Station Subdivision No. 1 as filed Book 120 of Plats at Pages 18786 through 18789, records of Ada County, Idaho;

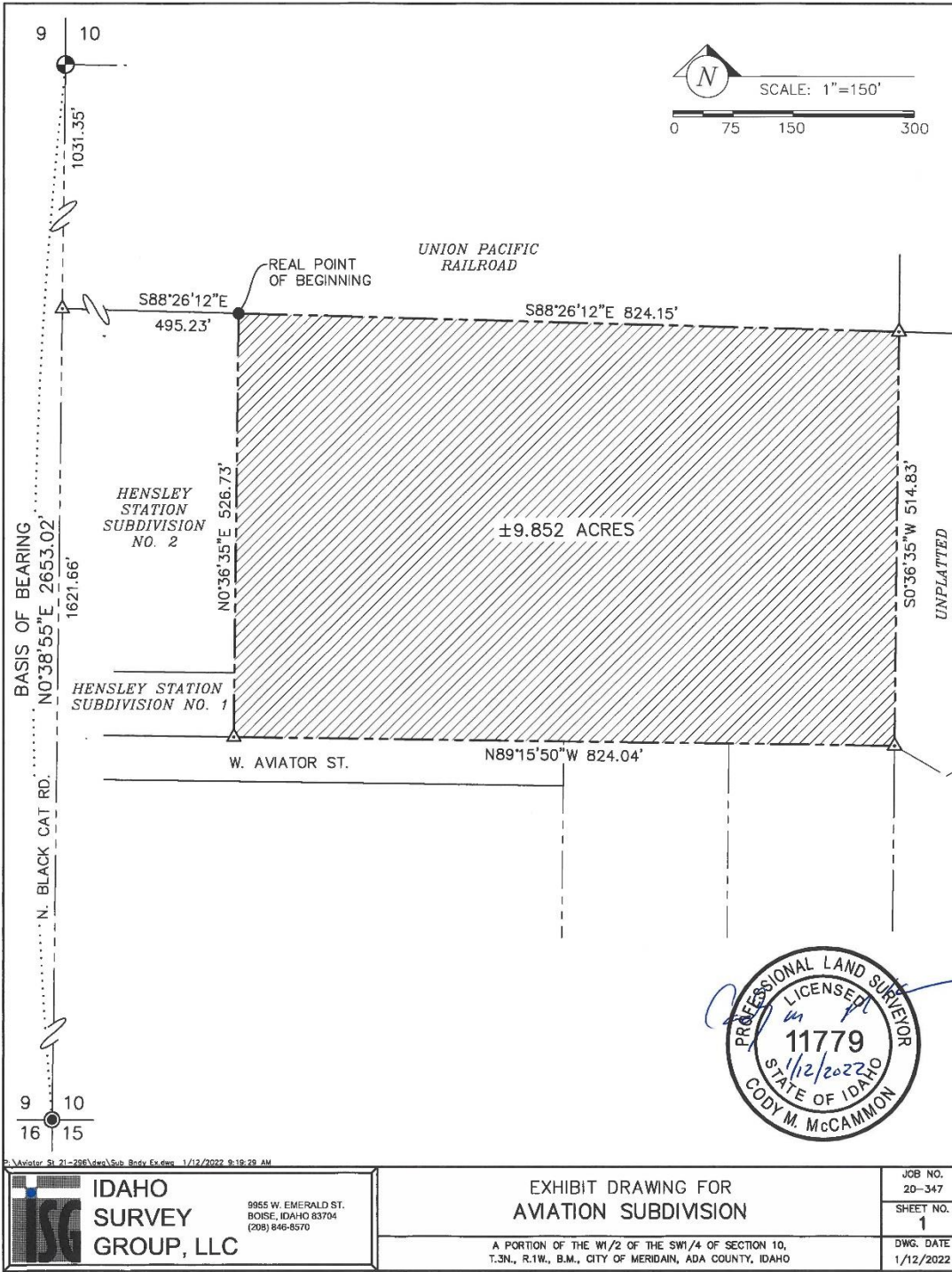
thence on the east boundary line of said Hensley Station Subdivision No. 1 and Hensley Station Subdivision No. 2 as filed in Book 121 of Plats at Pages 19058 through 19060, records of Ada County, Idaho, North 0°36'35" East, 526.73 feet to the **REAL POINT OF BEGINNING**.

Containing 9.852 acres, more or less.

End of Description.



Item #10.



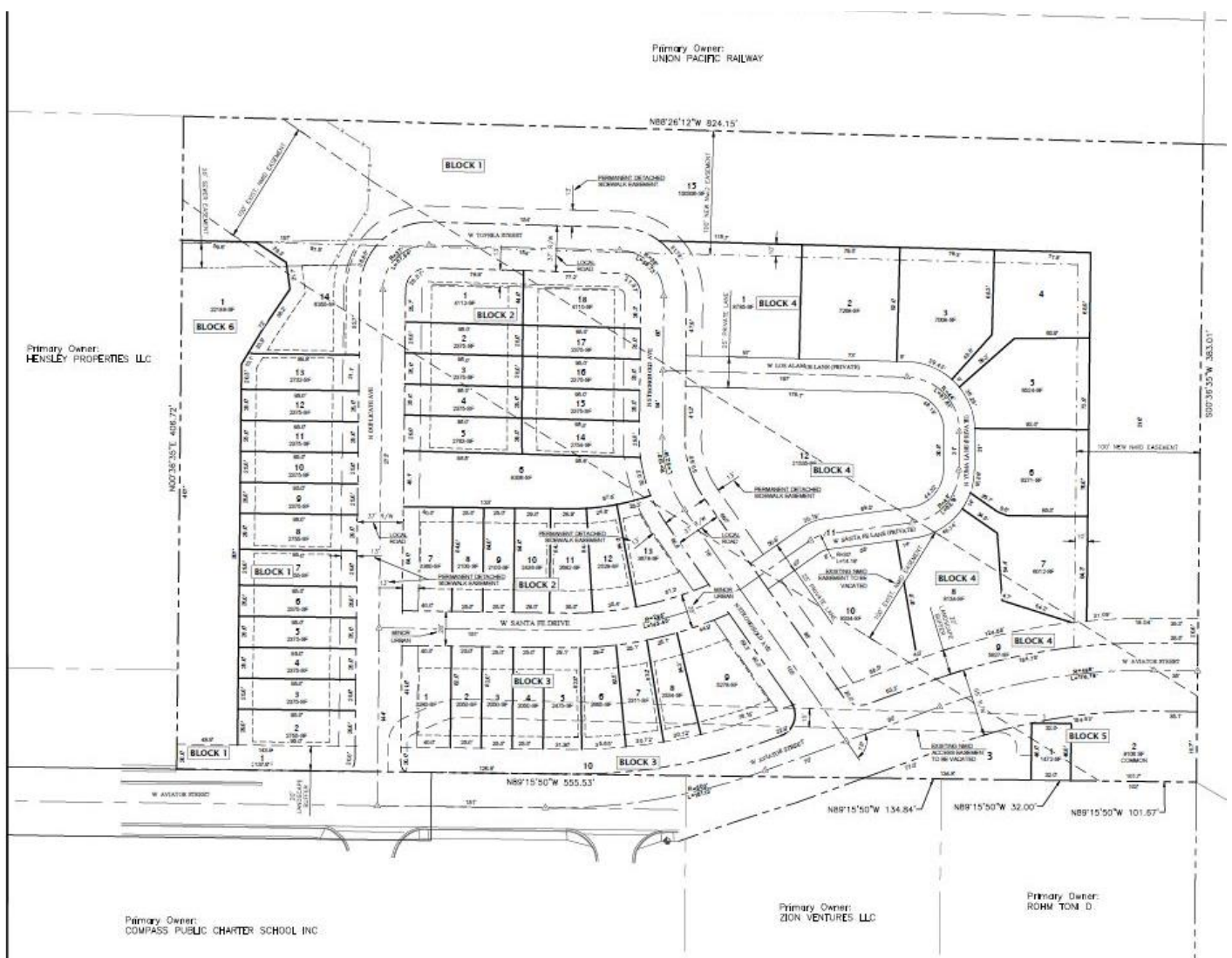
P:\Aviator_S1_21-226\dra\Sub_Body_Ex.dwg 1/12/2022 9:12:29 AM

IDAHO SURVEY GROUP, LLC
 9955 W. EMERALD ST.
 BOISE, IDAHO 83704
 (208) 846-8570

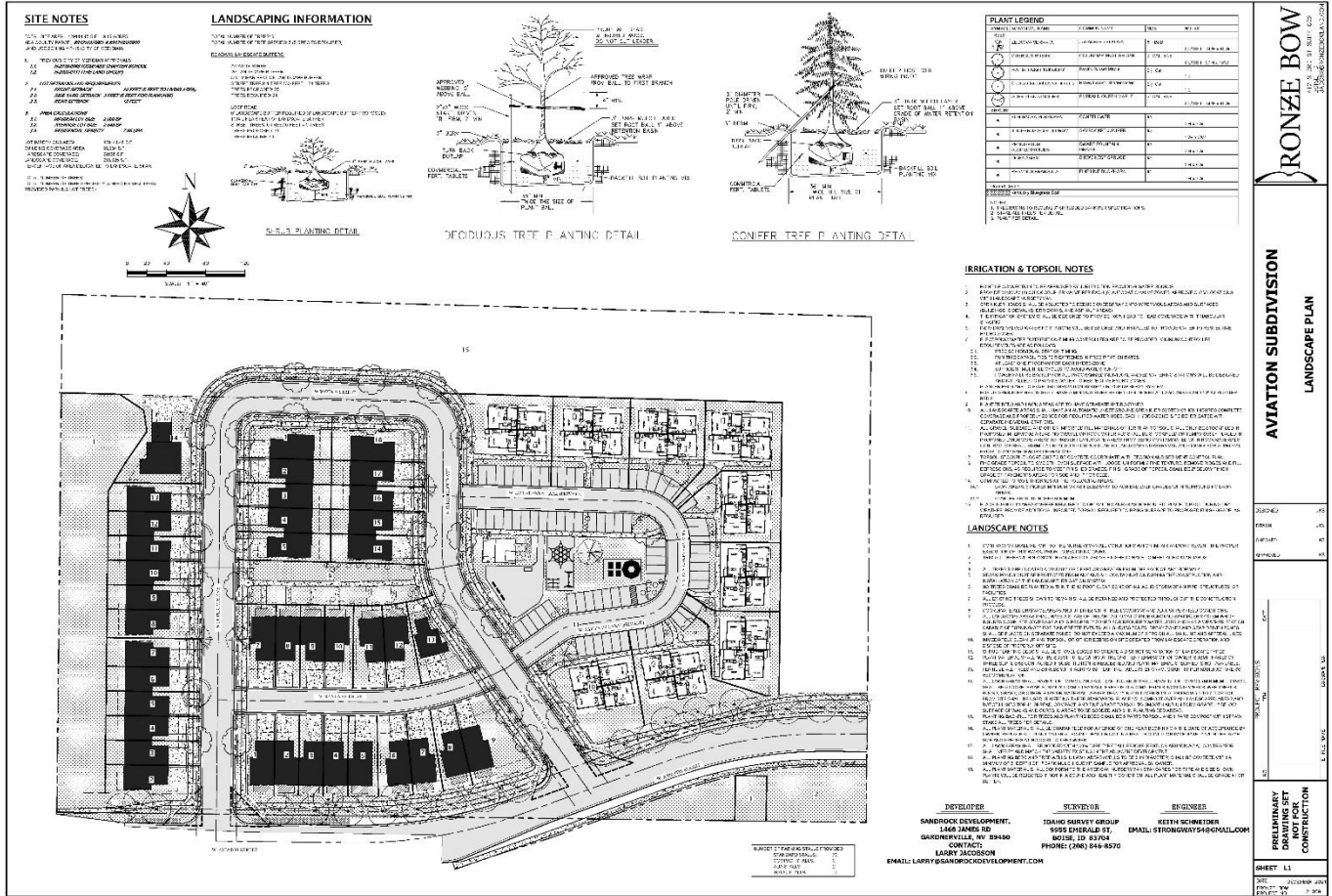
EXHIBIT DRAWING FOR
 AVIATION SUBDIVISION

A PORTION OF THE W1/2 OF THE SW1/4 OF SECTION 10,
 T.3N., R.1W., B.M., CITY OF MERIDAIN, ADA COUNTY, IDAHO

JOB NO. 20-347
SHEET NO. 1
DWG. DATE 1/12/2022



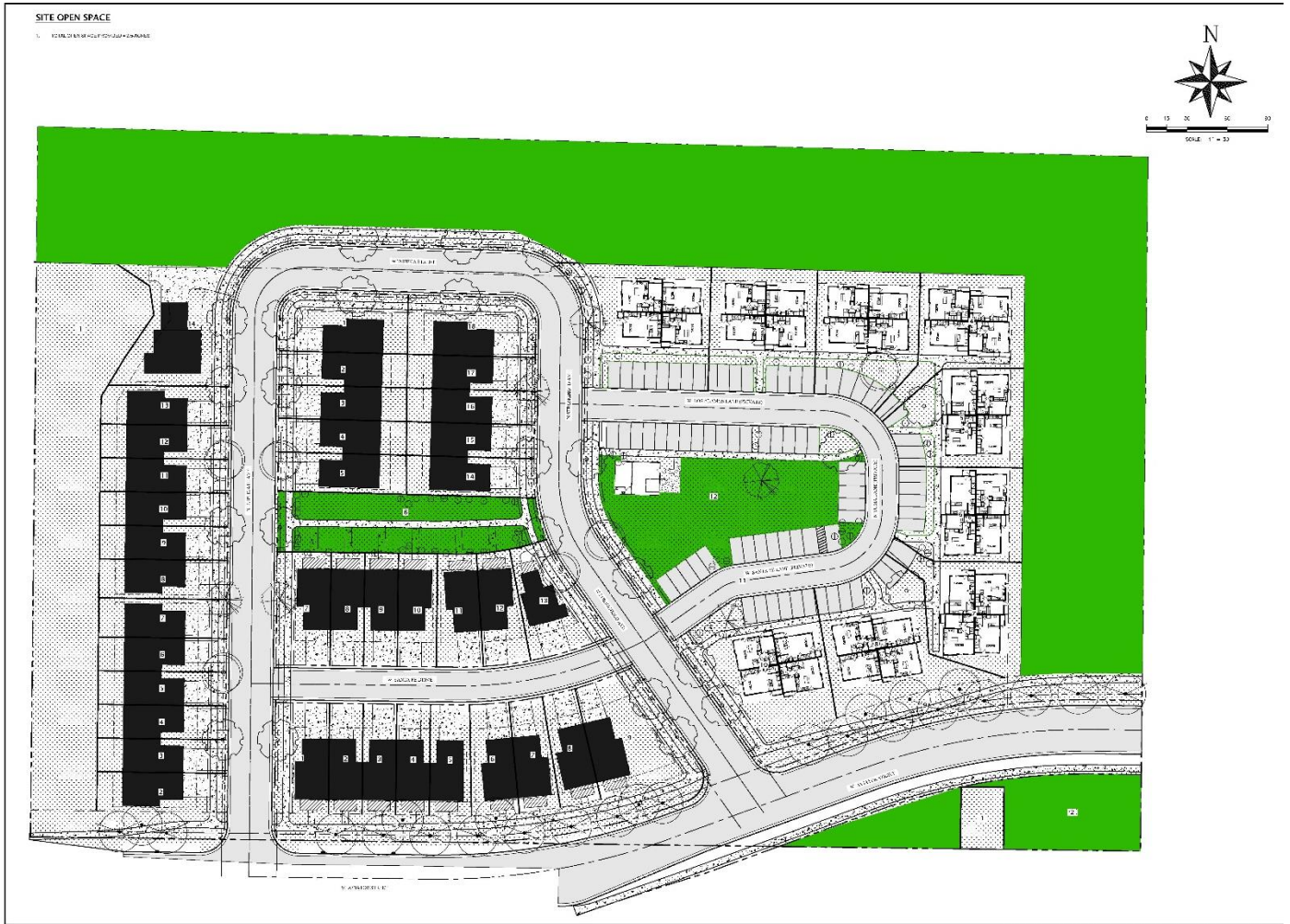
C. Landscape Plan (date: 8/03/2020 December 2021)



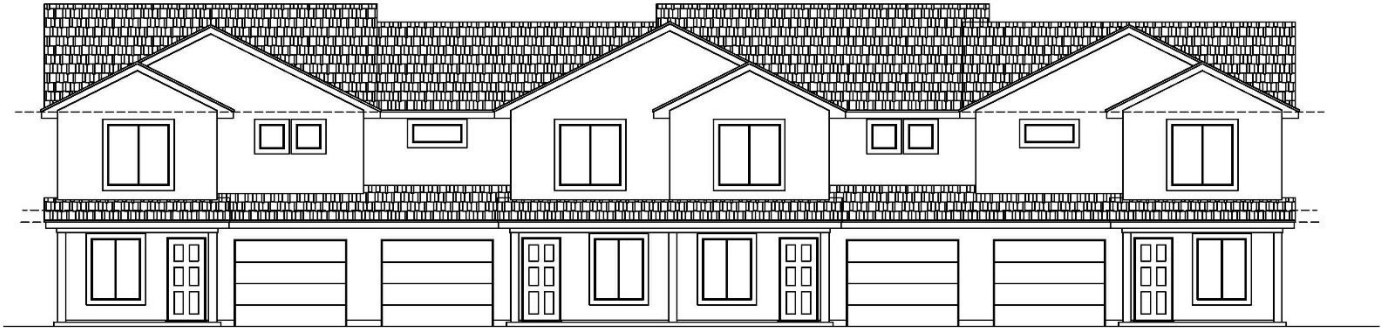
Item #10.



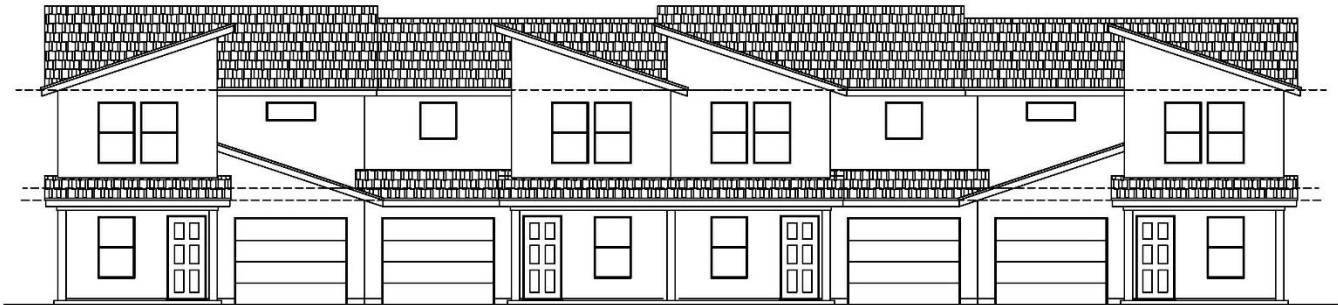
D. Open Space Exhibit



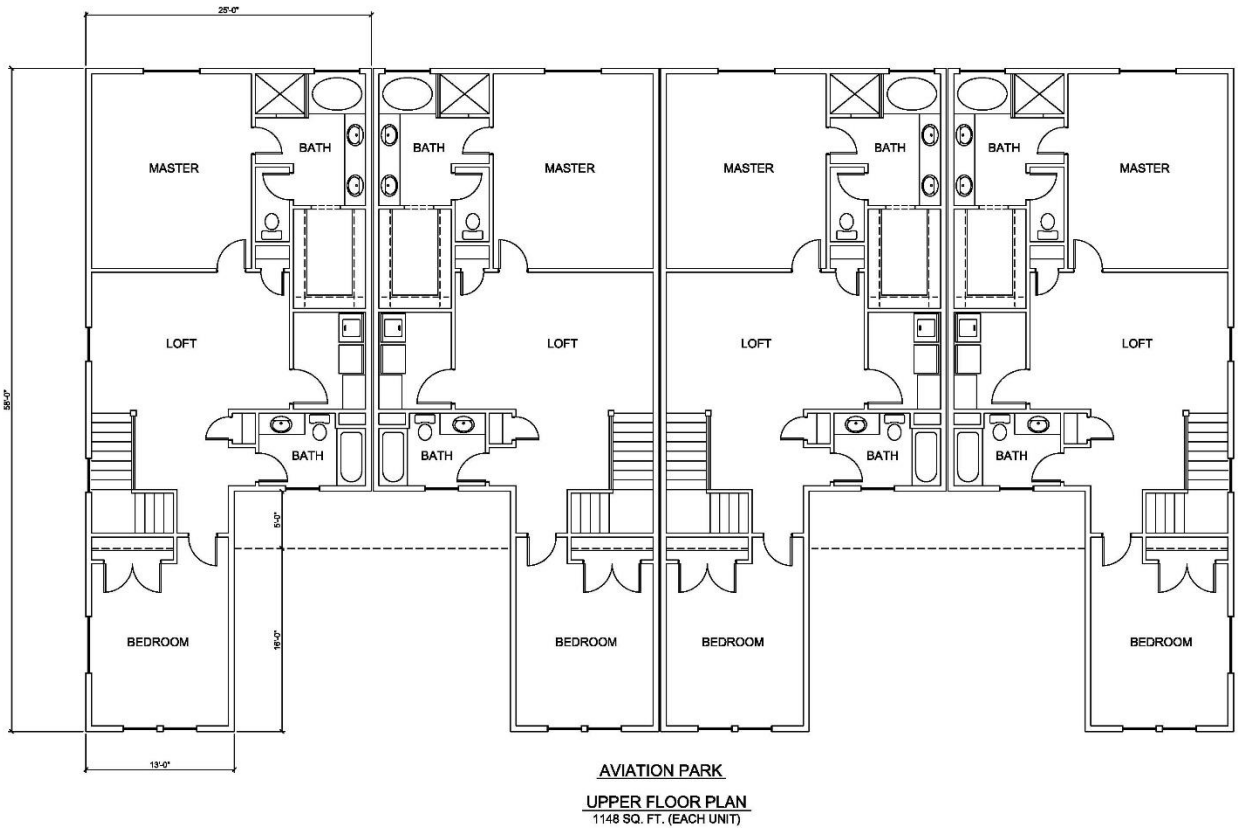
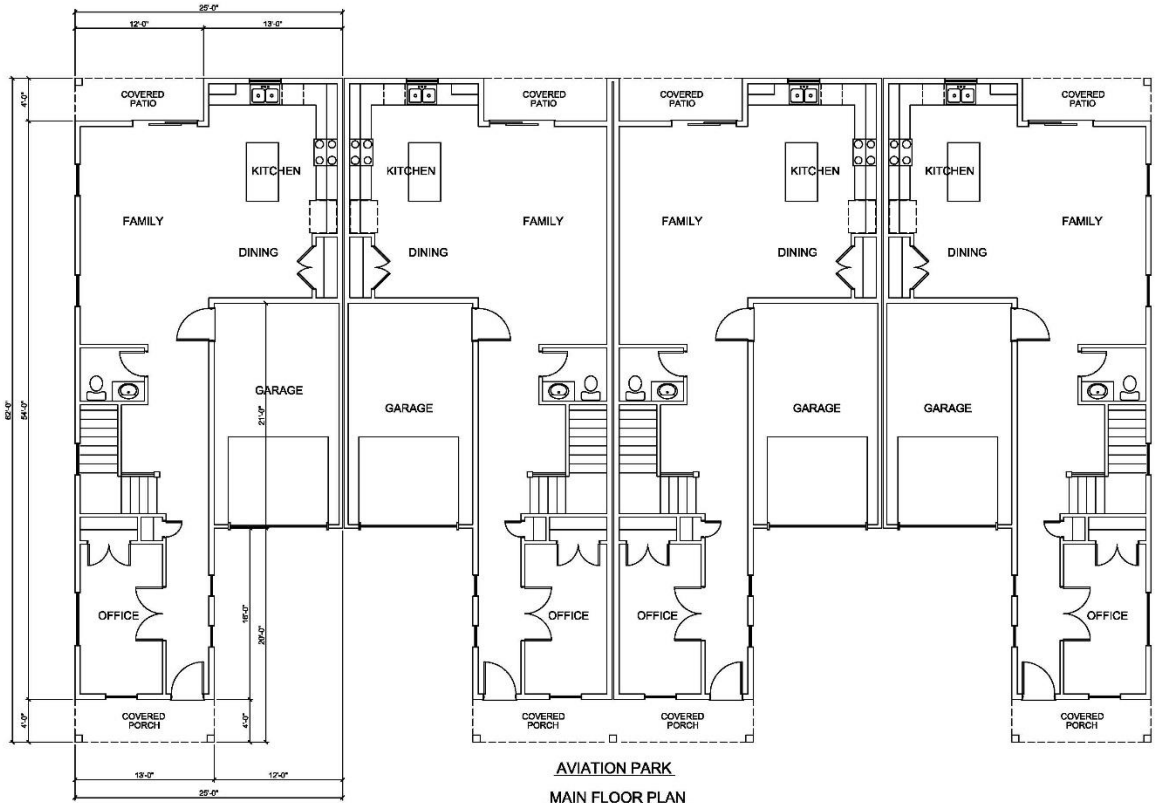
E. Conceptual Building Elevations and floor plans (dated: March 2022) (**NOT APPROVED**)

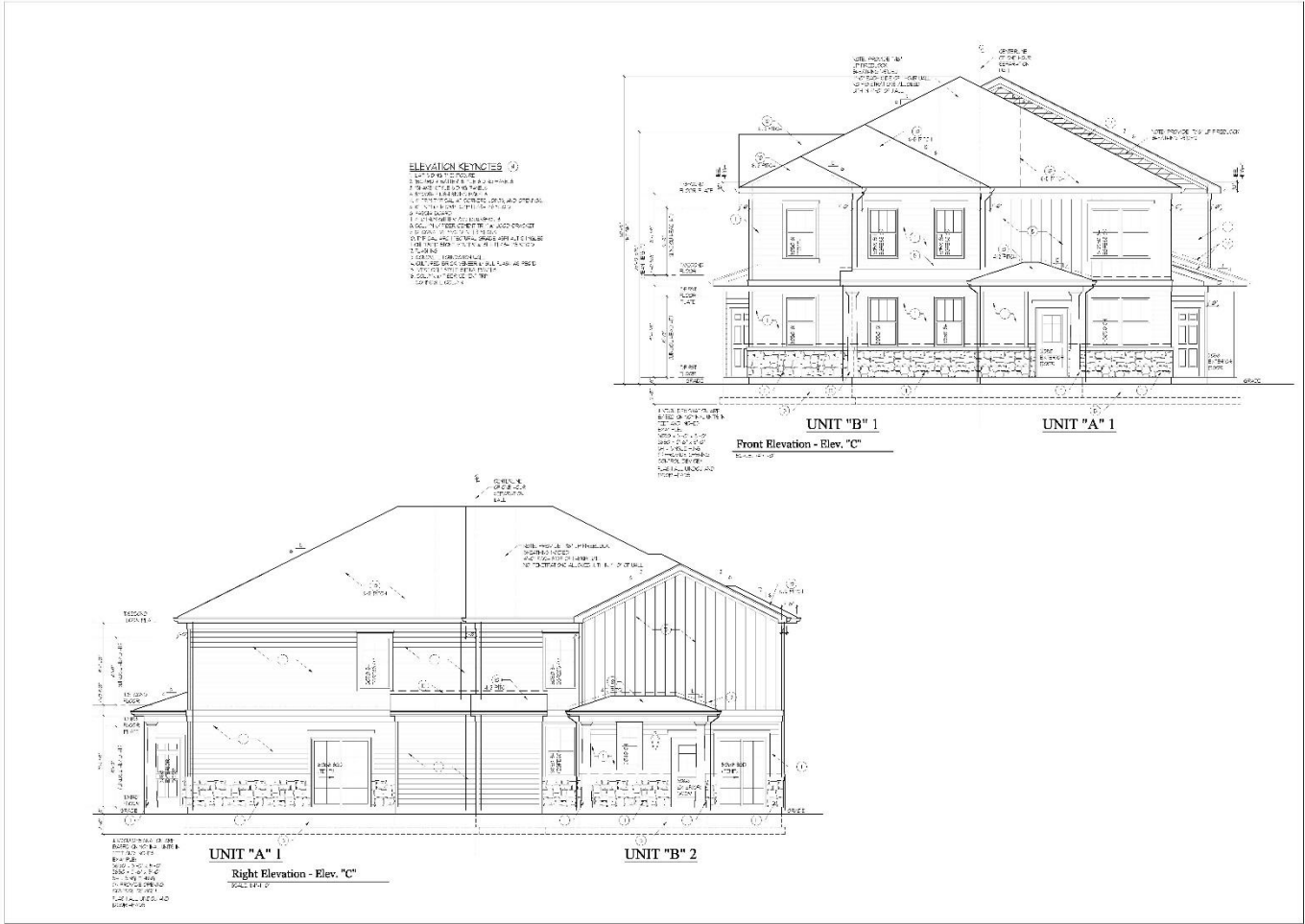


AVIATION PARK
FRONT ELEVATION A



AVIATION PARK
FRONT ELEVATION B





VIII. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

Preliminary Plat (PP):

1. The Applicant shall adhere to all previous conditions of approval associated with this site (H-2020-0111, Aviator Sub. CPAM, MDA, RZ; DA Inst. #2021-067235).
2. In accord with Fire Code, the Applicant shall construct all dwellings within this site with fire sprinklers unless a means of Fire Department approved secondary access can be obtained through adjacent sites.
3. Prior to the acceptance of any Final Plat application by the Planning Division, the Applicant shall provide proof that the required right-of-way for the extension of W. Aviator Street has been deeded to ACHD as proof the shown location has been accepted by all parties (including the adjacent property owner, Parcel# S1210336450).
4. Applicant shall continue working with ACHD on the extension of W. Aviator Street—the Applicant shall extend W. Aviator to the east property boundary OR construct it to terminate no greater than 150 feet east of the proposed local street (shown as N. Stronghold Avenue) and provide a road trust to ACHD for the remaining portion of Aviator.
5. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-7 for the R-15 zoning district and those listed in the specific use standards for multi-family development, UDC 11-4-3-27.
6. The Applicant shall comply with all ACHD conditions of approval.
7. Future development shall comply with UDC 11-3A-7 and UDC 11-3A-6 for any future fencing constructed within the development.
8. The Applicant shall obtain Administrative Design Review approval for the single-family attached units and townhome units prior to building permit submittal.
9. The Applicant shall obtain Certificate of Zoning Compliance and Administrative Design Review approval for the multi-family development prior to building permit submittal.
10. The Applicant shall record a maintenance agreement for the multi-family development that states the maintenance and the ownership responsibilities for the management of the development, including, but not limited to, structures, parking, common areas, and other development features, in accord with UDC 11-4-3-27.
11. The preliminary plat approval shall become null and void if the applicant fails to either: 1) obtain the City Engineer signature on a final plat within two years of the date of the approved findings; or 2) obtain approval of a time extension as set forth in UDC 11-6B-7.
12. The submitted preliminary plat, dated ~~February~~ March 14, 2022, shall be revised as follows at ~~least 15 days~~ prior to the Final Plat submittal; ~~City Council hearing noted~~:
 - a. ~~Revise the plat to include at least one (1) additional dwelling unit to meet the minimum density requirements of the Development Agreement and underlying future land use designation (MHDR).~~
 - b. ~~Depict zero lot lines on the plat where single family attached and townhome structures are proposed.~~
 - c. ~~Show 5 foot wide detached sidewalks along both sides of the W. Aviator Street extension.~~

- d. ~~Revise the plat to show a reduction in the multi-family building lot sizes (Lots 1-7, Block 4) so that no more than 10 feet of the Purdam Gulch Drain easement is located on those lots, per UDC 11-3A-6, OR request a City Council waiver to allow more of the easement to encroach on the building lots if NMID allows it.~~
- e. ~~Add a plat note stating who is responsible for the maintenance of the Compass Charter School drain field located on Lot 1, Block 6.~~
13. The submitted landscape plan, dated December 2021, shall be revised prior to the first final plat submittal, ~~unless otherwise noted:~~
- a. Work with Nampa Meridian Irrigation District (NMID) to install a 5-foot wide pathway along the south and west side of the relocated Purdam Gulch Drain to further comply with open space and amenity standards; new pathway should provide a pathway stub to the east boundary and connect to the detached sidewalk along W. Aviator and the detached sidewalk along the internal local street near the north end of the site to create a looped walking path.
 - b. ~~Add data to the landscape plans showing compliance with UDC 11-3B-7C for the proposed parkways.~~
 - c. Show the required street buffer trees within the required 20-foot buffer on the south side of the W. Aviator extension.
 - d. Add an additional tree in the center of the open space lot within the single-family portion of the project (Lot 6, Block 2) to add an area of shade in the center of this open space lot.
 - e. Add a picnic area or other amenity worth at least one (1) amenity point in the single-family portion of the project (Lot 6, Block 2) to comply with UDC 11-3G-3 amenity standards.
 - f. Provide verification from NMID the common lot containing the piped and rerouted Purdam Drain can be vegetated with grasses; if it is not allowed, the Applicant should obtain a letter to that effect from NMID (should this area not be allowed to contain grasses, it may not qualify towards the open space calculation).
 - g. Depict the required minimum of 3-feet of landscaping along the base of the multi-family building facades facing all public streets in accord with the multi-family specific use standards.
14. The submitted conceptual elevations for the townhome and single-family attached units are approved with the following standards to be maintained: ~~shall be revised as follows at least ten (10) days prior to the City Council hearing:~~
- a. Applicant shall comply with the design guidelines within the TMISAP.
 - b. ~~Explore alternate design options to be more consistent with the street oriented design standards within the Ten Mile Plan while maintaining a gross density of at least 8 units per acre; an alternate floor plan and revised elevations should be submitted in accord with this provision.~~
 - c. ~~Revise the elevations to correspond~~ Ensure the street level and upper level architectural detailing to unify is unified throughout the design.
 - d. ~~Provide additional modulation in wall plan and roof height variation.~~
 - e. Depict varying build-to lines for all of the front-loaded townhomes to ensure modulation in the building massing between and along sets of the townhome buildings.

Conditional Use Permit (CUP):

15. The submitted CUP Site Plan, dated ~~December 15, 2021~~ March 14, 2022, shall be revised ~~at least 15 days prior to the City Council hearing~~ prior to Final Plat submittal as follows:

- a. ~~Revise the site plan to show the management office and maintenance storage area as required by the multi-family development specific use standards.~~
 - b. ~~Clearly depict the building footprint of each 4-plex multi-family building and show the required 10-foot setback between buildings.~~
 - c. ~~Add at least two (2) additional amenities for the multi-family project and clearly depict their locations on the site plan.~~
 - d. ~~Depict which off-street parking stalls will be covered carports—ensure compliance with any Public Works easement standards.~~
16. Off-street parking is required to be provided in accord with the standards listed in UDC Table 11-3C-6 for multi-family dwellings based on the number of bedrooms per unit.
 17. A minimum of 80 square feet of private, usable open space shall be provided for each dwelling unit; this requirement can be satisfied through porches, patios, decks and enclosed yards as set forth in UDC 11-4-3-27.
 18. Upon completion of the landscape installation, a written Certificate of Completion shall be submitted to the Planning Division verifying all landscape improvements are in substantial compliance with the approved landscape plan as set forth in UDC 11-3B-14.
 19. The Applicant shall adhere to and maintain all standards as set forth in the Multi-family Development specific use standards, UDC 11-4-3-27.
 20. The conditional use approval shall become null and void unless otherwise approved by the City if the applicant fails to 1) commence the use, satisfy the requirements, acquire building permits and commence construction within two years as set forth in UDC 11-5B-6F.1; or 2) obtain approval of a time extension as set forth in UDC 11-5B-6F.4.

B. PUBLIC WORKS

Site Specific Conditions of Approval

1. The water main in West Aviator Street needs to end in a fire hydrant.
2. The water main in West Santa Fe Lane needs to be located on the North side of the centerline.
3. The water main connection to the South needs to be made for a future second connection.
4. Parcel numbers S1210336521 and S1210336450 will need a connection and easement to the water main in West Aviator Street. Coordinate with those parcel owners and/or the future street connection to make these connections as part of this application.
5. Do not locate manholes in sidewalks, because they can become a tripping hazard. Manhole SSMH A.1 does not meet this requirement.
6. Angles of pipes into and out of manholes need to be a 90 degree minimum in the direction of flow.
7. Ensure manholes are not located in gutters to avoid excess water/drainage into the wastewater system. Manholes SSMH C1 and SSMH D1 do not meet this requirement.
8. Manhole SSMH A5 has two outlet pipes, which is not allowed. Each manhole should only have one outlet. SSMH C1 should not connect to this manhole, reconfigure this to remove this connection.
9. Minimum slope for a 10'' diameter main is 0.28%, adjust your 10'' main accordingly so it meets this minimum.

Standard Conditions of Approval

1. Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
2. Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
3. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2'' x 11'' map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
4. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.

5. All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
6. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
7. Any wells that will not continue to be used must be properly abandoned according to Idaho Well Construction Standards Rules administered by the Idaho Department of Water Resources. The Developer's Engineer shall provide a statement addressing whether there are any existing wells in the development, and if so, how they will continue to be used, or provide record of their abandonment.
8. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
9. Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
10. A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
11. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
12. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
13. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
14. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
15. Developer shall coordinate mailbox locations with the Meridian Post Office.
16. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
17. The design engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
18. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
19. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.

- 20. A street light plan will need to be included in the civil construction plans. Street light plan requirements are listed in section 6-5 of the Improvement Standards for Street Lighting. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272.
- 21. The City of Meridian requires that the owner post to the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water and reuse infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
- 22. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, water and reuse infrastructure for duration of two years. This surety will be verified by a line item cost estimate provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254129&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=249991&dbid=0&repo=MeridianCity>

E. NAMPA MERIDIAN IRRIGATION DISTRICT (NMID)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=251525&dbid=0&repo=MeridianCity>

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254120&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254121&dbid=0&repo=MeridianCity>

H. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=254197&dbid=0&repo=MeridianCity>

IX. FINDINGS

A. Preliminary Plat Findings

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

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

Commission finds that the proposed plat, with Staff's recommendations, is in substantial compliance with the adopted Comprehensive Plan and the specific area plan (Ten Mile Interchange Specific Area Plan) in regard to land use, density, transportation, and pedestrian connectivity. (Please see Comprehensive Plan Policies in, Section V of this report for more information.)

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

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

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

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

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

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

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

Commission is not aware of any health, safety, or environmental problems associated with the platting of this property. ACHD considers road safety issues in their analysis and has approved the proposed road layout and connections to adjacent parcels.

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

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

B. Conditional Use Permit Findings

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

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

Commission finds that the submitted site plan shows compliance with all dimensional and development regulations in the R-15 zoning district in which it resides except for those noted and required to be revised.

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

Commission finds the proposed use of multi-family residential, in conjunction with the other residential housing types proposed, is in accord with the comprehensive plan designation of Medium-High Density Residential within the Ten Mile Plan and the requirements of this title.

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

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

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

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

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

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

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

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

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

Although traffic will slightly increase in the vicinity with the proposed use, the proposed layout offers the best opportunity for safe circulation and provides opportunity to extend a needed east-west collector street for future connectivity. Therefore, Commission finds the proposed use will not be detrimental to any persons, property, or the general welfare.

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

Commission is not aware of any such features; the proposed use should not result in damage of any such features.

Meridian Planning and Zoning Meeting

March 3, 2022.

Meeting of the Meridian Planning and Zoning Commission of March 3, 2022, was called to order at 6:00 p.m. by Chairman Andrew Seal.

Members Present: Chairman Andrew Seal, Commissioner Steven Yearsley, Commissioner Nick Grove, Commissioner Maria Lorcher, and Commissioner Mandi Stoddard.

Members Absent: Commissioner Nate Wheeler and Commissioner Patrick Grace.

Others Present: Adrienne Weatherly, Kurt Starman, Bill Parsons, Sonya Alan, Joe Dodson, Alan Tiefenbach and Dean Willis.

ROLL-CALL ATTENDANCE

<input type="checkbox"/> Nate Wheeler	<input checked="" type="checkbox"/> Maria Lorcher
<input checked="" type="checkbox"/> Mandi Stoddard	<input checked="" type="checkbox"/> Nick Grove
<input checked="" type="checkbox"/> Steven Yearsley	<input type="checkbox"/> Patrick Grace
<input checked="" type="checkbox"/> Andrew Seal - Chairman	

6. Public Hearing for Aviation Subdivision (H-2021-0096) by Jadon Schneider of Bronze Bow Land, Located at Parcel #S1210325951, near the northeast corner of N. Black Cat Rd. and W. Franklin Rd., north of Compass Charter School

- A. Request: Preliminary Plat or 48 building lots (37 single family attached lots, 2 detached single-family, and 9 multi-family lots), 8 common lots, and 1 other lot.
- B. Request: Conditional Use Permit for 36 multi-family units on 9 lots on 9.8 acres in the R-15 zoning district.

Seal: All right. We will go ahead and get things going here again and it looks like we are down to the Aviation Subdivision, H-2021-0096 and if we are ready we can go ahead and start with the staff report.

Dodson: Thank you, Mr. Chair. This one will be a bit of a lengthy presentation, but -- I mean I apologize, but it's a small site, complex site, but complex project, so I apologize. The applications before you tonight for Aviation Subdivision are a preliminary plan and a conditional use permit. The site consists of 9.8 acres, currently zoned R-15, located near the northeast corner of Black Cat and Franklin and directly -- well north -- northeast of the Compass Charter School. The map shows ME for the zoning. And I apologize, it's not an old map, it's the -- there was an issue internally that we didn't send out the zoning

ordinance to the county when we approved it, so it just hasn't been updated on the maps, but it is R-15 zoning. The site does have history with the city, starting in 2018 where it was actually annexed with the Compass Charter School and they changed the comp plan and the zoning, then, to ME and mixed employment in general. Still wrapping my mind around why, but they did that. 2020 we came in and rezoned it, DA modification, and a comp plan map amendment, again, to change it back to what it was, which was medium high density residential. So, currently, the future land use designation on the site is medium high density residential, which expects residential densities at eight to 12 dwelling units per acre. The plat before you tonight is for 48 building lots, eight common lots and one other lot and a conditional use permit for 36 multi-family units within the R-15 zoning district. The other lot is an irrigation pump house lot, I believe for Nampa-Meridian, which is this little random square in the corner. That's the other lot. The building lots are delineated as follow: There is six single family attached lots, 31 townhome lots, two detached single-family lots and nine multi-family lots. So, there is an array of residential uses. The total residential unit count, therefore, is 73 currently. The subject 9.8 acres were annexed into the city in 2018 as noted. Well, I will just skip all that. In addition to the medium-high density residential future land use designation that is on the site, it is also within the Ten Mile interchange specific area plan or as planning likes to call it just the Ten Mile plan. It recommends a mix of housing types within this MHDR designation. It specifically notes row houses, townhouses, condominiums, alley loaded homes and apartments. Within this designation and noted within the existing DA residential gross densities should range from eight to 12 units per acre. With the applicant's proposal of 73 units on the subject 9.8 acres the gross density is 7.44, which does not currently meet the minimum density required. This density needs to be increased and can -- as long as it's over 7.5, which would only be one additional unit, we can use the Comprehensive Plan and we can round up to eight and, then, they meet the plan. Staff has a condition of approval that the applicant should revise the plat to include at least one more dwelling unit to meet the minimum density requirement. In general this site is part of a larger area of medium-high density residential that is slowly redeveloping from both the west and the east and development of the subject site is a logical direction for development to occur in terms of both density and the road improvements. However, the transportation element of this area of the Ten Mile plan is important and there are known traffic issues within this area caused by the Compass Charter School, most notably at pick up and drop off times. The congestion associated with the school and this area creates traffic along the entire Black Cat corridor between Franklin and Cherry and significantly impedes the intersections of Aviator and Black Cat and Black Cat and Franklin during the peak times noted. Staff notes that applications for the site to the east are likely forthcoming. Granted they have not been submitted yet, but they are forthcoming or expected to be forthcoming, which would connect Aviator from Black Cat to North San Marco Way within the Entrada Farm Subdivision to the southeast and I will get into that more later. This east-west connection would create the needed secondary access for the -- for fire, as well as provide a different connection to Franklin Road for this entire area. To help mitigate the issue associated with the future expansion of the road network, staff is recommending conditions of approval around the phasing of the project in relation to the extension of West Aviator Street. In addition to the general comp plan, the applicant is expected to meet certain design criteria found within the Ten Mile plan as

well. The applicant is in compliance with these criteria, except for the street oriented design outlined on Page 3-33 was in the Ten Mile plan. This criteria discusses that front loaded units should be located no less -- I should say the garages should be located no less than 20 feet behind the primary facade of the residential structure. As noted in the staff report, the existing site constraints of extending the collector street along the south boundary, as well as the hundred foot easement of the Purdam Drain on the site make full compliance with the standard unlikely. Therefore, staff recommends the applicant explore alternate design options to be more consistent with this requirement, while maintaining a gross density of at least eight units per acre or 7.5 to roundup and consistent with an alternate floor plan -- or sorry. An alternate floor plan should be submitted, as well as revised elevations that show compliance with the recorded DA. Because in the DA there is existing floor plans -- conceptual floor plans that are vastly different than what is proposed. The proposed plat complies with all UDC dimensional standards, road widths, and the proposed single family uses are principally permitted -- permitted within the R-15 zoning district. The applicant is proposing detached sidewalks and parkways throughout the single family portion of the project to help activate the street and provide more compliance with the Ten Mile plan and the street oriented design. The proposed plat meets all the landscape requirements, except for the required 20 foot buffer along the south side of Aviator extension, which would be here. Sorry. However, staff does recommend that the applicant coordinate with the irrigation district to see if trees can be added within the easement area of the Purdam Drain, specifically on the interior side of it. Due to the proposal of two types of residential uses in the same project, meaning single-family and multi-family, the open space requirements vary for each. The single-family area is approximately five acres and the multi-family area is approximately 4.8. Total property size 9.8. So, one of them has to be less; right? Therefore, the minimum amount of qualified open space required to meet our general open space standards, 11-3G-3, for the single family portion of the site is three quarters of an acre or approximately 32,700 square feet. The minimum amount of qualified open space that is needed for the multi-family standards, which are in the specific use standards, 11-4-3-27, is an amount per unit based on the size of the units. This provision -- the -- there is a section in that -- in the specific use standards that requires a minimum ten percent, but the area of multi-family is not over five acres, so that's not required. With the 36 units proposed the minimum amount of qualified open space for the multi-family development is 12,600 square feet. So, in total, the total amount of open space for the project should be at least 45,300 square feet or just over an acre. According to the submitted plans the applicant is proposing three and a half acres of common open space within common lots, of which approximately two and a half acres is qualified open space. Therefore, they are vastly exceeding the minimum amount of open space required. However, this area is actually still not fully accurate, as the Purdam Drain easement area is located on buildable lots and not in the common lot, so there is additional area that could be qualified and it does -- the open space does not include the parkways, which are also a qualifying open space where no driveways exist. So, this shows that the actual open space is even greater than what is currently listed as the two and a half acres. Again, the proposed open space vastly exceeds the minimum requirements. The applicant is required to provide a qualifying amenity worth at least one amenity point for the single-family portion of the site. The submitted plans do not show compliance with this requirement, but staff

has included a recommendation of approval -- or sorry -- a condition of approval and a recommendation of approval. I will spoil the ending there. But a condition of approval to include an amenity that counts as one point for the single-family portion of the site. Specific to the multi-family portion of the site the applicant complies with all the requirements, except as follows: There is no property management office or maintenance storage area shown on the plans, which is required for all multi-family developments with 20 units or more. They are required to propose three amenities and they are only showing one, which is the children's play structures, which I appreciate that it's not just one playground, they actually have multiple things. I definitely appreciate that. Lastly, they do not comply with the number of off-street parking spaces required. They meet the minimum for the per unit, but they do not meet the minimum per unit plus the required guest spaces. So, they need to add, I believe it was four spaces total. In response to that I have included conditions of approval to reduce the bedroom count of some of the units, because they are all two or three bedroom, which requires the same amount, but if they go to one bedroom reduces the requirement. I also am proposing that they revise the plans to add the required spaces in some of the areas noted. So, they have some areas here -- like they can add at least one more here. I believe they can fit a few here as well. In addition to what's within the site, I did not put this in the staff report as a condition, but code allows alternative compliance to allow other areas of parking to count and, in general, all of this north side and the east side of this street where there isn't these drive aisles on-street parking is going to be available, because there is no driveways. So, in short, I do not anticipate parking be a major issue in this development. Now, to the meats and potatoes here. The applicant is required and proposing to extend West Aviator Street along the southern boundary. It is a collector street that currently exists -- I believe it ends right about here with a temporary cul-de-sac here and connects out to West Aviator. That is the only access for the site currently. According to the plat the applicant is showing a small portion of this road extension on a property to the south, which would be right here. I will go to the next -- this is a property that they do not own and they are showing a portion of the extension on that site. That -- that site is not annexed into the City of Meridian. It is not typical of road extensions to utilize area not on the subject property, but it allows the applicant to have more usable land area that is significantly reduced already to the existence of the Purdam Gulch Drain easement. The placement of Aviator extension requires a formal agreement with the adjacent property owner. If the applicant cannot reach an agreement with that property owner, the submitted plat will have to be revised to show Aviator wholly on the subject site. To ensure this occurs prior to development, staff has included a condition of approval that a final plat for this project will not be accepted until an agreement has been formalized and the right-of-way has been dedicated to ACHD for this portion of Aviator Street. Vehicular access for the single family, which I will go back to this, is via construction of a new local street that loops through this site. In addition, access to the multi-family is via two 25 foot wide drive aisle connections to that eastern local street. ACHD has noted Aviator will need to be one foot wider than currently shown, which the applicant has agreed to. There is no secondary access to the site, because Aviator will be a dead-end street after -- dead-end street after its extension with this project. As noted above, the fire department requires a secondary access for each access that has more than 30 units taking access from it. The development to the west, Hensley Station, already has more than that and they have two

accesses. So, that's why if they are not sprinklered that would be why. Therefore, as currently designed and proposed, if it was all to be built at the same time every unit would need to be sprinklered. Single-family and multi-family in this. Thus, the construction phasing of the project plays a key role in how staff must address this issue, as all the structures would need to be sprinklered again. Multi-family is already going to be sprinklered because of the International Building Code that they will have to fall under for that. The applicant has stated that their plan is to extend Aviator into the site to the point of no more than 150 feet past the eastern local street. So, instead of all the way to the east boundary, stop it about here so that there is no need for a temporary turnaround. This does comply with the technical requirements of the UDC and fire code, but it is not consistent with our general practice of requiring public streets to be extended to and through sites with the first phase of development or prior to and in timing with the first buildings being constructed. However, the applicant is continuing to work with ACHD on a plan to construct Aviator as noted, again, with a short -- not all the way to the east, but with the temporary -- with 150 feet of pavement here. This plan to do this has been noted and they would road trust for the remaining portion of Aviator, so it can be extended with any future road project that occurs on the parcel to the east. Staff is supportive of this option, as the road would be a dead-end street and constructing a temporary turnaround would be both wasteful of space and would need to be located on top of the Purdam Drain, which could significantly -- I can't read. Sorry. Which could further hinder the applicant's ability to develop the site due to complications with the irrigation district. In conversations with ACHD they have noted an openness to this option, because they have done it previously. However, they did not include it in their staff report as a specific condition. So, staff has included a condition of approval to include -- or to encompass both potential outcomes for Aviator Street. I will go to my last thing here. So, as noted with the future extension of Aviator, this is the -- the plan for the master street map, which is the colored line here. This is the North San Marco Way and Entrada Farms. Obviously, Aviator stops right about here with the expansion of Compass Charter School. They are proposing to come here. The plan that I have seen as a preliminary plan for the site to the east shows Aviator continuing on and extending along their south boundary and connecting here and that would allow another access to Franklin for both entry and exit for the school, as well as any future residences out here. So, really, this extension of Aviator is very integral to getting it. It's a timing issue as discussed. There was some written testimony on the project, but all of it was concerning piping the Purdam Drain. There was a desire by -- I assume neighbors to keep the drain open and use it as a water amenity. Staff does recommend approval of the project if all the conditions of approval are met and after that I will stand for any questions.

Seal: Thank you very much. At this time would the applicant like to come forward? Good evening. Go ahead and state your name and address for the record and the floor is yours.

Schneider: Jadon Schneider. 412 South 3rd Street, Boise, Idaho. Mr. Chair, Members of the Commission, I just want to thank you for your time tonight and, first off, I just want to thank Joseph so much for all his work on this. We have -- we have gone to four pre-application meetings and Joseph's been diligent to sit through all of them and answer all our questions and help us with all that. So, I -- just as Joseph said, it might be a little

longer about my chatting about this project, but I think it's important that you hear a little bit more of the backstory and a little bit of where we have come from and -- and where we are at now with it. Just to start off here, I would like to show you the -- sorry. So, the preliminary platform, basically, just as Joseph was saying, 9.8 acres. One comment that I had from Joseph's report -- or his comments earlier was he had said 73 units. The -- the total units that we have proposed are 75 units on there, which matches the report and the numbers that you said. I added it up really quick. It's 75 units on 9.8 acres, which is -- 75 by 9.8 is about 7.6 units per acre. So, just a point of clarification and Joseph can chat with that later. I just wanted to bring that one up just from that conversation right away. Just to look at the site as it is right now, I wanted to point out the Purdam Gulch Drain and you can see what's going on here. So, the Purdam Gulch Drain runs east-west through the site and it's a -- it's a pretty sizable drain through there. So, two of the key components that I wanted to bring up for this site specifically -- sorry about this -- is the westerly boundary has an existing stormwater facility that was put in place by Compass Charter School. So, the stormwater facility services the Compass Charter School's current needs and because of this existing stormwater facility the site is further constrained. So, I just have some pictures of the site as it looks at the moment. This would be the area that is currently used by the stormwater facility. Just a shallow swale. They didn't do anything underground for what's going on through here. And, then, you can see that this is the northern end of it, it kind of bulbs out here at the side. I just wanted to point out, again, the Purdam Gulch Drain easement that runs through here. It's a hundred foot wide easement and it's owned and maintained by the Nampa-Meridian Irrigation District, as well as here in the southeast corner of the site there is the Nampa-Meridian Irrigation District pump house lot. So, the pump house lot was created as a part of the Compass Charter School portion. The portion of our subdivision requires that we include it in our subdivision in order to bring it up to code and Nampa-Meridian Irrigation District has -- has been forthcoming with us and has signed an affidavit of legal interest and -- and they are -- they are happy to -- to be a part of this subdivision and work with us on this. So, the irrigation district drain that runs through the site right now -- you can see it's a pretty sizable drain. Again, it's a hundred feet wide. There is a pretty sizable berm on the north side and the south side of it and it's -- it's fairly deep right now. So, it's -- it's not just a -- a lateral that's a user lateral, it's -- it's a full drain and it's a full main vein for Nampa-Meridian Irrigation District and it is important for them to have. So, one of the components of it that Joseph touched on here is the rerouting of the irrigation district drain. So, we have got the approval from the irrigation district and the developer is fronting all the costs that are involved with this and, like I said, it's a sizable drain and it's a 48 inch diameter RCP pipe, which is a reinforced concrete pipe, so it's -- it's not -- it's not just somebody getting out there with their backhoe and doing it, this is a sizeable project that is underway with the Nampa-Meridian Irrigation District and there is a -- there is a large financial investment that's being made by the developer at this time just to get the site up to a point where it can work for this project and the main point that this has come up with is the fact that Nampa-Meridian Irrigation District has been very clear with us that they will not allow us to cross their drain more than one time on this site. Like I had mentioned earlier, Joseph and I had gone through a number of pre-application meetings. We had come to agreement on one specific site that we both quite liked. We sent it to Nampa-Meridian Irrigation District. We were ready to make our pre-application

district and the response back was we won't approve or we will not allow you to cross over our easement twice and -- and that is what we had been previously approving. So, it was disappointing and meant that now we had to reroute this drain, go through a vacation of an easement and everything involved with it, but that is how we came to this site, which is now reduced basically to a rectangle with the easterly and northerly boundary as Nampa-Meridian Irrigation District easements. So, just wanted to look at the site and talk about the specifics of a couple of the lots. There are front loaded attached product involved at this site and an eight foot wide landscape buffer that is in front of a detached sidewalk. So, the local road right here has that eight foot wide landscape buffer and detached sidewalk. Some of the elevations that we had sent to Joseph, but further require some modifications just to come up with the Ten Mile specific plan would look something like this. This is an idea where it's a -- it's involving pitched roofs, it's involving setbacks, and -- and at different sizes and we will continue to work with staff to try to find some elevations that are really appropriate for this site. The standard for this would be a livable space on the ground floor or the first level, with bedroom and bathroom -- or, sorry, a bathroom -- half bath on the first floor, with two bedroom and two -- and a bath on the second story of these units. And, then, just to kind of talk again. So, the street section for the local right -- or the local road has the back of curb and eight foot landscape buffer and, then, the detached sidewalk and, basically, just to give some examples of what we are thinking it would be -- it would -- it can be tastefully done and this is what we would like to be doing. We would like to have lots of greenery and a landscape plan that looks really well for this. And just some ideas of having that detached sidewalk and something that we really like in this type of area. And, then, further to that we have the -- we will call it the alley loaded garage. However, this isn't alley load -- an alley between here. It's a -- it's an ACHD street section. It's just a reduced width -- width section. So, it's not 20 feet wide, I believe it's 28 feet from right-of-way to right-of-way. So, it's not a small tight alleyway back there, it is a full street section. Now, there is no parking specifically on the street section through here, but it is still foreseen to be rear loaded and have front doors opening to this usable open space. So, there is some in Block 2, Lot 8, which is that corridor that connects the loop road and, then, usable open space in that 20 foot landscape buffer along the north side of Aviator there. Just some elevations of things that we -- we have seen, other products and the developer has -- has proven to us that -- that they really like. This is some of that attached product with the front doors opening onto usable open space. Again, the layouts for this would involve a livable first floor and two stories with bedrooms upstairs. So, this one was a three bedroom unit upstairs with two baths upstairs and a half bath downstairs. So, three and a half bath. So, this is a project in Garden City, which we have drawn a lot of ideas from. I have fallen on the word. Sorry there. But, basically, you can see how this attached product here in the middle would look with that common space in the middle. So, what I would refer to here would be the Lot 8 of Block 2, where you have two -- the homes fronting onto an open space and you have a usable area out in the middle that can also be utilized for things like storm water management. This is what it can look like when it's in -- even a tight spot, so it can take -- it can be done very tastefully and not look, you know, like a -- like as if it's a small corridor or walled in on either side, it can -- it can look like a nice thoroughfare for the -- for the pedestrian pathways. The last part of the site here that we want a dimension on was the CUP portion of the site, which is the multi-family here. There is a number of

conditions that Joseph mentioned in his staff report that generally we are -- we are all in favor of and -- and the small updates to the -- to the site plan here in order to receive approval for the cup should not be any problem for the developer moving forward. These are proposed right now as four-plexes. As Joseph mentioned we had proposed them all as two bedroom, two bathroom four-plexes. They would follow the two story idea where, basically, you would have your first story entryway with a livable space and, again, a second story bedrooms in order to allow access for each individual unit and instead of having a four-plex stacked with two units on the bottom, two units on the top, and -- and this is just a general idea of what we would be proposing for this site. Lastly, there was a condition -- and I -- Joseph and I chatted about it and I just wanted to bring it up anyways. Basically a condition involved with Aviator that had mentioned that there was going to be the requirement of a detached sidewalk on the south side of Aviator and due to the site constraints involved with that, the condition was going to -- or I fear will push the unit density even lower. I -- I don't want to talk at nauseam about it. Joseph's made it clear to me that it was a condition that was put in place, because it's written in code, it cannot be variance requested out of it. I would just like to still bring that up that this is something that we struggle with. Everything else in the staff report we can approve and everything else in the staff report we are very happy with. There was just that condition of adding in the detached sidewalk. Compass Charter School, as it stands right now, has a seven foot wide detached sidewalk with a bike lane. So, it is in here as a seven foot wide attached sidewalk and that's what we had proposed. ACHD is okay with it. Again, Joseph's made it clear to us that it was a code issue and it wasn't something along there. The only reason, like I said, that I bring this up specifically is as you can see we are constrained by the fact that they are -- we are currently trying to work with the neighbors here to take some of this portion of their property and the Nampa-Meridian Irrigation District pump house lot. So, our fear is that by extending this seven foot attached sidewalk into a five foot detached sidewalk with a landscape buffer attached to it, would mean that we would have to push the right-of-way -- the northern portion of Aviator to the north, which, would, then, further constrains any of these lots here in Block 3, or the lots here in Block 1 and since we already are very close to being below the -- the minimum density allowed, that was our main concern with it. So, that -- that's all I will say about it here. And, then, with that, just to touch on, again, with what Joseph said about the neighboring parcel, the reason that we went ahead and are including this portion of the neighboring parcel was originally the developer to the south had a proposal in place and he had connection issues and so we had worked out an agreement with them that we would work with them to try to connect Aviator through their parcel, to allow them a future connection, due to the fact that if we came north on our portion of the property it would allow a non -- or it would create a non-conforming connection intersection by ACHD standards. So, the idea was, hey, we will come in with you, we will work together, we will take some portion of your lot. That project has since been removed, the portion to the south. Our project was put into motion when they were put onto the agenda, at which point they had been taken off. Anyways, to the point now there is a new developer that is currently in their due diligence period and is purchasing the land and we have been working with them to get that and Joseph's condition about anything to do with getting -- getting an approval from the developer to the south or the landowner to the south, we feel that is totally

justified and -- and we are on our way to -- to getting that and that is our plan. And with that I will stand for any questions.

Seal: Thank you. Anybody have any questions for the applicant or staff? No? Okay. Thank you very much. Madam Clerk, has anybody signed up to testify?

Weatherly: Mr. Chair, we have two people signed up, but neither one indicating a wish to testify. So, Chad Palmer, did you want to speak? Okay. And, Larry, do you want to speak or no? Thank you. That's all I have, Mr. Chair. No worries. Thank you.

Seal: Nobody online?

Weatherly: Not raising their hand, sir.

Seal: Okay. Is there anybody else in chambers that would like to testify, now is your chance or forever hold your peace. No? Was going to say, you get an opportunity to come back up and speak again, but if you have nothing to -- nothing to add, we will go ahead and move on. Do we have any questions to --

Grove: Mr. Chair?

Seal: Go ahead.

Grove: I do have a question. Question for you if you could -- with -- in regards to the Ten Mile area specific plan -- I think I got those letters in the right order. Will the revisions to the -- to the west side of -- will that change the layout? Will those -- will the design aspects of the Ten Mile area specific plan in any way alter just the layout, the concept or anything else with regards to how you have it now?

Schneider: Are you speaking specifically to the lot layout or to individual unit --

Grove: Either way. Just in terms of -- I mean I know that there is certain design aspects. Will -- will that -- will those design aspects change what -- what the product looks like I guess?

Schneider: Sure. I -- I believe that if we are specifically talking about the lot layout themselves, I -- I believe that we have worked with staff and we have found a plan that fits the Ten Mile specific plan as best we can at this time. Again, the plan is strong guidelines. It's not written in code. It's something that we are trying to follow as best we can and so I believe -- maybe it's a question Joseph can follow up with, but I believe a lot layout wise in -- in regards to where individual parcels are located, I do not believe that we will need to make any revisions specifically to meet -- or further meet the Ten Mile specific plan. However, Joseph's made it clear to us about the elevations of individual units and trying to find something that can fit well and that's something that we are fine to work with.

Seal: Any other questions? No?

Dodson: Mr. Chair, I just had a couple comments. To -- to that -- to Mr. Grove's point, I agree with the applicant. I don't anticipate it changing any of the lot lines and I just recounted again and, apparently, I don't know, two months ago I couldn't count at all, because I swear I counted like six or seven times, but they have the 75. So, we are good on the density.

Seal: Eighth time is a charm.

Dodson: Yeah. I -- yeah. I -- yeah. The other comment I wanted to make was regarding the -- the sidewalk issue along Aviator. I completely understand the applicant's perspective. I get it. There is a couple things going on. One, what is currently constructed on the south side of Aviator does not currently meet our code and should not have been approved. So, doing it again does not make it better and because of that there is -- there is no alternative compliance and it doesn't meet our variance applicability standards to use either of those avenues in order to change what code is saying that it has to be five foot detached. ACHD in their policies allows for seven foot attached, but our code for collector streets does not. Further, I think once we dive into the site plan a little bit more with the applicant, I -- I noted in my staff report the buffer on the north side of Aviator is actually 30 feet wide to the lot lines, not 20, so they have ten feet of room that they could move the road up and that will be the four feet of landscaping from the edge of the back of curb and the five foot detached sidewalk on the south side and that's -- they got their space for that right there. At least doing preliminary math. Granted my track record's not good right now with that, but that I believe will work just fine and that way it avoids them having to go into the -- the pump house lot, because we do not want to deal with that. So, I -- I think we can make that work. I don't see any issues with that. Those are my main comments as of now.

Seal: Okay. Thank you very much.

Dodson: Yep.

Seal: I was going to say, does the applicant -- do they want to come back up? Is there anymore questions or are we ready to close the public hearing?

Lorcher: I have a question for staff.

Seal: Oh. Commissioner Lorcher, go ahead.

Lorcher: So, in regards to the sidewalk, Joe, where there is seven foot along Compass on Aviator and, then, you are requesting -- or requiring the applicant to change it to five foot detached, so if I'm a kid going to -- from school to home or even aesthetically is that going to be weird, where it's kind of connected and all of a sudden the juggernauts to a different whole thing or --

Dodson: I -- I -- I -- Commissioner Lorcher, I understand your point there. This does happen, unfortunately, when certain things get approved or, frankly, it happens most often when ACHD comes back and widens the road and tears things out and, then, all of a sudden you have a segment of attached sidewalk, when it is detached everywhere else along the corridor. They have -- they have to meet certain ADA standards for the curvature of it. They can't just 90 it and go.

Lorcher: Right.

Dodson: So, it will look better than just that. But it is a requirement of code, so I -- there is -- I can't do anything. There is no avenue in order to say, oh, you do that. The only caveat would be, as bossman just reiterated to me, if it's less than 300 feet I believe -- I don't know what the length is there, but if it's less than 300 feet the director can waive the requirement of the detached portion. However, it's not something staff necessarily wants, because the whole segment is going to be -- all the rest of it is going to be five foot detached. That's what we are going to require with the project to the east. That's what it is on the Entrada Farms, all that. So, to do it here doesn't make a lot of sense if they have the space, because it shouldn't have been done to begin with. So, it's just kind of like where do you draw the line of the -- the non-conformity.

Lorcher: Thank you.

Dodson: You're welcome.

Seal: Anybody else? Okay. Can I get a --

Grove: Mr. Chair?

Seal: Go ahead, Commissioner Grove.

Grove: Just thinking ahead on this. My personal preference on what -- where this might end up going would be to continue this to allow some of those changes to be made to make sure that it lines up. If we were going to do that could we check with the applicant first --

Seal: Sure.

Grove: -- before closing the public hearing, so that we don't have to yo-yo?

Seal: Got you. Yeah. Is there anybody else want to weigh in on that, continuance versus pass tonight? Okay. Sir, come back up. And I -- yeah, I think there is -- there is enough in here -- and I understand that, too, as -- as I read through it to me it was kind of -- there was a lot of things in here that kind of spoke to not quite ready to go through and I mean we have -- we have got to do our due diligence in order to make sure whatever gets passed on to City Council is something that they don't have to throw back our way and --

cause you more time and effort to be spent, so -- and outside of Joe's math, everything is still -- just lines up with that, so --

Schneider: Just to -- just to comment on that, we -- Joseph's comment about the -- the extra space to the north, if -- we can make that five foot detached work and -- and we will be more than willing to work with Joseph before then to continue this application along, as opposed to deferring it to a later date. But that -- that's just our comment at this time.

Seal: Okay. So, I -- I mean I -- I just think there is some things that can be done, especially with the roadway. The property to the -- to the south, that's one of my bigger concerns. I have a child that goes to Compass Charter, so traffic there is a nightmare, so -- it really is. It has significant issues and there is -- even though it's marked no parking, people park along there and everything. So, anytime they have a cakewalk it's pandemonium. So, definitely want to make sure that we get that portion of the road right, you know, for now and into the future. So, just think there is some things that could probably be worked on and determined to -- you know, at a later date that will kind of firm this whole thing up and, you know, make the application a little bit more firm.

Schneider: As Joseph's staff report mentions, we are required to have that approval of the agreement with the neighboring parcel to the south prior to the City Council meeting and if that is a concern it -- I would -- I would argue that it's been met with the fact that we can't actually take it to Council until we have in writing an agreement that is -- that is agreed upon by both parties. Is there -- is there any other condition or any other worries that I could speak to at this time?

Seal: Commissioner Grove?

Grove: I think for me the road aspect, making sure that that agreement is in place and ready to go, the sidewalk is able to be integrated the way that it's required to be integrated and that, you know, the -- the piece coming in was the numbers piece and making sure that worked out and my concern was that there might be some -- if there was any change to meet the ten area -- Ten Mile area specific plan, if it had any changes, I wanted to make sure that that was in place prior to approval or denial -- or recommended approval or denial, so that it was a complete -- completed project that was fully recommended or fully denied to move forward and so that's -- that's why I was wanting to know if you were -- if we get to a point where we can't make that decision tonight, if -- if we cannot do that, if -- if you would be open to continuing or if you are asking us to -- if it gets to that point to deny, rather than continue, or where -- where you are at with that. So, it's more about where you are at in terms of that process.

Schneider: Obviously we -- we would much rather continue, as opposed to getting a denial -- or a recommendation of denial. So, we would be open to continuing in that regard and, like I said, I think that Joseph's made it clear that it seems like we can make something work, especially about the landscape buffer, but I completely understand, if you need more time we can work with that. Thank you.

Seal: Okay. So -- yeah. And I just -- I mean before we move to -- I mean it sounds like a continuance is kind of like where -- where we are moving, but I think --

Grove: Mr. Chair?

Seal: Yeah. Go ahead.

Grove: I think we could close the public hearing and have that discussion and, then, if a continuance is needed, then, open it back up for that sole purpose.

Seal: Okay. That's fine with me. So, can I get a motion to --

Grove: Mr. Chair?

Seal: Go ahead.

Grove: I move to close the public hearing for file number H-2021-0096.

Seal: So, a second?

Yearsley: Second.

Seal: It's been moved and seconded to close the public hearing for H-2021-0096. All those in favor? Any opposed? Okay. Motion carries. The public hearing is closed.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Seal: Joe, if you don't mind, I kind of want to go through -- I have kind of got mixed feelings on this. I mean as I initially read through it it just seemed like there was a lot of loose ends, a lot of things that were going on. It seems like we have tied up some of those loose ends tonight, so I just kind of want to go back through some of the conditions that were written in there, just to see what's -- we, obviously, have the -- the road. I mean -- and that's a big one. It would be nice to see that one done up, but if it's -- if there is a condition of approval in there already, it has to be buttoned up before it gets to Council, in my mind --

Dodson: Mr. Chair, yes, there is -- there is actually two different conditions. There is one regarding the dedication of the right-of-way and all that before final plat, but, then, there is also the agreement with the property owner that I did state that should be presented to me or planning staff in general before the Council meeting, yes.

Seal: Okay.

Dodson: And that's to your point exactly, that it -- that's such a big piece of it, that if that's not done, then, we got to kind of -- we got to go backwards anyways, so I understand your point there, if that's worth a continuance, but I do have that buttoned up and I would agree with you prior to the meeting I think it felt like death by a thousand cuts kind of thing,

at least towards a continuance, but now we have cleared some of that up, which is great. I love that. It seems less imperative to me than it did.

Seal: Okay. So, I mean we have got the -- essentially the density requirements are good. Does that also reconcile the parking requirements that were in there?

Dodson: The parking was only for the multi-family, so it does not reconcile those, no.

Seal: Okay.

Dodson: Because I assume they are not going to add multi-family units, they just -- the space isn't there. But the single family was where I was looking, but they are good.

Seal: Okay. So, essentially, we have got the -- yep. We got hung up on that. So, I forgot to ask the questions about the property management and off -- off-street parking. And, then, the condition that needs to have sprinklers in it throughout. So, generally speaking, with -- I mean, essentially, unless they want to stick to 30 units, they are going to have to have sprinklers in everything. That -- I mean is what it comes down to and that's generally what the fire department does, so --

Dodson: Right. Not necessarily. So, again, that -- it depends on the phasing.

Seal: Okay.

Dodson: And this is where they are working with the property owner to the south, as well as the property owner to the east, to try and set this up appropriately, so they don't have to do that. Obviously, development takes time. This isn't a final plat, et cetera. If they build the road 150 feet east of this local street it does not require a cul-de-sac; right? Or a temporary turnaround or anything. This remaining area would be road trusted. ACHD will take care of that. This application would have to get submitted and approved and, then, once that gets extended they -- they -- by that time they could have started the multi-family, which has to be sprinklered anyways. They are good to go on all that. They can construct the local road. They can do all of the site work. If that is all done and, then, this road gets extended or is dedicated and under construction, then, fire would not require these to be sprinklered. So, again, they are not phasing the project, there is no need, but the construction phasing will probably end up being that way and that's what the applicant and I have discussed and that's to avoid that. Now, if it comes down to the wire and they need to get these units done, I'm sure that that's just going to be what they do and they sprinkle them and move on.

Seal: Okay.

Dodson: But there -- I do have a condition about that already. So, that -- and that is something that's, frankly, not entirely pertinent to the public hearing and whether it's done now or later, it -- we got it taken care of. It's going to be a later issue.

Seal: Okay. And you do have a -- one of the conditions of approval is the property management office that in order to meet that that they need to have that and the amenities they are going to have to meet in order to move on as well.

Dodson: Correct. Yeah. All those things. The property management office and the maintenance area I would like to see before Council, but the amenities stuff and all that, I assume they can fix that really quickly.

Seal: Okay.

Lorcher: Mr. Chair?

Seal: Commissioner Lorcher, go ahead.

Lorcher: So, in regard to the Aviation Street and ACHD making those improvements, what kind of attention can we get from ACHD? Is it something that's going to be pushed back, like Black Cat, until 2031 or is that something that they would do sooner than later?

Dodson: Commissioner Lorcher, if the applicant road trusts, which is basically just put up the money for it, as soon as it gets constructed or begins construction on the property to the east, ACHD will do it. They will do the work. It's not a CIP project, so there is no waiting around for public funds or anything, it will already be trusted in and ready to go.

Lorcher: Okay. Thank you.

Seal: Okay. I feel a lot better about the project. I think there is, you know, a few things that could be done, but I don't think there is anything -- I'm not seeing anything that's making me pause, you know, think that this is going to get to City Council and, then, they are going to, you know, try and remand it back to us to take a look at. So, I -- I sympathize for you on this piece of property. This was going to be the greatest soccer field ever, which is why the drainage goes out -- you know, all the different things about it. So, you know, the way this is having to be built, you know, I -- part of me looks at this as in-fill, just because of where it's at and how it has to be constructed, the way that the -- the ditch has to be rerouted and everything. I agree it would be nice to keep that open, but I just don't see that that's a possibility. If you have to reroute it I don't know that there is a way to do that efficiently without piping it, that would make the users of that irrigation water happy long term anyway. So, you know, I do like a lot of -- that you have a lot of different products in here. There is a lot going on. I like the road -- the way that the road comes in and goes around provides, you know, ample circulation for -- for this. So, I don't know. I -- I mean at this point I don't see anything that -- I'm not seeing anything that Joe hasn't already taken care of as far as the staff report that I wouldn't be able to support. Commissioner Grove, go ahead.

Grove: Mr. Chair. I would agree. I had some concerns. They have been largely addressed or at least addressed within the conditional -- conditions of approval. I think the site constraints are going to make this rather difficult to do a whole lot else with it. I

think that it fits and, you know, having the Ten Mile area specific plan to help guide some of the design gives it another piece to, you know, integrate with what's there. So, I'm on board. I think there is some work to be done before City Council, but it all seems doable and it's -- it's not something that should really stop or slow down the process at this point.

Seal: Okay. Anybody else?

Yearsley: I have no concerns.

Seal: Okay. At this point I'm looking for a motion.

Dodson: Mr. Chair, just real quick. Since I can count tonight, I would say with any motion that I recommend striking condition 12-A, because that's the unit one.

Grove: Mr. Chair?

Seal: Commissioner Grove, go ahead.

Grove: Okay. All right. After considering all staff, applicant, and public testimony, I move to recommend approval to the City Council of file number H-2021-0096 as presented in a staff report for the hearing date of March 3rd, 2022, with the following modification: That Condition 12-A be stricken.

Seal: Okay. Do I have a second?

Lorcher: Second.

Seal: It's been moved and seconded to recommend approval of Item No. H-2021-0096 with aforementioned modifications. All in favor? Any opposed? Motion -- motion carries. Gosh, I almost said that wrong. I'm reading -- reading ahead.

MOTION CARRIED: FIVE AYES. TWO ABSENT.

Grove: I have a question for staff real quick. Is that okay?

Seal: I don't know.

Grove: Do we need to do another motion, because there was a CUP also, on that or does that get --

Dodson: No. That's all part of the same deal when it -- when it's all together like that you are good.

Grove: Cool.

Seal: All right. Thank you very much. At this point I'm looking for one final motion.

Yearsley: Mr. Chair?

Seal: Commissioner Yearsley.

Yearsley: I move we adjourn.

Seal: Do I have a second?

Stoddard: I second.

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

MEETING ADJOURNED AT 8:11 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS.)

APPROVED

ANDREW SEAL - CHAIRMAN

_____|_____|_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK