



CITY COUNCIL WORK SESSION

City Council Chambers, 33 East Broadway Avenue Meridian, Idaho
Tuesday, August 11, 2020 at 4:30 PM

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Agenda

VIRTUAL MEETING INSTRUCTIONS

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

<https://us02web.zoom.us/j/86787561107>

To call in: 1-669-900-6833

Webinar ID: 867 8756 1107

ROLL CALL ATTENDANCE

Jessica Perreault

Joe Borton

Brad Hoaglund

Treg Bernt

Liz Strader

Luke Cavener

Mayor Robert E. Simison

ADOPTION OF AGENDA

CONSENT AGENDA [Action Item]

1. [Approve Minutes of July 28, 2020 Work Session](#)
2. [Approve Minutes of July 28, 2020 City Council Regular Meeting](#)
3. [Final Order for Allmon Subdivision \(H-2020-0071\) by Dean Waite, Todd Campbell Construction, Inc., Located at 5875 and 5885 N. Locust Grove Rd.](#)
4. [Final Order for Hill's Century Farm North \(H-2020-0077\) by Kody Daffer, Brighton Development, Inc., Generally Located on the East Side of S. Eagle Rd. and South of E. Amity Rd.](#)
5. [Findings of Fact, Conclusions of Law for Delano Subdivision \(H-2019-0027\) by Boll Cook Investments, LLC, Located at 14120 W. Jasmine Ln. and 2800 E. Jasmine Ln.](#)
6. [Findings of Fact, Conclusions of Law for Gyro Subdivision \(H-2020-0061\) by Tealey's Land Surveying, Located at 3030 E. Magic View Dr.](#)

7. [Findings of Fact, Conclusions of Law for Hill's Century Farm North \(H-2020-0080\) by Kody Daffer, Brighton Development, Inc., Generally Located South of E. Amity Rd. and East of S. Eagle Rd.](#)
8. [Findings of Fact, Conclusions of Law for Quartet Northeast \(H-2020-0017\) by Brighton Development, Inc., Located at 4020 & 4340 N. Black Cat Rd.](#)
9. [Findings of Fact, Conclusions of Law for Quartet Southeast \(H-2020-0018\) by Brighton Development, Inc., Located at 4020 and 4340 N. Black Cat Rd.](#)
10. [Agreement Between City of Meridian and Envision 360 Inc. to Accept Payment in Lieu of Installing Streetlights at 1351 E. Fairview Ave. in the Estimated Amount of \\$8465.00](#)
11. [Agreement Between the City of Meridian and Nampa Meridian Irrigation District to Authorize the City to Discharge Water from Well 32 in to the Ridenbaugh Canal for a Designated Period](#)
12. [Resolution No. 20-2221: A Resolution Authorizing the Donation of Surplus Computers and Equipment to the West Ada School District.](#)
13. [Resolution No. 20-2222: A Resolution Authorizing the Fifth Continuance of a Local Disaster Emergency Declaration And Its Terms for an Additional Thirty \(30\) Days; Authorizing the Continued Immediate Expenditure of Public Money to Safeguard Life, Health and Property; and Providing an Effective Date.](#)
14. [AP Invoices for Payment - 07-30-20 - \\$6,225.85](#)
15. [AP Invoices for Payment - 07-31-20 - \\$138,886.09](#)
16. [AP Invoices for Payment - 08-12-20 - \\$546,760.96](#)

ITEMS MOVED FROM THE CONSENT AGENDA [Action Item]

ACTION ITEMS

17. [License and Management Agreement Between Western Ada Recreation District and the City of Meridian for Maintenance and Operation of Lakeview Golf Course](#)
18. [Assignment of Lease Between Western Ada Recreation District and the City of Meridian for the Provision of Golf Course Operations at City of Meridian's Lakeview Golf Course](#)

DEPARTMENT / COMMISSION REPORTS [Action Item]

19. [Fire Department: Discussion of Potential Fire Stations 7 and 8](#)

EXECUTIVE SESSION

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

ADJOURNMENT



AGENDA ITEM

ITEM **TOPIC:** Approve Minutes of July 28, 2020 Work Session

Meridian City Council Work Session

July 28, 2020.

A Meeting of the Meridian City Council was called to order at 4:33 p.m., Tuesday, July 28, 2020, by Mayor Robert Simison.

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

Also present: Chris Johnson, Adrienne Weatherly, Bill Nary, Caleb Hood, Miranda Carson, Tracy Basterrechea, Joe Bongiorno and Dean Willis.

Item 1: Roll-call Attendance:

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

Simison: Council, I will call this meeting to order. For the record it is Tuesday, July 28, at 4:33 p.m. We will begin this workshop with roll call attendance.

Item 2: Adoption of Agenda

Simison: Item 2 is adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adopt the agenda as -- as published.

Hoaglun: Second the motion.

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

MOTION CARRIED: ALL AYES.

Item 3: Consent Agenda [Action Item]

- A. Final Plat for Allmon Subdivision (H-2020-0071) by Dean Waite, Todd Campbell Construction, Inc., Located at 5875 and 5885 N. Locust Grove Rd.**

- B. Final Plat for Hill's Century Farm North No. 2 (H-2020-0077) by Kody Daffer, Brighton Development, Inc., Generally Located on the East Side of S. Eagle Rd., South of E. Amity Rd.**
- C. Findings of Fact, Conclusions of Law for Sagewood West Subdivision (H-2020-0038) by Southpoint Estates, LLC, Located at 1335 W. Overland Rd.**
- D. Acceptance Agreement between City of Meridian and Daniel Borup for Completed Public Artwork "All In-Another Day at the Office"**
- E. Approval of Sole Source Purchase of Airprex Sidestream Phosphorus Removal Equipment From CNP/Centrisys in the Not-to-Exceed Amount of \$2,123,380**
- F. Stipulation to Resolve Protest Between the Nampa-Meridian Irrigation District and the City of Meridian Regarding Water Rights for Fuller Park (Application Permit No. 63-34883)**
- G. Resolution No. 20-2218: A Resolution Approving Adoption of the Community Development Block Grant Program Year 2020 Action Plan and Submission to the United States Department of Housing and Urban Development; Authorizing the Mayor and City Clerk to Execute and Attest the Same on Behalf of the City of Meridian; and Providing an Effective Date**
- H. Resolution No. 20-2219: Accepting " All In-Another Day at the Office" Artwork at Fire Station 6**
- I. City Financial Report - June 2020**
- J. AP Invoices for Payment - 07/29/20 - \$731,843.95**

Simison: Item No. 3 is the Consent Agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we approve the Consent Agenda, for the Mayor to sign and for the Clerk to attest.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

Item 4. Items Moved From the Consent Agenda [Action Item]

Simison: There are no items moved from the Consent Agenda.

Item 5: Department / Commission Reports [Action Item]

A. Community Development: School District Coordination Strategy

Simison: So, we will move this on to Item 5-A, Department Report from Community Development on School District coordination strategy and I will turn this over to Mr. Hood.

Johnson: Mr. Hood, there is no microphone.

Hood: Thank you. Mr. Mayor, I am going to let our newest employee in Community Development speak here in just a minute, but Miranda Carson has been with us for a couple of weeks now and wanted to just do a quick introduction before we get to the agenda topic at hand today. No pressure on Miranda, but she really is the perfect candidate for this position. So, with her -- her background -- and I will let her maybe talk a little bit more about herself, but with her background once working for the West Ada School District and doing transportation for them and, then, transit most recently in Florida, that really checks both of the big boxes that we were looking for in this position to be the transportation and school district coordinator. So -- I'm almost done. Thank you, though. So, I think with that I'm really impressed and I think you will be, too, in short order. You're -- she's got a good I think draft plan that she's going to share with you now, but just hope you extend a warm welcome to her and with that I will turn it over to Miranda.

Simison: Welcome, Miranda. Warm welcome per Caleb's request. And we will turn it over to you.

Carson: Turn on the video. Okay. Oh. Can you hear me on the mic? Okay. Okay. So, let me get the coordination plan up that I had sent out. So, as Caleb said, I have worked for the West Ada School District. My career has been mostly in school planning and transportation planning. I worked for the Shelby County Schools in Memphis, Tennessee, which was the 14th largest school district in the country at the time, and, then, I worked here for the West Ada School District doing people transportation and, then, also school planning and we moved out to Florida and I pursued some career learning in public transit, so that was fun at Broward County. It's a very large county with a very extensive route system. So, learned some public transit out there. And, then, decided that we wanted to be back in the Treasure Valley, that this was a place that we wanted to call home. So, we

are back now with no plans to ever leave again and just going to jump right into the coordination plan. I sent it out. I don't plan to read through it word for word, but I do want to highlight some things in it and, then, open up for any discussion that you have about items you might want added or clarified in the plan. This is a working draft, so there are -- there is a lot of room for us to make changes as a team to this plan and, then, going forward. So, kind of a three step approach going into this plan. The first was mostly just a data collection. I reviewed the meeting that you had with the school board in February. Reviewed the video from that meeting. Took a lot of notes about the kinds of things that you were discussing, questions that seemed to still be hanging out in the air after that meeting, questions you had asked or maybe they had asked that I didn't feel were fully covered during that meeting or in this document. I also got a list of questions from Councilman Bernt that are in this document as well. So, I'm just going to start off by -- let's talk about the basic roles and duties. Obviously, for Meridian's side of this we are just talking about the development -- city development and, then, the West Ada School District, obviously, has a lot of duties, but we will mostly just be coordinating with them on a school facility planning. Am I not close enough? Sorry.

Bernt: I can hear Miranda just fine.

Carson: Okay. So, the program capacity and the optimal design capacity. The West Ada School Board is reviewing an attendance zone policy tonight that will further clarify those definitions.

Bernt: I think I jinxed it, Mr. Mayor. As soon as -- she was perfect up until I said that and, then, it went away. I apologize.

Carson: Can you hear me now? Okay. I feel like I'm back in a commercial. Can you hear me now. So, the program capacity and optimal design capacity, the West Ada School Board --

Simison: Okay. So, I don't know what we did. If we can -- it's kind of funny. We were having a hard time hearing in the room, but apparently she was perfect for you all. Just one second.

Carson: Can you hear me now?

Simison: Councilman Bernt?

Bernt: All good.

Carson: Okay. I think we accidentally unplugged it, so -- so, the program capacity and the optimal design capacity, those are school district definitions. You can't hear me again?

Bernt: No. Not hearing you. I'm sorry. This system is so tricky.

Carson: Can you hear me better with the mic scooted away? Okay.

Bernt: That was fine.

Carson: Okay. So, the program capacity and optimal design capacity, those are school district terms that they use to talk about how many students can fit in a building. Those terms are in an attendance zone policy and they are voting on a revision for that -- or reviewing a revision for that policy tonight. The West Ada School Board is reviewing that. So, those definitions will be updated when the school board has voted on and reviewed that policy and put it into place. But the program capacity is talking about -- so -- well, let me start with the optimal design capacity is talking about when a -- when the architect designs the building this is how many kids he says are going to be in it. Generally, for example, an elementary school would be between 650 and 750 students. The program capacity is how many students can actually fit in that school. That's talking about -- they have a special needs program that can't fit 24 kids, so now their program capacity is down 12 kids and that just goes on as they add programs. The program capacity will change based on how many different types of classes they have. So, just wanted to clarify that, because you will see some documents that come out that say this school has a 650 student capacity. That's not the actual classroom capacity, that's the optimal design capacity. So, the student generation rate -- there is a lot of talk about how many kids will this development drum up. So, that's the student generation rate. It's the student per residential unit. The West Ada School District historically has used .8 students per residential unit. So, if a neighborhood has 200 plats or if a preliminary plat has 200 residential units in it, they would say 200 by .8, that's how many students we are going to have. So, just to double check that, I went through and checked census data for the City of Meridian for 2014 to 2018 and it does feel like that's a good number to hold to. It's not necessarily students that will be at the West Ada School District, but it is school aged students. So, those students may go to one of the charters, they may go to West Ada, they may go through online or homeschool, but that .8 is a good number to use for school aged students.

Simison: Miranda, I don't know if you want questions as we go through this --

Carson: You can ask questions as we go.

Simison: So, I know one of the things that I have heard come up is -- does this take into consideration or how would you apply this if it's a senior only community or planned to be a senior only community. Does West Ada apply that ratio amongst -- dispersing that throughout all the homes in the district and just takes out X or how would we treat that or how would you envision -- envision that through this process?

Carson: So, that's a great question. So, Mr. Mayor, going down to the next one, the West Ada Attendance Area Committee. When they look at those numbers they do have a formula on a massive spreadsheet that will say how many students they believe will be there based on the number of residential units, but, then, they actually go into the neighborhoods and say this neighborhood is 55 and up. There won't be any students living in it, so they will take those out. So, on the master -- like formulas that are run it will show students, but they -- if they know it's a 55 and up generally they would go in and

take those out if that's in the code that students aren't allowed to live there. So, are there any other questions on the terminology before I go down to the initial questions? Just some other clarification about how long it takes to open new schools. What the city priority service areas are. And, then, we will talk about the absorption rate a little bit further down the document. But what that is is we really need to determine from the time we make preliminary plats to the times that the neighborhood is fully built out and occupied, what does that timeline look like and it will vary based on the developments and we will talk about that more, but that's what that absorption rate is referring to.

Simison: Sorry, Miranda, one more question on the common terminology. Is the West Ada Attendance Area Committee a new standing committee?

Carson: It is not. The West Ada --

Simison: Does it currently exist?

Carson: -- Area Committee has been going on -- as long as I was there they had the committee and I believe it was going on long before I got there. So, it is a committee of parents. It's two WAC staff and 12 parents. They take those parents and the staff members and they break them into two subgroups. Those two subgroups go into separate rooms and they sit down with all the data and they come up with the plan. So, first they explained to them what their goals are and those goals are listed here. Students not being bounced. Making sure schools have the right capacity. Those kinds of things. And, then, they go into their subgroups and they sit down and come up with their own plans. Two separate plans. Then both of those committees come back together and look at their plans and discuss the pros and cons of each one and it's -- they decide together what they like from each plan and they kind of mold them together and, then, they vote.

Simison: So, I was on a -- one of the committees, but I guess the question is more along the lines of -- to my knowledge it's not a standing set committee, it's put together each time they want to go through this process?

Carson: It is. Yes.

Simison: And there is variations to it that they modify as they see, because we have got about 40 members in our committee, instead of 14, so -- but to your knowledge it's not a set standing committee that's -- it fluctuates who is on it and who is not on it.

Carson: Right. It does fluctuate. So, depending on which schools will be affected --which schools they think will be affected when they set out to do an attendance area committee, they go out to those schools and get support from parents -- and I shouldn't say support, because there might be people that are opposed to changing boundaries as well. But they go out and get parents that want to be involved and, then, they, essentially, just draw names of which of those parents. Because they don't have -- they can't have a committee of 40 people, they can't have a committee of 20. Fourteen seems to be a golden number. So, they try to get an elementary parent, a middle school parent, a high school parent.

They do their best to represent several geographic areas and, then, after that it's kind of at random who ends up on the committee.

Bernt: Mr. Mayor?

Simison: Yes, Councilman Bernt.

Bernt: It's not too good.

Strader: It's every other word.

Simison: Every other word. Can you hear me right now?

Carson: Can you hear me better if I take the mask off?

Bernt: I'm not sure what you are doing, Miranda.

Cavener: Maybe, Mr. Mayor, if Miranda is able to maybe try a different station. One of the different sitting areas or a different microphone.

Simison: Yeah. We are going to go into the other room.

Bernt: She can sit in your seat. It sounds like your microphone is working. Just kidding.

Simison: She can have my seat anytime.

Carson: Do you hear me better at this microphone?

Bernt: Yes.

Carson: Okay.

Perreault: Mr. Mayor?

Simison: Yes, Council Woman Perreault.

Perreault: While we are on the subject of attendance areas, question for Miranda. So, are there new committees created -- it sounds like there is new committees created every time there is an attendance area change for any specific attendance area, but there aren't committees existing for all attendance areas all the time, it's just kind of as needed; is that right?

Carson: Yes. So, at this point they are changing attendance areas every school year. Occasionally there will be minor changes during the year that don't necessarily warrant a committee, but every school year they do put together a new committee based on the areas they think will be affected.

Perreault: Mr. Mayor, a follow up.

Simison: Yes, Council Woman Perreault.

Perreault: Is there just one -- I guess my question is is there just one committee or is there a different committee for every attendance area?

Carson: There is one committee that looks at the school district as a whole and they break into two subcommittees and make their own plan and, then, come back together. So, moving on from the common terminology, unless there was any further questions.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, it looks like they are having a pretty important meeting maybe today. So, I guess maybe just a request that if the policy on how they set their attendance areas changes or there is any kind of material update for you to circle back and, then, I guess I would be curious if we can -- how we will be treating the emergency -- what they -- what they call emergency capacity, which is the, you know, like portables and stuff that's not maybe part of the original plan.

Carson: Is that question for you, Mr. Mayor, or for --

Simison: I think it's a general comment right now, but if it's something you would like to address --

Carson: So, I did see that they are reviewing the emergency attendance -- or emergency enrollment, but at this point without them having approved anything yet I think we would be a little early on making any decisions about how to move forward with that. Once their board approves that I will definitely let the Council know, so that we can move forward if we want to incorporate that in any of our plans. So, on to the initial question. The first list of questions was based on the questions that were sent to me from the Mayor that were questions that the Council had. So, the current districtwide capacity for West Ada schools -- the West Ada School District is also looking at the facility plan tonight. They make a ten year facility plan. In the past they haven't made that plan every single year at this point they have said that they do plan to update it every single year. So, it's a ten year facility plan based on what they think their growth will be. That will be approved tonight and, then, we -- or it may not be approved tonight, but that will be reviewed tonight and, then, once it's approved we can answer those -- I can answer those questions better about what their current districtwide capacity is. I do want to note, though, that the districtwide capacity -- or the individual school capacities do change like we talked about with programs and on -- that goes into the next question as well. The projected districtwide capacity for each school year, those change on a yearly basis. Sometimes they change during the school year based on programs that are added or taken out for students needs. So, the attendance area committee does update the capacity at the

schools that they need to adjust, but there is no running list of capacity that's updated on a consistent basis. So, we can look at the program capacity at one set time, but we won't be getting any kind of updated list of what the program -- the functional program capacity is as they change.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, would it be -- I'm just curious like a little bit about what you are kind of envisioning. Would it be possible to get like a snapshot before the beginning of each school year with kind of what was in place and we will work off of those numbers for -- for the next year and add our own projected growth and, then, we will work off of that, and, then, the next year perhaps they give us an update on their program. Is that kind of what you are thinking? Just curious what you are sort of -- how you are planning to like work through that.

Carson: I did -- I should mention I did meet with them. I -- it was either my first or my second week here I believe. I met with the team that does the school planning, the staff over there, and I did ask them about this and I was told that they don't have a list of program capacity. The only time they look at the program capacity is when an attendance area needs to be changed. So, if they are looking at North Meridian, for example, and they want to see what schools there need to move kids to, that's when they would run -- do a run through of what programs are at that school, how many students they currently have. They would call the principal and talk about what programs, what classes are being used what ways. But those classroom usage decisions come more down to a principal level, so there is no districtwide list that shows the functional program capacity for each school. So, it's not something that we could get an update every year, because it doesn't exist.

Simison: And, Council Woman Strader, at least from my conversations it was conveyed to me by the district this is why the number that they plan on just going off as the districtwide capacity number for each school and did not want to get into a determination -- especially because there could be -- they can move programs from school to school based upon capacity in areas if they so choose to. But to Miranda's point, trying to -- for us to try to -- to understand the impacts of what goes on in each school and making planning decisions is probably at a level of detail that does not make a lot of sense would be my suggestion.

Carson: So, just to give a little bit of an outline for that, one of my roles at the school district was to sit down with program directors or program leaders and determine their specific school programs and what schools they would be at and it was -- you know, sometimes I would meet with three or four different people and have three or four hour meetings with each one to make sure that we had the right boundaries for their specific program and, then, as the students came in those might change two or three more times

during the school year, because those special programs are the kids that have -- tend to be more mobile or turnover more often.

Strader: Mr. Mayor, it's fading out a little bit. I do have a follow-up question.

Simison: Council Woman Strader.

Strader: I get that that that's really fluid. I think what I'm trying to wrap my head around and what I'm hoping we could try to get would be some kind of a concept based on classroom size or just something as a snapshot in time. It's in their own interest to provide us with something even if it's really high level. The reason is, as they have pointed out, like the physical building occupancy is not the same as -- as overcrowding from a classroom perspective and a school program perspective. So, I just -- I wish they could provide us with something, even if it changed, because, otherwise, I just feel like the data is sort of misleading and we are not getting a full picture. I guess that's just my feedback. I -- I wish we could get some -- something, even if it moved. I feel like that would be more helpful.

Carson: I think at this point the most we would be able to get is a partial list. So, when they are looking at these six schools to change boundaries, they would make some kind of capacity list for those six schools and that may not be updated again for three or four years if they don't change those boundaries again. So, we could ask for the program capacities for the ones they are looking at, but it won't be a full list. If that's something you are interested in, though, I can pursue getting that partial list.

Simison: Well -- and, Miranda, I guess the other question that I didn't see -- or I skimmed over is portables. You know, I think -- you know, I can only speak to Sienna where my son goes. They have got two portables on site. They also have the GT programs, which pull from all over the district. You know, so you have those varying elements and so that -- that always skews what the number is at the school versus who is actually there and what else they might have on that. So, some of that is, obviously, district prerogative for -- they will move stuff in as those needs ebb and flow. Do you feel like there is any reason we should be taking that -- the use of portables into the decision making process back to Council level for specific schools?

Carson: So, portables are not considered at all in their program capacity or in their optimal design capacity. That is something that is in the emergency capacity. So, because portables are not permanent structures they don't count those when they are making those decisions.

Simison: But they are obviously used --

Carson: They are used. And, then, also to give you an example as you spoke, the GT program when you have got kids moving in and out, if they have got one classroom that uses 20 kids at the beginning -- for the first half of the day, for example, for kindergarten,

they have got a classroom that's going to use 20 kids the first half of the day and 20 kids the second half of the day, the capacity for that classroom is 40 kids.

Simison: Where is that on a school district number so far?

Carson: So, moving on to the additional capital projects. This will also be in the facility plan when that is approved. The -- there was a question regarding the time frame for when the beginning and end of construction is, so the school district does make their facility plan and they have a plan for when they want those buildings to be -- to be built and to be occupied, but a lot of that becomes -- it's based on the actual funding that's available. So, for example, if they go out for a bond and the bond fails, the timeline changes drastically. If they make a decision about whether they are going to cut funding other places or whether they are going to not build the school and wait until a bond does pass, so we can ask for the planned timeline, but I did just want that disclaimer there that that plan timeline can change drastically depending on what funding is available, because Idaho does have such a volatile funding for education compared to other states. So, looking at how many students are expected to join in the near term and a long term, that question is a very large formulaic type answer. So, I have put in the student generation rate. As we talked about earlier, the student generation rate is how many students will live in X -- this number of houses. So, for the school as a whole it's .8 students per house and, then, in the next question down you will see how many it is for elementary, middle, and high school as that question was asked as well. So, if you are just looking at a development that has 200 residential units in it, you can say at some point it will have this number of students. The .8 times 200. The X factor in determining this is how quickly will that neighborhood actually be built. We -- I sat down with Brian McClure today, the other comprehensive planner, to look at some preliminary plats and discuss that how fast will the neighborhood be built factor and he showed me one that's been platted out for ten years and, then, he showed me another that was platted out and pretty much built out within a couple of years. So, really determining that absorption rate is a very large question and that's something that I'm going to work through, but I don't have an answer for you today. So, I'm looking at American Community Survey data and census data, looking at COMPASS data, our data, the school district's data, so there is a lot that comes into play with that. So, for now you can look at the student generation rate, but, again, just the disclaimer that that doesn't mean that in year one of that development there will be .8 students per house. It means that when the development is built out there will be .8 students per house. Are there any questions about that student generation rate?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor and Miranda, just -- I guess what complicates that even further is we know what's going on in Meridian, but for -- the impacts to this school district are very large. You have got other communities that are growing and their rates of growth and developments that are approved even in Ada county that -- that impact that number. So, we might think we are doing well for their formula, but yet the numbers are going to be

skewed, because other communities might be just really pushing out major developments. A 2,000 unit community could -- you know, development could really really skew those numbers. So, this really is a little complicated, isn't it?

Carson: It is. It is very complicated. And that is why the attendance area committee has their role, because they have to sit down and really hammer through those numbers and I am grateful that I did serve on that committee before I came to work here, because I do feel like I have a good understanding of it, but even with that understanding there is still that X factor and even the attendance area committee has that X factor. We know these houses are coming, but how fast are they coming. I don't think it's a question that we will ever have a black and white answer on a page for.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, Miranda, thank you for all of this, by the way. It's really good to see all of this on paper. As you know we have had a lot of conversations about -- about these -- these concerns over numerous different public hearings. So, it's good to have this all down in one location. I'm curious on -- with your history in the district and the conversations that you have had since you have been here, have there been any discussions about changing school designs for capacity? So, obviously, we live in an area that's still spread out and kind of somewhat rural, but you have schools in bigger cities and in other areas that are using their school capacity more wisely. They have, you know, full high schools and full middle schools on ten acres, instead of 40 acres or 60 acres. I'm curious if -- if you don't have information on that if -- if it's something that you might be able to follow up with the district on and see how often -- or if ever that they analyze that, so that we could maybe be more efficient with space and that translates really into not only additional capacity, but cost savings for the district and whatnot. So, that's the sort of a bigger broader question that you may or may not be able to answer today and that's okay. I wanted to put that out there as something for us to -- to be considering. And so -- yeah. I will leave that at that. I have some more thoughts, but I will wait until the end.

Carson: So, talking about the -- the capacity of the buildings, I did ask that question and did they plan to build bigger elementary schools, three story high schools, to combat some of this growth and they did say that -- I believe it was -- I know at least one, possibly both of their upcoming elementary schools they do have a design capacity of 750 students, rather than 650 students. So, they are already starting to build the schools a little bit bigger. So, Sienna Elementary, for example, is a 750 student school, because when it was designed it was designed for grades K through eight and now they are seeing that that is very helpful to have that. They are also going ahead and putting in elementary schools as a standard -- or, I'm sorry, preschool classes as a standard in their elementary schools. One of the program capacity issues has been that not every school can house preschool students and that does drastically change the program capacity. But you need -- you know, for tiny people you need tiny equipment. So, you have to build those

classrooms for the tiny humans and so now they are building preschool classrooms into their elementary schools to help with that program capacity. So, we know there is going to be those preschool students. You know, as a state we are doing better screening those kids and getting them into early intervention. So, let's go ahead and build the classrooms in the schools for them. So, they are taking those steps to make the elementary schools larger. I did also ask about high schools. Could we go up to three story high schools, because we currently do two story high schools, and they said that they had at one point reviewed three story high schools, they had kind of reviewed some standards and some design plans. There is another school somewhere in the state that has a plan that they had reviewed as a three story school, but it's not something that ever got off the ground in West Ada. I'm not sure why we didn't talk at length about it. But they decided as a district at that time that three story was not the way they wanted to go. So, at this point they still do plan to have two -- you know, two story high schools that do take up 55 to 60 acres and on that new schools list on the common terminology it does outline how many acres they hope to have per -- per school level. Are there any other questions about how many students are going to be coming in? Student regeneration rate.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Yeah. I was just wondering if -- one thing that stuck out to me and I think we may have received an e-mail about it just earlier today, but in one recent application there was a -- we didn't hear it firsthand, but there was a comment that West Ada projects students to be absorbed from like approved developments over a ten year time period and I was just curious if -- if we are going to be sort of validating that and maybe using our own projections just based on the phasing of developments that -- that we know about or how -- how we are going to go about sort of picking a good absorption rate for future development. Ten years just seemed like a really long time frame to me.

Simison: The short answer is yes. You know, that will be part of what we look at. I think we all have some ideas about what we can do and look at, but even if you can get an average for certain attendance zones on what the absorption rates are, whether that's for high school, middle school, elementary to apply, but I have got some ideas. I haven't shared them yet with Miranda. I'm sure other people have ideas. But, yes, we need to -- that's important for us and we have the data that can prove or disprove a ten year rate.

Strader: Thanks.

Carson: So, moving on there was some questions regarding whether the city should have a representative on the school board. I did change that question here in the document, because thinking about what the school board's role is going back to that roles question, the school board is looking at education as a whole. They don't look at facility planning every school board meeting. That's generally around the February time frame and, then, they are looking at it now because they are talking about the policies for it, but really the school board isn't talking attendance areas at every meeting. So, I don't think it would be

a good -- a productive use of any of your time or the staff time to have somebody at the school board every single meeting. But I did ask West Ada if they were willing to have a representative on the attendance area committee from the city. Their first response was we are fine with you coming and sitting in the meetings, but we don't plan to give you a voice on the attendance area committee, because you are not one of the parents that has a student that we would typically have on those committees. And, then, they said, well, if we let you be on it, well, now we have to invite every city. So, actually, we probably can't have a city representative on those. But what you can do is come to all of the informational meetings or any of the informational meetings that you want. They also said that starting this school year when they make their attendance area committee, they plan to post all the information online. They are going to post the formulas they are using. The maps that they are using. All of the raw data that they are using. So, that community members can go in and see that data and make decisions and ask well-informed questions. So, that's the point where we could come in and have involvement in the process. You all are welcome to go look at that data. I will be going to look at that data to see what kind of ways they are leaning in those decisions, where they may be wanting to put new schools or change boundaries and, then, how they are using that data and what data -- data they have available and, then, at that point we can make like any other community member public comments about their decision making process and the decisions they are making.

Simison: And if I could weigh in on that, I think that's one of the things that I can speak -- when we -- when I was on the attendance area committee I had more knowledge about the projected growth rate of Century Hill Farm. I shared that with the committee. It wasn't taken into consideration for when the boundaries were drawn, but I think if we have a dedicated staff person who is working on this and can provide real feedback based on real numbers to the attendance committee about areas of absorption and certain parts of the community, it will -- I think that information will be utilized by that committee in the appropriate way to maybe allow for certain schools to have more space for development or otherwise.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: That being said, does -- does the district actively go out and pursue feedback from the area governments on -- you know, as part of -- as part of the attendance area committee, do they ask the -- the cities for a report or for feedback or for perspective? Is that pursued from the area governments as part of their discussions?

Carson: So, to my knowledge they do not go out and pursue the governments -- the different government groups. What they do is they go out and they pursue the parents. So, they send out informational fliers to any school that will have changes. They have several sit down meetings that go well into the evening where parents can ask as many questions as they want and all of their questions are answered at those meetings and anybody on this staff would be welcome to join those as well and that information will also

be available. They said they are going to have basically a repository where they start posting all of this information. So, in the past they had the attendance area committee, they would post a flier that we are going to have a meeting to discuss all of this information with you --

Perreault: Miranda, you are still cutting in and out really -- really bad.

Carson: Sorry. So, in the past they would have -- they would send out fliers of when they were going to have the informational meetings and, then, if a parent wanted information before the meeting, so that they could come up with their own plan and send it in, then, the attendance area committee with somebody on -- from the staff on the attendance area committee would send them that information. Now, what the school district is proposing and planning to do is to post all that information publicly. So, there won't be somebody that you have to contact to get the information to look at and make your own plan or review their plans, they will have a data repository of all the information they are using to plan. And that will also include when those meetings are going to be.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: A follow-up question on the committee. So, it's my understanding that this -- the committee structure has been in place for a really long time and -- and that in the past when there have been some attendance areas -- attendance area changes there have been some agreements that -- that couldn't be made unanimously, especially regarding the Rocky Mountain High School area and generally that northwest Meridian location and so I think I had mentioned to you in -- in a conversation that we had that I would like us to -- I guess get some more information from West Ada on whether they are open to the idea of changing that committee structure to some extent, because the reason I'm asking this is that I anticipate that as we grow, as we get bigger, as the schools get more full, that we will continue to have -- to not have unanimous agreement on some of these plans and that that will stall us in our effectiveness -- not as a City Council, but that the residents' effectiveness to make decisions regarding the attendance areas. So, I know that's not really a role that we as Council play, but any -- any scenario that we might be able to help with or -- or any information that would help these parents to -- to make those agreements unanimously would -- would be great for -- for us to know.

Carson: I definitely think the more research we can put into the student generate -- or the absorption rate will definitely help them make their decisions, because as you said they are using ten years -- they assume that the neighborhood will be built out over ten years at ten percent a year. That's the only number they have to go off of. So, if we have a better tool that we can give them to have in their tool belt, then, I have no doubt that they would use it. At this point they have expressed that they have no interest in changing their attendance area committee. They have no interest in adding us to their attendance area committee. They like the 14 members -- at 14 team members they have never had an issue going to a unanimous vote. I can tell you when I served on it there were a lot of

back and forth between the two subgroups and, then, even people that, you know, flipped sides and decided to join the other group, that they agreed with their plan more, but we worked long nights, late nights to -- until we came to a unanimous decision. So, with a 14 member attendance area committee at this point they haven't had any issues in the past having a unanimous decision. It's when they surpass that number 14 that they had issues with unanimous decisions and that's why they don't intend to expand that committee any further.

Simison: And I will -- just from a -- I assume, Miranda, that you were meeting with staff in this conversation?

Carson: Yes. The staff.

Simison: So, this is staff level conversation. You all have your relationships with trustees or others, so you are welcome to take up any of these issues that you hear today and provide that feedback to them. I don't -- you know, they are much like City Council, you know, the attendance area is the Planning and Zoning Commission. You know, at the end of the day it's the board that makes the decisions about what they agree to and what they don't agree to and, likewise, if there is a board decision to change the makeup of the -- to create a permanent or how they would like city's participation, I think that's a board and superintendent conversation.

Carson: And the attendance area is the policy that they are reviewing tonight. So, I'm not sure if it outlines exactly how many members are on that committee, but it does outline the goals of the committee. I don't know if they will be approving it tonight, but if you have comments soon would be the time to make it, because that's when they are making their decision about how that committee is going to be organized and -- and run.

Simison: We have got about another ten minutes --

Carson: Okay.

Simison: -- to get through.

Carson: So, I did ask them if they are open to having a regular working group meeting and they said, yes, we feel that about every other month would be a good timeline for that. Going on to talk about how we can educate homebuyers, this was something that came up during the special joint meeting in February. I did talk to the school district about what their kind of disclaimer that they give parents. I know having worked there that when a parent calls and says we are buying a house and we want to know if we are going to be zoned to Hillsdale, you say, well, yes, you are zoned to Hillsdale, but I don't know if you will always be zoned to Hillsdale. So, talking about coming up with a standard disclaimer that we can also give people that are buying houses that explains how boundaries change and how often they change, so that our citizens aren't buying houses thinking that they are guaranteed to a school that we can't give them that promise of -- no realtor should give them that promise of and the district can't give them the promise of. So, the

development review letter, that's something that I'm working with the school district so that we can see what information the staff -- the city staff would like to have on that and, then, what information the school district would like to provide. So, that is an ongoing conversation about how to make those development review letters a better tool for us to use as a staff and also for City Council to use when making decisions about developments. The city priority areas is something that a board member had asked about and we will at some point start looking into the service impact tool and when that's ready to share that's something that we are still working on as a city staff, hoping that will be available soon, and then -- sorry, I'm not trying to breeze through, but I am -- since there is only ten minutes I want to make sure I have questions -- time for your questions. Also the -- there was some questions from a board member about whether the city is open to putting minimum standards -- basically saying if a development is going to put a school over capacity, is the City Council willing to have some kind of minimum standard for that. In speaking with Council Woman Perreault, it sounded like it would probably be about 50-50. I just want to express that this question is not coming from me, this was from the school board, so just something to ponder over as we make this plan. One school board member had asked that question. The only thing that the school district really wanted to get back from this meeting that we are having right now is they asked if the fire response time for priority service areas would be firm at five minutes or if that's something that we expect --

Perreault: Miranda, we can't hear you.

Carson: Oh. Can you hear me now?

Bernt: Yes.

Carson: Sorry. I turned away from the microphone again. So, the school district had asked if -- one, if the city was willing to put some kind of minimum standard on developments saying that if a development was going to put an area over -- a school over capacity, whether the city would consider that when making a decision to approve and that is a question from a school board member not from me. And also the school district had asked if the fire response time would be firm at five minutes or if the city had planned to change that fire response time to some other time. Is there any response at this point or would you like to just think about those and we can discuss it further at another time?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, what I caught, Miranda, because the sound is just coming in and out terribly, I don't know what's going on -- is that the -- the school district would like to know if we are able to set a minimum -- or a maximum on the amount of students we anticipate would come into the district based on our development applications. It's very hard for us to create anything like that when we don't have capacity numbers. So, the conversation we have had tonight about how difficult it is to get capacity numbers that are consistent,

it's even harder for us, then, to sort of, you know, judge how much impact that the developments are going to have on the schools if we -- if we can't get solid capacity numbers for them and I -- I realize that's kind of a chicken and egg scenario, but I -- I trust that we can come to some sort of -- you know, I realize it's not going to be exact, but we can come to some sort of arrangement where we -- what -- we can usually work together on this. I mean that is definitely our desire and it sounds like the school district's desire. So, if we can get some -- some ranges of capacity we can start answering those questions for them.

Borton: Mr. Mayor?

Simison: Is that Joe? Sorry, I don't see all --

Bongiorno: Yes. It was me.

Simison: Yes, Mr. Bongiorno.

Bongiorno: Quick comment on the five minute thing. That's kind of something that the city has adopted and I know Chief Niemeyer is planning a meeting with Council -- I believe it's on August 11th and we are going to talk a whole lot about growth and response time. So, I can go downstairs and meet and we can talk more about this. But, obviously, five minutes is a very important number for the Fire Department.

Carson: And, then, going on to the last section, we just wanted to kind of outline -- or I just wanted to outline what the expectations were, so that everybody was on the same page about what data we wanted from them, what data they wanted from us, so that's what those numbers are. I did ask them, they said they are happy to give us enrollment counts as often as we want them, but what they felt would be the best times was September, November, and February, because that's when they report to the state. As well as the attendance boundaries. They said they are not necessarily updated every single year at the start of the year, because sometimes they are updated during the school year. For example, there was once an apartment that was coming in during the school year, it hadn't been built yet, the school that it was zoned to was over capacity, so they -- the board voted to rezone, essentially, just that apartment complex to a neighboring school district -- or to a neighboring school. So, as attendance area boundaries are updated, they said they will send those to us. The facility plan will be sent and, then, the development review letters will continue to come as well. So, that's the end of the outline. As I said at the beginning, this is a working draft. So, I am happy to add -- or discuss adding what you feel you want to see in coordination and I really want this to be an outline of realistic expectations from our side and their side, so that we can have a good data exchange flow that's happening consistently and we can really be proactive to get in front of growth that they are seeing, growth that we are seeing or approving.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I think that, you know, going forward I think that's the million dollar question and I think that it's going to take longer than two minutes to have it. So, I know our Executive Session is very important, it's going to be a long one, and so I would hate to end this right now with Miranda. We appreciate her, but I think that we may need to extend this conversation possibly to next Tuesday. I believe talking with the clerk I think we have a little time to maybe finish up this conversation and maybe give Council Members opportunities to mull these questions and what's been discussed this evening. So, if -- if that's the will of the Mayor, that's probably my thought.

Simison: Yeah. Whether or not it's next week or in the coming weeks, but I guess what I would encourage is Council take this -- this information, gather it, if it's -- if you don't have a lot of questions I don't know if it -- if it makes sense to come back, if there is more dialogue, just ask each member of the Council to at least convey to your Council President in where you think this conversation still needs to go, whether it's writing or in person, and we can bring it back if necessary. And I know that there will be further conversations, it's just whether or not it's next week, two weeks, or if it's two months after we start getting data into the staff report, you start seeing it, evaluating it and feel like we need to have a more in-depth conversation. So, with that I will say, Miranda, thank you for the information.

Item 6: Executive Session per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer, and 74-206(1)(d): To consider records that are exempt from disclosure as provided in Chapter 1, Title 74 of Idaho Code

Simison: And I will see if Council has a motion they would like to make.

Bernt: Thank you, Miranda, for your time. That said, I move that we move into Executive Session per Idaho Code 74-206A(1)(a) and 74-206(1)(d) per Idaho State Code.

Hoaglun: Second the motion.

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

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

Simison: All ayes. We are in Executive Session.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (5:30 p.m. to 6:08 p.m.)

Bernt: Mr. Mayor?

Simison: Council, do I have a motion?

Bernt: Mr. Mayor, I move that we come out of Executive Session.

Hoaglun: Second the motion.

Simison: I have a motion and second to come out of Executive Session. All those in favor signify by saying aye. Opposed nay. The ayes have it.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I move that we adjourn the meeting.

Hoaglun: Second the motion.

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

MOTION CARRIED: ALL AYES.

MEETING ADJOURNED AT 6:08 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Approve Minutes of July 28, 2020 City Council Regular Meeting

Meridian City Council

July 28, 2020.

A Meeting of the Meridian City Council was called to order at 6:10 p.m., Tuesday, July 28, 2020, by Mayor Robert Simison.

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

Also present: Chris Johnson, Adrienne Weatherly, Bill Nary, Sonya Allen, Alan Tiefenbach, Clint Dolsby, Dale Bolthouse, Tracy Basterrechea, Joe Bongiorno and Dean Willis.

Item 1: Roll-call Attendance:

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

Simison: All right. Council, I will call this meeting to order. It is Tuesday, July 28th, 2020, at 6:10 p.m. We will begin this meeting with roll call attendance.

Item 2: Pledge of Allegiance

Simison: Item No. 2 is the Pledge of Allegiance.

(Pledge of Allegiance recited.)

Item 3: Adoption of Agenda

Simison: Item No. 3 is adoption of the agenda.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: It looks like we are going to have to add another Executive Session after the last line and I'm going to get that real quick. I didn't print this out. So, it would be -- I -- do we make it Item 10? Is Item 10 where we want to put the Executive Session?

Simison: Yes.

Bernt: All right. So, we will add Executive Session per Idaho Code 74-206A(1)(a). I just want to confirm that with Bill that I got the -- the Idaho Code correct.

Simison: That is correct.

Bernt: Okay. With that I move that we approve the agenda as amended.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

Item 4: Future Meeting Topics

Simison: Mr. Clerk, did we have anybody sign up under Item 4?

Johnson: Mr. Mayor, the only sign up was for an agenda topic later on the agenda.

Item 5: Resolutions [Action Item]

A. Resolution No. 20-2220: A Resolution Appointing Natalie Schofield and Thomas Vannucci to the Meridian Arts Commission

Simison: Okay. So, we will move on to Item 5-A, a Resolution No. 20-2220, appointing Natalie Schofield and Thomas Vannucci to the Meridian Arts Commission. Council, as has been --

Perreault: Mr. Mayor?

Simison: -- the history --

Perreault: We can't hear you.

Simison: Council, can you hear? Can you hear me now sort of? This is going to be a fun night.

Bernt: Not really.

Simison: Chris, just let me know -- you guys keep telling -- I will talk until you guys can give me thumbs up that things are going well. The Yankees are doing quite well this year. I think that they are going to win the World Series. What do you say, Mr. Nary? Do you agree.

Nary: I totally agree.

Simison: Totally agree. Does this mic sound any better?

Cavener: That sounds much better, Mayor.

Simison: All right. We will move over to this mic and move forward. As has been the custom history of commissions, I sat down with the chair of the Arts Commission Leslie Mauldin and we interviewed several fine candidates for the two vacancies on the Arts Commission. One is the full term and one is filling a partial seat for approximately a year. The two people I'm bringing before you for your consideration are as listed on the agenda. Natalie Schofield and Thomas Vannucci. Just to speak very briefly about each of them, Natalie is what I would -- as you can see there she is at her house, you can see the mural that's in her living room. She is a lover of art. I think that that's -- that's how I would describe her and her viewpoint and it's really bringing the non -- the non-artists to the commission to provide that general appreciation of art, which is something that's very important when you are with a lot of artists, sometimes to get the other people's opinion from that standpoint, but she -- she is very much committed and dedicated to art and is looking forward to serving the commission in that role. Tom is -- comes from a wide variety of background that -- when you look at his resume you may never realize how involved he's been in all sorts of art throughout his life and career, ranging from ballet, into, you know, some more recent artistic endeavors with Disney and others through his companies, as well as some other work that takes him from New York City to California and back again and he just happens to be located here in Meridian, Idaho, and is looking for a place to put his wide variety of artistic endeavors into place for the Commission. So, I bring these both to you for your consideration. I would be happy to answer any questions you have and if the motion is successful I will open it up for either one of them to provide some comment. If not, I would entertain a motion.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Very pleased to make a motion on this. I'm so excited to see what the Meridian -- what the Art Commission has been doing and the growth of the art community in -- in our city. It's wonderful to see and I know our community appreciates the good work of the commission. So, Natalie and Tom, we appreciate both of you being willing to volunteer and provide your time and talents to the commission. Mr. Mayor, I move that we approve Resolution 20-2220, appointing Natalie Schofield and Thomas Vannucci to the Meridian Arts Commission.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Second the motion.

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

Bernt: Congratulations.

Simison: Congratulations. We will do ladies first. Natalie, if you have any comments you would like to say to the Council at this point in time.

Schofield: Thanks for having me. I'm excited to be a part of the Arts Commission and serve our lovely city. I love Meridian and am excited to be a part of it. Thank you.

Simison: Thank you. Tom, same to you.

Vannucci: Thank you. I echo Natalie's sentiments and particularly I'm most excited to have an opportunity at -- at this growth period of time for our city and I think what a wonderful time to -- for all intents and purposes get in on the ground floor. So, I'm really excited as how we are growing and bringing the arts and culture to life.

Simison: Excellent. Well, thank you both. Again congratulations and I know they are eager to get you to work. So, look forward to having you at the first meeting and Councilman Borton will make sure to keep you in line. Okay. Thank you.

Item 6: Action Items

A. Request to Withdraw Application of Franklin Storage (H-2020-0033) by Franklin Storage, LLC

Simison: Council, moving on to Item 6-A, this is a request to withdraw an application for Franklin Storage, H-2020-0033. I would be happy to turn this over to -- is Mr. Parsons online? Is this going to be given by Alan?

Parsons: Mr. Mayor, I'm here this evening.

Simison: Okay. I will turn this over to Mr. Parsons.

Parsons: All right. Thank you, sir. Mr. Mayor, Members of the Council, happy to be with you tonight. I will make -- keep my remarks brief, but if you recall this applicant was before you several weeks ago with a concept plan that you didn't -- originally staff had recommended that a concept plan not be tied to the development agreement. That led to some deliberations by the Council. In moving forward with a recommendation of denial the applicant was clear on the direction that you -- they wanted -- you wanted them to proceed and so rather than going forward with a denial potentially having to wait a year to come back and submit another application, they are just asking that you acknowledge their withdrawal this evening, so that they can continue to work with staff and bring back a project that you can support in the near future. So, I think they just want to keep working with staff to bring forward some industrial property to the city and a concept plan that hopefully this body will support at a later date. That's all I have and I will stand for any questions.

Simison: Thank you, Bill. Council, any questions for staff at this time? If not, Mr. Nary, do we need a motion on this or --

Nary: Mr. Mayor, yes, we need a motion and a vote.

Simison: Okay. Do I have a motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Move that we accept the request to withdraw the application for Franklin Storage, H-2020-0033.

Hoaglund: Second the motion.

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

MOTION CARRIED: ALL AYES.

**B. Public Hearing for Gyro Subdivision (H-2020-0061) by
Tealey's Land Surveying, Located at 3030 E. Magic View Dr.**

1. Request: A Short Plat consisting of 2 buildable lots on 0.97 acres of land in the L-O zoning district.

Simison: Okay. Items 6-B, a public hearing for Gyro Subdivision, H-2020-0061. I will turn this over -- I will open this public hearing with staff comments and turn this over to Alan.

Tiefenbach: Thank you. Alan Tiefenbach, associate planner with the City of Meridian. Good evening, Mayor, Members of the Council. This is a short plat. The property is about just a little shy of one acre. It is zoned light office. It's located at 3030 Eastern Magic View Drive. Let's see. So, Eagle is here and this is Magic View and, then, this is South Allen here. So, again, the property is about just shy of one acre. It's consisting of one existing lot. Put some pictures up here so you can look at it, if I can get it to work. Here we go. This property was annexed in 2000. In 2002 the development agreement that was required at the time of annexation -- it was amended. The reason why they amended this development agreement was to allow a restaurant as a standalone use. Restaurants are only allowed as an accessory use in this particular zone district. There was also a conditional use that was approved in 2002 to allow a drive-in restaurant and, then, in 2020 there was a certificate of zoning compliance -- or, sorry, 2002 there was a certificate of zoning compliance that was approved for a Subway restaurant. This was here for a while until in 2019 there was a -- a Gyro Shack that was built and that's what you see here.

Looking at the property here we are on the east and we are looking to the south. Here we are looking south and this is along South Allen Road and I took these pictures just to show you the sidewalk and the landscape buffer that exists. And, then, on East Magic View looking east, again, here is the sidewalk and the buffer. And so this present proposal was to subdivide off a lot of approximately .38 acres. That's what you see here, all this vacant land here, here, and here. Two of our conditions on this plat were for common lots or easements to be there for the required landscape buffers and also we recommended that there be a shared access easement between the two lots from East Magic View Drive, so when this is eventually sold off the access wouldn't be cut off to this. I received a plat from the applicant last night that meets the conditions. So, the easement is what you can see in these dotted lines here and this here is the cross-access -- a cross-access easement. There is an existing curb cut here that is here now. At that they have met all of staff's conditions and I will take any questions if you have any.

Simison: Thank you, Alan. Council, any questions for staff at this time? Okay. Is the applicant on the call with us or present in the room?

Johnson: Mr. Mayor, I cannot identify the applicant by name, so if they are here if they can raise their hand using the button or pressing star six. If you want to go in the room right there, the audio works better in there for you.

Simison: And if you could state your name and address for the record, you will be recognized for up to 15 minutes.

Miller: My name is Doug Miller. I reside at 14150 North Broken Horn, Boise, Idaho. 83714. Mayor and Council Members, I am the owner of the property and just here to field any questions. Everyone's done a great job with this and was trying to split the lot I purchased last year.

Simison: Thank you very much. Council, any questions for the applicant? Thank you very much. This is a public hearing. Is anyone signed up to testify on this application?

Johnson: Mr. Mayor, there were no advanced signups.

Simison: Okay. If there is anybody who is online that would like to provide public testimony on this item, please, do so by hitting the raise your hand -- hand function at the bottom of your screen or press star six on your phone. Give just a second.

Johnson: Mr. Mayor, I want to apologize. Star nine to raise the hand.

Simison: Star nine. Thank you. Seeing no one who is wishing to testify on this item, I will ask the applicant if they have any last words they would like to make, just so we are official.

Miller: No, Mayor.

Simison: Okay. No further comments. Thank you. Council, any questions or comments or motions?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we close the public hearing for H-2020-0061.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: After hearing all staff and applicant testimony, I move to approve H-2020-0061 as presented in the staff report for July 28, 2020.

Borton: Second.

Simison: I have a motion and a second to approve item H-2020-0061. Is there any discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion passes.

MOTION CARRIED: ALL AYES.

C. Public Hearing for Delano Subdivision (H-2019-0027) by Boll Cook Investments, LLC, Located at 14120 W. Jasmine Ln. and 2800 E. Jasmine Ln.

1. Request: Annexation & zoning of 15.22 acres of land with R-8 (2.76 acres), R-15 (8.82 acres) and R-40 (3.64 acres) zoning districts; and,
2. Request: A Preliminary plat consisting of 66 single-family residential building lots, 1 building lot for a future multi-family

development, 8 common area lots and 2 other (common driveway) lots.

Simison: Item 6-C is a public hearing for Delano Subdivision, H-2019-0027. I will open this public hearing with staff comments and turn it over to Sonya.

Allen: Thank you, Mr. Mayor, Members of the Council. This project was last heard by the City Council on May 12th. At that meeting Council voted to deny the project. The applicant filed a request for reconsideration of the Council's decision, which was heard and approved by Council on June 9th. The request was based on Council's failure to voice their specific concerns to the project during the public hearing, so that the applicant could respond and address those concerns. The applicant felt there was not adequate opportunity to present all of the information necessary for the Council to make an informed decision on this project. The applicant has since submitted a revised phasing plan and that is shown there on the bottom right for the development that he believes addresses the concerns of Council. A secondary emergency access driveway is proposed to be constructed from Dashwood at the north boundary to North Centrepont Way at the southeast corner of the site with the first phase of development. Four phases are now proposed, rather than three, with the fourth and last phase consisting of seven buildable lots, which are not proposed to develop until such time as Centrepont Way is extended to the north to Wainwright Drive. If the Council approves of this proposal a provision to that effect should be added to the development agreement. Many letters of testimony from neighbors have been received since Council's approval of the request for reconsideration, in addition to those previously received that are included in the public record. Staff will stand for any questions and if no questions turn it over to the applicant at this time. Thank you.

Simison: Thank you. Council, any questions?

Cavener: Mr. Mayor?

Simison: Was that Councilman Cavener?

Cavener: It was. Thank you, Mr. Mayor. A question for -- I guess Mr. Nary. Mr. Nary, am I correct in that we are hearing this, then, like a brand new hearing?

Nary: Mr. Mayor, Members of Council, Council Member Cavener, yes. So, this is like a redo of the prior hearing. So, all of this information is all part of the record. So, everything the Council heard and discussed at the prior hearing is part of the record and so, again, the -- the decision is new. Basically you have set aside your prior decision to reconsider it. You could still grant it or you could still go with a denial. You can still go with approval, make modifications. So, it is -- it is a new hearing.

Cavener: All right. Thank you.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: So, I had a couple of questions for staff. On page 11 I think of the staff report I just wanted to clarify the staff recommendation. Toward the bottom of the page it says staff recommends North Dashwood Place is extended as a full access street with the first phase and I recall that ACHD recommended it can be connected as a temporary emergency access until Centrepont is extended or within ten years. So, I just wanted to clarify -- I think I just heard staff say they are recommending it as an emergency access and I just wanted to clarify that that is what they are recommending.

Allen: Mr. Mayor, Council Woman Strader, Council, the applicant is proposing it as an emergency access until such time as Centrepont is extended to the north to Wainwright Drive. At that time, then, they would plat that last phase of development and -- and the street would be extended as required by ACHD and the city. Until such time it would be emergency access only.

Strader: Thank you. One more, Mr. Mayor?

Simison: Council Woman Strader.

Strader: Could you give us a little -- I saw that the phasing that was proposed by the applicant was changed -- fourth phase or I think the last phase. Could you just give us a flavor of the staff discussion with the applicant and any concerns that may have led to that and just -- just the context for that change?

Allen: Mr. Mayor, Council Woman Strader, Council, the applicant made the change in response to the discussion at the last Council hearing. Staff has really had no interaction with the applicant on that matter.

Strader: Mr. Mayor, follow up?

Simison: Yes.

Strader: I think I -- I saw in the materials for the application a revised -- like a letter from the applicant saying that they were adding additional buildings into phase four in response to a staff concern about the possibility of phase four not being completed. That's what I was getting at, if that prompts anything or if there has just been too many changes that's okay. I just wanted to -- if there is something specific to that piece of that phase I wanted to get some context for that as well.

Allen: Yes. Mr. Mayor, Council Woman Strader, I believe the applicant will address that also. But -- but, yes, staff wanted some -- a few substantial lots to ensure that that phase would actually get platted in the future and not just a couple.

Strader: Thank you.

Simison: Council, any further questions for staff?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: Just to follow up on Council Woman Strader's question. Also have a question about the staff's recommendation in the original staff report and, then, ACHD's determination. In that situation, because it's staff -- in the staff report had -- had put in there that it's -- it's city code to -- to require access off a local street if it's -- if it's possible, because of city code, but because ACHD made a different recommendation, is it, essentially, up to us as Council to determine which route to go or maybe that's a question for Mr. Nary as well.

Allen: Mr. Mayor, Council Woman Perreault, Council, are you referring to the local street access to the property that's in the county that -- or in the Boise city to the east that's developing as an assisted living facility? I'm unsure what you are referencing, Council Woman Perreault. I'm sorry.

Perreault: That's okay. I'm referencing the connection of Dashwood to -- instead of using it as an -- so, ACHD recommended emergency access until Wainwright goes through -- excuse me -- until Centrepont goes through and/or ten years. That was what was recommended by ACHD, but in the staff report staff had -- had cited code regarding access taken off of the local street, instead of Centrepont as the collector.

Allen: I'm sorry, Council Woman Perreault, I'm still not unsure -- I'm still unsure what you're -- what you are referencing. Dash -- Dashwood is a public street -- maybe this answers your question -- and it's -- as such it's required to be extended -- I'm sorry.

Simison: Maybe it might be good to hear from the applicant on these items where they can address it in their comments.

Allen: Thank you, Mr. Mayor.

Simison: Anything further for staff at this time? Okay. Then we will turn this over to the applicant. Mr. Clark, you are recognized for 15 minutes.

Clark: Thank you, Mr. Mayor. Hethe Clark. 251 East Front Street. And doing my best not to wear out my welcome. Appreciate everybody willing to listen to this and try to get to a -- to a good outcome here. Address for the record 251 East Front Street in Boise. Let me go ahead and share a quick presentation with each of you. So, to just kind of give you a quick reminder -- and there is no reason to dive too far into these details, because everyone has looked at this from just about every angle, except for the one that we are going to discuss tonight. So, as a reminder this is the location of the property, again, near major transportation corridors and Eagle Road and Ustick. Shopping within walking distance. And, you know, most importantly it is in-fill development. You can see that the

entire square mile is built out, including the areas that are right near us, other than the long parcel, which is to the northeast. The area in red is the Brickyard and the senior center that the city of Boise approved in the past few weeks. The area in purple has just been recently acquired and our project is the area in yellow. As a reminder, the project not only completes your water and sewer loop, but it is precisely in accordance with your Comprehensive Plan, which has this area designated medium density and mixed use residential -- excuse me -- mixed use regional. Also as a reminder of how far we have come since I took over the lead on this, we have reduced the number of lots by more than 20 percent with the access down Jasmine and Centrepont. Reduced the number of lots on the northern boundary, but still kept the single story limitation, which I think is a big deal. We reoriented the internal lot and we expanded the park. Kept it facing Alpine Pointe. We also proposed an emergency only access at Dashwood, which as you know has been a topic of discussion and debate. I don't think that there is any question about the quality of the project -- project, the density and the layout at this point. I re-listened to the Council's comments at the last hearing. Appreciated the kind -- kind comments that were made about the effort that the applicant has gone through to try to address these issues. So, let's talk about the issue at hand. When we were before you last the major issue that led to denial was the possibility of Dashwood Avenue opening before Centrepont Way is connected. In other words, Dashwood would become a sort of de facto collector prior to Centrepont being completed. Council Members Bernt, Borton and Strader all indicated that that was the basis of their vote. Other members of the Council, including Mayor, all indicated that that was the linchpin of the year. So, as this was previously proposed when we last spoke, ACHD was going to control that timing -- the timing of opening of Dashwood and Council was uncomfortable with that, because they didn't feel like there were adequate safeguards in place and that Dashwood would be overwhelmed if it was forced to replace Centrepont. So, our solution is to take that control and place it firmly in the city's hands. So, rather than dedicating the Dashwood Avenue right of way to ACHD with phase one, we would hold that back as part of a new phase four. For now there would only be an emergency access at Dashwood. That would be constructed according to Meridian Fire requirements. There wouldn't be bollards. There would be pedestrian and bicycle access. We would create a new phase four, which is shown in blue on this map, and phase four would include seven lots, plus the Dashwood right of way and, Council Woman Strader, that -- Sonya -- Sonya's description of that is accurate. We would have -- we discussed it with them and they indicated that they wanted to make sure that there was adequate value in phase four, so that no one would forget about it and -- and I promise you that that will not happen with seven lots there. There is about half a million dollars worth of value with a fraction of that required to complete phase four. So, the -- no one's going to forget about it, just put it that way. So, with that here is the critical point. As a condition of our development agreement phase four would not be allowed to proceed until Centrepont connects to Wainwright. This is a simple solution. It eliminates the issue identified by those who voted to deny the application. It is within your standard practice that you regularly condition phased development using a development agreement. The condition would run with the land and you would have a clear standard for when phase four would be released. From a practical perspective you get Centrepont built up to that final missing link just north of our property, so that both properties can develop and aren't waiting on the other. That would address the concern that Council

Member Perreault identified at the last hearing. Again, the city would have security ensuring that no one's going to forget about it, because with seven lot there is a lot of value and it won't be forgotten and the development agreement will keep the applicant and staff on track with regard to future final plats. With regard to the highway district, you have in your record response from them they have already indicated that they would agree to this proposal and no further action would be required. So, to sum that up it does put the -- put this matter back in the city's hands, gives you the control and, then, it will ensure that the concern expressed by Council Members Bernt, Borton, Strader and Council Member Hoaglund will be addressed. Now there was a companion issue that was discussed, which is, you know, what happens in the meantime. You know, can -- can the roads function until Centrepont is connected and I want to clear up any confusion about how traffic would flow and whether the roads have capacity. So, with regard to traffic counts, remember this project has been through multiple reviews at ACHD, including when there were 20 percent more lots proposed. ACHD back in 2019 issued a letter clarifying Centrepont's capacity and stated that Centrepont would be at about half capacity at full build out. Dashwood at full build out also less than half capacity. And now we have 20 percent fewer lots. So, there just isn't a traffic capacity issue. The other question was, you know, whether there are ways in and out of the area and whether traffic is going to channel only in -- in one particular roadway and Council Member Perrault hit this one on the head. The Brickyard also already exists. It has far more units than what are proposed here. So, this is an existing question, but, luckily, we are not talking about a single access point out to Eagle or a single access point out to Ustick. The area is actually quite porous already as you go down to the southeast. There are multiple ways to access out to Eagle Road or Ustick, including through the adjacent shopping center, which has four roads and multiple access points onto Eagle Road and we have shown in dotted lines here the areas that will -- the roadways that will connect in the future, but in the meantime this is already a very connected area with only one segment left to complete Centrepont. So, the way I would wrap that up is that what we have proposed here is a solution that puts the control in your hands in terms of traffic and in terms of roadway connectivity in the existing route, there is just not a basis to deny on that. ACHD has reviewed and approved it and ACHD has also approved this phase four solution that we have identified. So, let me just hit one other thing before I wrap up and there was a fair amount of conversation at the last hearing about, you know, why now and I think a lot of that was based on this idea of, you know, can we do this before Centrepont connects and I think I have answered that question, but let me give you another -- another reason. So, I represent the group that's acquiring the property. Over the past several months I have also gotten to know the sellers, spent a fair amount of time on the phone with them. The area in which they are living is rapidly changing. The square mile is now largely built out and so if you look at this map, the only open spaces you see are owned by the church on the east across from -- from Eagle Road. You also have a little bit of open space on the northwest that is owned by Idaho Power. You have some space on the west that's owned by the school. That square mile is built out. But let me show you what the -- what the immediate area by the Cooks is going to look like here shortly. The Cooks are retired school teachers. They have lived here for a long time and the area is building up around them. The Brickyard's been constructed on their doorstep with Centrepont stubbing right as their driveway. You know what the Brickyard looks like. We have shown you this slide

a few times. It's, you know, R-40 at 22 to 30 units per acre, 215 apartments. That's on their south. On their east, you know, since we last spoke with you in May, at that point there was nothing on their -- on the east side yet, but since then Boise city has approved the Stellar Senior Living Project. It's a three and a half story project right on their eastern boundary with several hundred units. The third down -- the elevation third down is what will face the Cook's property, again about three and a half story project. Large wall. Now, remember, we worked with the City of Meridian and Boise city to get this property into your area of impact and that -- you know, that still makes sense. Boise city is now approving property -- development on the east. You know, the Brickyard is built on the south and the Cooks are severely impacted and the large lot single family residence isn't viable here any longer. They have got three and a half stories looking down on them on the east and the Brickyard looming over them on the south and they need to move on. And we think that we have proposed a project that should let that happen. This has been run through the wringer in every sense of the word. I don't know that anybody -- I can -- I will proudly admit that I have never been through as many hearings on -- on -- on an in-fill project as this one and I haven't even been to all of them. You know, for months and months we have worked at this. We have iterated. We have tried to address the city's concerns. We have tried to make the neighborhood happy and with this reconsideration we have come to you with a solution for the problem that was identified at the last hearing. In-fill development is hard. Never has that been more truly the case than in this application. There are always challenges and we think that we have overcome them in this case with a tool that is squarely within your toolbox. This is -- this is in accord with your Comprehensive Plan. We have made significant modifications to address the concerns. There are no traffic issues. This meets your code, it meets your planning, and we ask that it be approved as conditioned and so with regard to those conditions we only see one that would be modified from the staff's current condition and that has to do with Condition 1-F. This is the one that we previously spoke to and we discussed at the last hearing about whether the temporary or permanent language would be there. What we would suggest is just instructing staff to modify that condition to say that the applicant's proposed phasing plan would be adopted and as a condition of the development agreement that phase four not be allowed to be a part of a final plat and Dashwood not be opened as more than an emergency access until such time as Centrepoint Way is connected the Wainwright Drive. So, with that I appreciate your patience and I'm happy to answer any questions.

Simison: Thank you, Hethe.

Bernt: Mr. Mayor?

Simison: Council, any questions? Mr. Bernt.

Bernt: Thanks, Hethe. Got a question for you. Would you guys be willing to include the multi-family, which is currently in phase three, and include that into phase four?

Clark: Mr. Mayor, Council Member Bernt, the -- you know, obviously, we -- we have to look at every -- every issue there, but I'm -- I'm not tracking why that would be necessary

at this point. Are you pointing to a traffic issue or what are your -- what's the -- what's the issue you are trying to address?

Bernt: Traffic. One exit, one entrance into the entire subdivision. Been my concern from the -- from the beginning, it continues to be my concern. I go to Fast Eddy's quite a bit. I know exactly which -- which entrance you are talking about. It's routine to have cars parked on both sides of that private road going through the -- I believe the apartment complex. I just -- I just don't think -- I -- I just -- I just think that that -- that that's going to be a disaster. The traffic is going to be a disaster with the multi-family included in that, so that's my concern. I have been up front with it from the beginning. I'm talking to you about it now. I'm the guy that we got concerned with that didn't bring up his concerns until the -- until the public hearing was closed. So, I'm -- I'm trying to be open as possible.

Clark: No hard -- no hard feelings either, Council Member Bernt. So, let me -- let me attack this in a couple of different ways. You know, when we were at the hearing and listening, the -- the concern that was stated repeatedly was that there was going to be a traffic issue primarily for the folks at Alpine Pointe if Dashwood was open and became an alternate or de facto collector and so that's the concern that we are solving for. That's the concern that we heard at the last hearing. With regard to the question of whether there is capacity on Centrepont, which I think is what your question is now, Council Member Bernt --

Bernt: Hethe, I am not going to argue with you about capacity. You know, I see the numbers. But I see the optics and, you know, I think those are two different things. Do I feel like there is -- that that -- that street can -- can take traffic, you know, maybe. I mean -- but when -- what it looks like now it's going to -- it's going to cause problems and -- because currently as it stands cars are able to park on both sides of the road and when you are -- when you are including, you know, 60 plus single family residence -- homes and -- and, you know, almost a hundred multi-family units on that one entrance and -- it makes it -- it makes it pretty tough, it makes it -- there is going to be a lot of traffic going in and out. That -- I'm not saying that the capacity is not there, I'm just saying that it doesn't mean that it's not going to be safe.

Clark: So, I'm -- I'm -- I'm struggling a little bit with the question, Council Member Bernt, and -- and let's continue the discussion. So, when we -- when we analyze traffic questions there is an empirical basis for doing so and there is for a reason, because, you know, if we base it just on kind of perceptions we wouldn't know if -- if there was an issue or not, you know, so when we talk about it quantitatively, ACHD has specific -- as been very specific in saying that it is -- that Centrepont's at half capacity. Now, when it comes to the rest of this, it is gridded out everywhere below us already. So, we are not talking at -- talking about just a -- a single -- call it a luge pipe, you know, for lack of a better word. You know, there is not just one way out. If you can see on the map that we have provided here there is a whole number of ways out for and that is an existing condition with Brickyard having already been approved and constructed. So, I mean what I'm trying to get at here is that if we are going to say that there is a traffic issue that requires denial,

we need to -- we need to say what it is and the -- the empirical evidence that is before the Council doesn't show that to be an issue.

Bernt: I guess you and I are just going to agree to disagree until the cows home, Hethe. I just think that's what it's going to have to be. I -- I get that there is multiple ways to get to the streets, like to Eagle Road and to Ustick. I get that. There is probably three or four different ways to get to those two roads from this -- this proposed project. But getting out of the project there is one way in and one way out and that's what I'm talking about.

Clark: Council Member Bernt, you know, I -- I'm -- I am having a hard time figuring out how to put your mind at ease there. You know, the -- it's not just three or four, it is one, two, three, four, five, six, seven, eight connections onto Ustick and Eagle and --

Bernt: That -- that's not my concern. My concern is what happens way before then. My concern is the actual entrance and exit to the sub -- your proposed subdivision. That's where my -- that's where my concern lies.

Clark: Well -- and let me also point out that it's my understanding that Fast Eddy's has a secondary access condition as well, which would also create -- and it -- I don't know if it's been built at this point, but we have reviewed the approvals and that does require a secondary access. So, that adds to the already high number of connections that are available through there. In the meantime, what you would be saying is that you are going to deny based on no -- based on -- in -- and I will just put it straight forward -- an opinion that this can't handle -- these roads -- area roadways can't handle the traffic that isn't supported by ACHD's reporting and you would be also basing it on a condition of approval that we would have to connect Centrepont through on a third -- on third-party property up front and that's not warranted by the traffic figures and so you would be placing an impossible condition on us that doesn't have a basis for it. So -- go ahead.

Perreault: I'm sorry. Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I think I'm seeing -- I think I'm seeing -- I'm understanding what -- what Councilman Bernt is -- is stating and I'm understanding what you are saying, Mr. Clark, and I don't want to put words in Councilman's Bernt's mouth, but I also am very familiar with this area and when you are heading south on Centrepont and you are going through Brickyard there is cars parked everywhere, because Brickyard truly doesn't have enough parking and they are on both sides of Centrepont Lane as you are heading south out of Brickyard. So, it -- it's south of Delano. It's not right as you would be coming out of Delano, but as you are on Centrepont and you are in between Brickyard, you have got kind of the office on the east -- or on the west -- west side and you have got a whole bunch of people parked everywhere and, then, as construction has been happening on the road that -- that is going east and west between Centrepont and Eagle Road where -- where you would access Fast Eddy's, there is also many vehicles parked on both sides of the road there and I think some of that has to do with the construction of Brickyard

apartments. You have had construction vehicles parked there -- probably some of that will clear up when all of that construction is done and so I understand that there is some congestion involved in this and so I'm wondering if Councilman Bernt's concerns are really safety related and not capacity related.

Clark: If I could just jump in real quickly as well. You know, I -- Council Member Perreault, it's also my understanding -- and last time I was there Brickyard is still under construction and they still -- portions of it that are staging. So, I see a lot of that as being a temporary condition that's related to the conditions for the construction of Brickyard. In the meantime, you know, when we are talking about safety issue, we are talking about sight distances and we are talking about roadway geometry and, you know, there is just not evidence of an issue like that. Yeah. And maybe one other thing to add to that is just, again, because Centrepont is a collector roadway. You know, it's -- it's built to be large, it's built to move traffic, and in this case it's going to be moving traffic to the south on Ustick until the connection is made to Wainwright.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Mayor, Mr. Clark, this isn't a great picture, but I was looking at Eagle View, which comes out -- which is just north of the flag pole part of the party and connects into Eagle Road. Yes, right in there. And it looks like that turns and comes close to the boundary of the property at the apartment complex. Is -- is that going to be -- does it not match up -- it's hard to tell on this, but is -- when -- when would that be matched up? I know Centrepont is outside the realm of this development as it connects to Wainwright, but what are the connection possibilities to that Eagle Point, you just -- I just can't see it from here very well.

Clark: Mr. Mayor, Council Member Hoaglun, thank you for the question and I will clarify that. So, the -- the dotted line that is on -- that I'm pointing at right now is within the -- the senior center property and that -- and we are stubbing into that, so that will provide another access. The senior center property has access on -- has an access onto Eagle Road. We anticipate that when the Wong property develops that there would also be a stub in this location generally that would provide for additional connectivity there. So, those dotted lines are what we anticipate with future development based on the city's standard practices for stubbing to neighboring property.

Hoaglun: So, Mr. Mayor, follow up?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Clark, if you move your cursor there to the left where the dotted line curves -- a little bit -- yeah. Then you come back down south, that curve right there just -- there seems to be a paved -- you know, it's a street right there and I didn't know if that was a

connection that could be made that curves into Eagle View -- if that -- Centrepoint is extended to that point, but it sounds like that's not a possibility at this time.

Clark: Mr. Mayor, Council Member Hoaglun, those two points -- I mean one is that we -- we are stubbing to the property on the east and so to further address Council Member Bernt's questions, that also provides an outlet. There -- Council Member Hoaglun, when you are talking about the area that is kind of sweeping here on the S curve, that's the piece of Centrepoint that everyone is waiting on to connect. We have committed as part of our phase one to build all of Centrepoint on our property. So, that's ready as soon as -- as possible for that connection as it -- as it moves forward and continues north, so -- but we do not control the property that's adjacent to us on the northeast and that's been kind of the crux of the issue here.

Hoaglun: Right. Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Mr. Clark, yeah, I was just hoping that there was a connection that looked like from this, you know, satellite view -- but it's not easy to see. It almost looked like by stubbing to your property you could almost connect to that curve that, then, loops out to -- curves around to Eagle View. So, it doesn't look like that can happen. Thank you.

Clark: Mr. Mayor, Council Member Hoaglun, that -- that is what I'm -- we do have a stub to our east into the senior center and so when that -- when that develops that will provide another alternative, if that's what you are asking.

Hoaglun: Okay. Thank you.

Simison: Council, any further questions for the applicant?

Perreault: Mr. Mayor?

Simison: I missed who that was.

Perreault: Mr. Mayor, it's Council Woman Perreault.

Simison: Council Woman Perreault.

Perreault: So, I was reading -- reading through everything again in preparation of this and I recall there being conversation about the -- the landscaping and the sidewalk on the east side, which would be, essentially, in phase three being built as part of phase one. And I apologize I don't remember what the applicant agreed to do in that regard and whether the -- the applicant was in agreement to put in that landscaping and sidewalk in -- you know, in advance of building the multi-family and that being said, would there be any possibility of, then, going ahead and connecting that road at that time or is that -- does that not line up with -- with putting in the infrastructure and the utilities?

Clark: Mr. Mayor, Council Member Perreault, that was an item that was discussed at P&Z at -- you know, at some length. We agreed at that time to build all -- you know, and confirmed that agreement to build all of Centrepont, the entire road sections, you know, with -- with phase one. The concern that we had about doing all of the landscaping, et cetera, on the east side, you know, up against the apartments, but since they haven't been designed yet and we would have to go through a public hearing process in connection with that design, which would further subject that to change and so our concern is -- is not about -- it's not about costs or anything along those lines, it's a concern about just having throw away construction and having to redo all of that if we do it prior to the kind of normal course thing, so -- but I appreciate your point. As I see it, the -- you know, the question of the apartments would be handled at the same time. Essentially, you know, when the part -- when the apartments develop that's going to create the stub into the -- out to the east as well that's going to further address Council Member Bernt's question. So, it wouldn't be necessary until the -- until -- it wouldn't do anything until the apartments come online.

Simison: Council, any additional questions for the applicant at this time? Okay. Thank you very much. Mr. Clerk, I'm going to turn this over to you, because I imagine we have a few people signed up.

Johnson: Yes, sir, Mr. Mayor, we do have 34 people signed in on this hearing application. Seven indicated they wish to testify. And the first is Frank Marcos. Mr. Marcos, you are now able to unmute and turn on your camera if you wish. And it went away, but now it's coming back. Mr. Mayor, I'm not sure what the difficulty is. It's not allowing me to bring Mr. Marcos in, but he is able to unmute.

Simison: He does appear to be in.

Johnson: He is in now? Okay.

Simison: He is in the room. And he's out.

Johnson: I'm getting an error message on my screen. I'm going to keep trying here. Mr. Marcos, thanks for your patience. Mr. Marcos, this is Chris. I don't know what the issue is on this end, but it's not allowing me to change your status. If you -- we can move on to the next person. If you can leave the meeting and rejoin we will bring you in as soon as I see you back in. Mr. Mayor, next I would bring up Susie Mimura. I will change her status now.

Mimura: I'm present by telephone. Can you hear me?

Simison: Yes, we can. If you could state your name and address for the record.

Mimura: Thank you. Susan Lynn Mimura. It's M as in Mary, I, M as in Mary, u-r-a. My address at my law firm is 3451 East Copperpoint Drive, Suite 106, Meridian. 83642.

Simison: Okay. You are recognized for three minutes.

Mimura: Thank you very much. Mayor, Council Members, I appreciate the time that you are affording me. I represent Mike and Maggie Bernard individually. I have met with a number of the homeowners at Alpine Pointe and I certainly don't represent all of them. I know that this is a very contentious issue, but my clients had engaged me to open discussion with the developer and although initially we did have questions as to the Council reconsidering, it has afforded us an opportunity to speak with Mr. Clark. Mr. Clark has indicated that the developer does not oppose Dashwood Place from being an emergency access only lane. It should be noted that the Fire Department also do not oppose it. It does provide the secondary access for them to proceed on development. What I would note is that their modification for accepting a new phase for -- assures the Council that the connectivity between Centrepont to Wainwright must be completed before take -- undertaking any issue related to Dashwood. In further discussion I believe that listening to -- and I did listen to over an hour and a half of testimony when the applicant was first before ACHD. ACHD's Commissioner Baker made it very clear that their province in the review is certainly just to look at the preliminary plat as presented by the developer. It was not to say that this Council does not have the ability, nor the authority to make determinations, it is our position that the City Council -- the City of Meridian is the one that makes the determination related to traffic, the streets, and my clients have accepted the project with the understanding or discussion that the city should exercise its authority in making Dashwood Place permanently the fire or safety access only and that allowed the development to be constructed as such. By doing so on the one hand it benefits the developer, he would have several more feet -- approximately I think 16 feet more -- if Dashwood Place was to be constructed in the standards of an emergency access lane, which is 20 feet. The ACHD report also indicated that Dashwood should be emergency access at this time with pedestrian only access. I think that in looking at Meridian city comprehensive plan -- and I know that from the prior discussions that there was an issue about connectivity and the community. Having the --

Simison: Susie, if you could, please, wrap up, please.

Mimura: I'm sorry?

Simison: If you could, please, wrap up your comments, please.

Mimura: I will. That you are able to connect by promoting alternative modes of transportation, which is also in your comp plan. By the developer agreeing that they will connect Centrepont, you will already have the two accesses and you will not need Dashwood Place to be connected as a public street, thus providing Alpine Pointe not being the cut through of approximately 2,000 added daily trips. I think that by --

Simison: Thank you. I --

Mimura: This proposal -- thank you. By this proposal it meets everyone's agreement. Thank you.

Simison: Thank you. Council, any questions? Thank you very much.

Johnson: And, Mr. Mayor, the Deputy Clerk's attempting to bring Mr. Marcos in now. See if she has better luck. We do you see your hand raised. You should be unmuted.

Marcos: Can you hear me now okay, everybody?

Simison: Yes, we can. Thanks, Frank.

Marcos: Great. Okay. Frank Marcos. 2580 East Lacewood Drive, Meridian, Idaho. 83646. Thank you, Mr. Chairman, Council Members, Mr. Mayor and city staff. Although I am the current president of our HOA, I am speaking tonight as a resident and not as a board member. I have some set to go. Unfortunately, a curveball by the applicant's attorney has now -- has now put me in a position to address some other issues. First of all, Mr. Clark identified that there -- that there is no traffic capacity issue. Yes, there is. Dashwood would feed Wainwright, which, according to his PowerPoint, showed Wainwright as a mid mile collector. Wainwright will have front facing homes as a -- as a mid mile collector feeding to McMillan. So, the traffic issue becomes Dashwood and Centrepoint feeding through Alpine Pointe for everybody wanting to go left on McMillan Road. So, there is a traffic safety issue. In that few years of our home sales here at Alpine Pointe 75 percent of our homes have been purchased -- purchased by families -- people with families 12 and under. So, where we were previously more of a 55 and older type of community with RV garages, we are getting more and more family-oriented residents coming in and so there is a traffic safety issue if Dashwood is open at this point. Keeping Dashwood closed to through traffic would greatly reduce that issue. Someone just said that there were eight connections through Alpine Pointe. That's eight connections through to McMillan going through residential area with the front facing driveways. The connection for Centrepoint in phase four, according to Mr. Clark, why not instead of opening Dashwood connect to Centrepoint. He could very easily throw a road that would connect to Centrepoint, keeping traffic off of Dashwood and not making it a collector road. Dashwood was not built as a collector road. Someone just commented that Centrepoint was -- is being built or has been built as a collector. With all the cars that are parked on it it's not sufficient. Certainly Dashwood with residents parking their vehicles on it will also not be sufficient to be a collector road. At the end of the day I hope that all of you will look to what you had originally said and were concerned about and that's the safety of your residents. Your residents that have put your decisions in their hands for their safety and at this point closing Dashwood to vehicular traffic on a permanent basis is the right decision. Several of you made that decision and we hope that you would go that direction again. I'm not going to get into the particulars about the reconsideration letter, which we have some concerns about, but you have heard Mr. Clark, you have heard our residents, you have seen our number of testimonies or letters, please understand that we are about the safety of our residents, not just creating an in-fill project that will have access through a residential area. So, hopefully, you will see that, you will debate that, and you will understand that it should be the safety of the residents of Dashwood and all of Alpine Pointe as your main concern.

Simison: Thank you, Mr. Marcos.

Marcos: And what I --

Simison: If you could, please, summarize.

Marcos: Thank you. We are not concerned about trying to stop the project, but we want it to be a smart project and connecting Dashwood doesn't do that. So, please, consider voting to either deny or keep Dashwood as a vehicular -- or a pedestrian and bike pass through only. Thank you very much.

Simison: All right. Thank you. Council, any questions from Mr. Marcos? Okay. Thank you very much.

Johnson: Mr. Mayor, next -- Mr. Mayor, next is Malissa Bernard.

Simison: If you could state your name and address for the record. You will be recognized for three minutes.

Bernard: I would like to speak for the HOA, please. Would I be allowed the ten minutes as chairwoman of the neighborhood outreach committee for Alpine Pointe HOA?

Simison: Okay. You are recognized for ten minutes.

Bernard: Hello. My name is Malissa Bernard. I live at 40225 North Dashwood Place in Meridian. That is 83646. The only way I would ever support this project is if Dashwood Place is emergency only in perpetuity and bike and pedestrian access. Connectivity in many ways and for pushing for pathways and such this might be a good alternative to -- to introduce this very vital sort of connectivity. Against the bulk of Delano's plan as it stands and unless these changes are made specifically to this street, there are also concerns with the density to the north to the adjacent homes. I don't know if I can share a screen, if someone could help me with this.

Simison: Chris, could you help her share a screen?

Bernard: -- share a screen option that I --

Johnson: Mrs. Bernard, you can hit share screen right in your Zoom. You have that ability.

Bernard: Okay. Here we go. Okay. Now we are up. Can you see my screen? Okay. As we can see there has been very much a -- there hasn't been much change between the plan presented in 2019 to the present plan. In fact, it's a carbon copy, except for increased density on the R-40 -- or R-15 parcels -- that they are asking for R-40, three to four story project -- or product in this project. I do not think this is compatible. It was a view shed. We have R-4 homes behind us. So, I would consider perhaps R-15 for this

sort of parcel -- for the Cook parcel. There is not a named builder or company, charter price point. There seems to be far too many modifiers. This annexation and rezone without dedication, passion, and follow through is going to result in a run-of-the-mill in-fill project. In-fill projects should be held to strict standards, not the bare minimum to barely meet the Comprehensive Plan and as you can see from this illustration here these slides are well over 15,000 square feet. They average 15,000 -- nearly 15,300 square feet. The average lot size of the adjacent to Alpine Pointe is 5,661. That's a three to one ratio and it's not necessarily a two to one ratio. So, I don't think the neighbors are seeking apples to apples. They are seeking a better transition to their properties that are adjacent to Delano. And we also have to remember that place is in your code as a closed cul-de-sac or a dead-end street. And in all of -- many of your streets throughout the valley we know that place is a closed cul-de-sac or a dead-end street. So, no one was foolish when they bought in Dashwood Place. No one was foolish. The name implies in your code, in Ada county's code. Furthermore, I would like to address the emergency access at Dashwood. It is within your purview as City Council to grant as to the emergency access. You do not need ACHD's okay or their approval on this. This is the power that's granted to you by code and -- and you can waive that. You -- you get to choose where your transportation needs are and if this is going to be a problem as a de facto collector, then, perhaps the best thing to do is to do that to -- to really rescue our neighborhood from a fate that no one knew in 2005 when this was accepted and the master street map and COMPASS didn't come into play until 2008 -- 2009 during the retrofit of the collector street elements. Also we are very high density to the south. As you can see from this we have got the Brickyard. We have four-plexes. We are going to have Stellars. We don't know what the Stellars is going to -- we don't know how big it's going to be. We have all the commercial. We have the possibilities of the Wong parcel and who asked the Wongs or Enslers what they would want. I have spoken to both Mrs. Wong and Mr. Ensler called me this evening. They would prefer one story behind them. Nobody asked them. Well, I'm telling you now. I propose that perhaps for a transition from all this three story product that we consider a two story product. This would be R-15. It could be transitional. And it would also help with the traffic pattern and heaviness that we are going to be experiencing in this area. Here is a very attractive with multi-phases. It is attractive. I don't think anyone wants three to four stories moving behind them in the future. We need to transition from those three story products and this might be a good fit for that parcel. Traffic patterns. I pointed out the 330 foot rule for access points on collectors. If Wainwright is the vehicle collector, then, we should hold this to the standard. It is roughly 180 feet -- 185 feet maybe -- 179, something like that, for both points from Dashwood. This isn't a safe street for -- it's probably fine for a cul-de-sac of very low use, 76 trips per day. When you start increasing this for 2,000 trips per day, then, you do not have the same spacing on a collector. So, I think I have pointed this out the last time. We can pretend the traffic isn't coming. It's coming. We realize that. We accept that. But we still object to having it run through streets that were never designed to handle it. We are designed to residential streets here and we are being retrofitted as mid mile collectors. We were approved in 2005. The mid mile collector retrofit did not come into place until maybe 2008, 2009. We also need to think about what's across the street from us. We get everything across Wainwright from Records. So, as the parcels develop to the east of us we are going to be funneling that traffic in the loop via Wainwright to cut through to Locust Grove and also up to McMillan.

We have all front-on housing. There is very little of our streets that do not have front-on housing. So, maybe consider this as well. And it is named a collector. They keep changing where the goal post is on the collector, whether it's this street or another street. Well, what's happening is it is going to be a full collector throughout Alpine Pointe. So, we need to prepare for when that is going to occur. And we should be held to collector street standards for access points. If you use Dashwood in proximity to Rosepoint it is a dangerous situation and the 330 foot minimum that always applies and also approved access points may be relocated and repurposed in the future as the land use intensifies. Now if there is -- I believe this would qualify as an increase and it changed and perhaps these access points need to be reconsidered. The stub street to a landlocked parcel for the Wagnilds -- not the Bollingers. It's no longer planned. They have everything they need at Centrepoint Way. So, we need perhaps to reconsider the access points of Dashwood Place, which we have seen since 2005. It may not fit 2020 standards. And as you can see here is some measurements. You know, the Centrepoint Way a collector is only going to be 540 feet away. I think if you add Dashwood you are going to add an overconnection to the situation and also for the stopping sight distance. The minimum sight -- sight distance that is required by ACHD is 200 feet. This is where 200 feet runs. It runs between -- to Maple on a curve. This is the view. These two Maples are a way out here. This was in May. This is where you are going to have 2,000 trips per day coming to this point and this point right here it's 179 feet away. That is not to collector access standard, nor is it safe. We have cars going 40, 45 miles per hour sometimes on the streets. So, it's not safe for anyone in the neighborhood. It's not safe for the people who might be living in Delano. So, we need to reconsider this.

Simison: If you could go ahead and wrap up, please.

Bernard: As you can see this is -- I will wrap up it. Thank you, sir. If we are closed to vehicular traffic there are two future access points. Every street in Alpine Pointe is important. So, we need to consider mitigation standards before the traffic problems happen. We need to think about roads. We need to think about retrofitting a neighborhood from 2005 to 200 -- or 2020 standards. The traffic is coming. We are over-urbanized in our area and we really ask for your consideration. It is within your purview by ACHD. The city has final authority to implement conditions related to the transportation system. This right was granted to you by Supreme Court decision in 2003. Please I ask you to consider our neighbors and our neighborhood. This comes before every ACHD meeting, this disclaimer of it does fall within your land use and your land use decision. Thank you so very much. I'm glad you are all well. I really appreciate you. Happy to see you this evening. Do you have any questions?

Simison: Council, any questions?

Bernard: Thank you so much.

Simison: Okay.

Johnson: Mr. Mayor, next is Laura Trairatnobas.

Simison: Laura, you are muted. If you could unmute yourself and state your name and address for the record.

Trairatnobas: Can you hear me now? Okay. Good. Thank you. I hope you don't hear my dog, too. I am Laura Trairatnobas. 4621 North Camas Creek Way here in the Alpine Pointe Subdivision. You have heard and seen me before and are probably tired of it. So, I'm going to keep it really short and sweet. This is what I want to say. If we can keep Dashwood closed until Centrepoint opens sometime in the next ten years, then, we can keep Dashwood closed permanently forever. Think about the logic of that. If we can handle the traffic with both Dashwood and Centrepoint closed, then, why can't we handle it with Centrepoint only once it opens up? Now, if Dashwood has emergency access, great, we need that. If it has pedestrian and bicycle access I think that's fine. I might want to ride my bike over to Panera sometime and I think connectivity doesn't necessarily have to be by way of cars, why can't it be bicycles and people walking. So, let's encourage less car use, more bicycle and walking use. Let's keep it emergency only in perpetuity with bicycles and pedestrians allowed and as Malissa has clearly stated, it is within your purview as the Council to make this decision and I ask you to make it tonight. Please, just put us all out of our misery. We have all been through this for two -- more than two years now. So, let's just -- let's make this our final night together, folks. Thank you very much for your time. Bye.

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

Trairatnobas: Thank you.

Johnson: Mr. Mayor, next is Patty Pitzer.

Pitzer: Good evening. Can you hear me?

Simison: Yes, we can, Patty.

Pitzer: Thank you. Mr. Mayor, Members of the Council. Thank you for hearing us tonight. Although I am a Planning and Zoning Commissioner, I am speaking on behalf of myself. I am here on behalf of the six of the seven property owners. The Argos, Schumachers, Jobs, Kings to the north and Suzanna Walch to the east. We are opposed to the lot transition along the northern border. If I could get -- let me see if I can search through here. Thank you. So, on --

Simison: Patty? Patty, can you make sure you speak closely into the mic so we can hear you and at the end of your testimony I need you to state your name and address for the record.

Pitzer: Oh. Thank you. Yes. Patty Pitzer. 2703 East Wainwright Drive, Meridian. Am I better now?

Simison: Right there you are great.

Pitzer: Okay. Great. On November 12th, 2019, this was heard. Commissioner Bernt and Cavener opined that southern portion was fine. The northern border needed to be reworked. That was his top left item. At that time Jim Conger stood before you and said, quote: We don't want a denial, we would look at the northern borders. That would be traditional lots similar to what's across the street -- across the fence from us. Unquote. Council, Mayor, with all due respect I submit that this is not to happen. Our lots are 1,530 -- 15,000 square feet and the lots proposed are 15,000 square feet. There would be five homes behind the Schumacher property alone. Hardly similar to what's across the street. These are our houses here. This is the Schumacher property that has five houses across there. This is not similar in any fashion. As Malissa stated, this is really a rework of the plan from January 2019 to -- to today is almost identical. So, not a lot of hard work. They did reduce the density from 85 to 66, but that was something that increased the lot sizes in the middle. They did not fit the northern border. Now, I was taught don't come to me with a problem, come with a solution. Several options have been offered to the applicant and I noticed that he has seen many great transitional in-fill projects. Here -- here are some examples of well done transition that could be done here. R-4 to the north. R-8 in the middle. R-15 to the back. There could be an ingress-egress heading out to the future property of the Wongs and the Walkers. I mean why a shared drive when we are -- there is -- we are looking for that new ingress-egress in the future to go through what may be commercial or possibly another small in-fill. We ask that you provide this application as it stands and have the applicant come back with a feasible plan that holds Meridian as a premier community, instead of just low hanging fruit. We feel they have had more than ample opportunity to accomplish this task, but, instead, just gives us plan B. And, then, last, the time allowed. When ACHD approved the initial plat it was with a -- it was with 660 feet going down Jasmine from Centrepont, which created natural connectivity. Now the new plan coming here creates a hard right and becomes a de facto all the way from Ustick to McMillan.

Simison: Patty, if you could, please, wrap up your testimony.

Pitzer: So, Mr. Mayor, thank you. So, this yellow line is what is taking you from Ustick through their subdivision to our subdivision and here. Hobby Lobby, Fast Eddy's, you name it, they are going to find that route very soon. So, in closing I thank you. Perhaps this in-fill is just premature before the infrastructure. And I will stand for any questions.

Simison: Council, any questions for Patty?

Pitzer: Thank you, everybody. Have a great evening.

Simison: Thank you, Patty.

Johnson: Mr. Mayor, next is Kenneth Clifford.

Simison: Mr. Clifford, if you could state your name and address for the record and you will be recognized for three minutes. You will need to unmute your microphone.

Cavener: Mr. Mayor, you were a little faint there. Mr. Clifford might not have been able to hear you.

Simison: Mr. Clifford, if you can unmute your microphone. There you go.

Clifford: How about that?

Simison: There you go. That's great. If you can state your name and address for the record. You will be recognized for three minutes.

Clifford: I can't hear you.

Johnson: Mr. Clifford, can you hear this?

Cavener: Mr. Clifford, I think I heard the Mayor say that he was going to recognize you for three minutes.

Clifford: Okay. Can you hear me?

Simison: Yes, we can.

Clifford: Okay. All right. Sorry for that. My name is Kenneth J. Clifford. 4523 North Rosepoint Place, Meridian, Idaho. 83646. Good evening, Mayor and City Council Members. I oppose this application as submitted and appeal to the City Council to deny both the request for annexation and zoning of the 15.22 acres, unless the maximum zoning is restricted to R-15 and deny the request for the preliminary plat of Delano Subdivision, unless the North Dashwood Place cul-de-sac is permanently closed to through traffic. Opening the North Dashwood Place cul-de-sac will create critical safety issues and as a de facto commercial collector violates ACHD and Meridian city rules for commercial collector streets regarding the required minimum 330 feet distance between access points, front-on housing, driveway spacing, traffic conflict mitigation and stopping sight distances. Meridian City Council created this problem in 2005 and Meridian City Council can and should correct it now. The absolute and non-negotiable decision for -- of the City Council should be to permanently close North Dashwood Place to through traffic. For the past two and a half years this developer has been trying to fit a square peg into a round hole. Over the past one and a half years or so Alpine Pointe residents have submitted countless pages of documentation and many hours of written and oral testimony supporting the reasons why this application should be denied. If it cannot be developed without forcing access through North Dashwood Place it does not fit. If it cannot smoothly provide transition from residential to commercial it does not fit. If this design cannot facilitate an acceptable connection to the Centrepont Way commercial collector it does not fit. It's obvious to me that the Delano Subdivision as submitted is just the wrong development for this in-fill at this time and on two separate occasions, November 12th, 2019, and May 12th, 2020, Meridian City Council agreed with this conclusion. Therefore, in conclusion, I -- I request that the Council deny the request for

annexation and zoning of 15.22 acres as submitted and deny the request for the preliminary plat for Delano Subdivision as submitted. Thank you.

Simison: Thank you, Mr. Clifford. Council, any questions? Appreciate it very much.

Johnson: Mr. Mayor, the last of the in advance signups is Mike Bernard. He's coming into the meeting now.

Simison: Okay. For anyone else who is in the Zoom call, if you would like to testify on this item, please, raise your hand using the raise hand function at the bottom of your screen. That way the Clerk can be prepared when it's your time to speak. Mr. Bernard, if you state your name and address for the record and you will be recognized for three minutes. Mr. Bernard, we have no audio from you.

Borton: Mr. Mayor?

Simison: Mr. Borton.

Borton: While -- while we are waiting for Mr. Bernard's audio, a short question to our planning staff and to the applicant. Not to answer now, but at the end and when the applicant comes back is if Condition 1-F was instead drafted that had phase four could not commence until Centrepoint Way is connected and that Dashwood would remain emergency pedestrian only, as opposed to reopening in phase four, if that altered Condition 1-F would be acceptable or if there were reasons it shouldn't be done that way. Not to answer now, but to address at the end. Just a heads up with a question that will come up.

Johnson: Mr. Bernard, try now. We still have no audio -- no audio, but I do have Malissa's audio on, if you can connect through her.

M. Bernard: Okay. How about now? Can somebody give me an audio check? I apologize for those technical difficulties. My name is Michael Bernard. I live at 4025 North Dashwood Place. Now, I prepared comments tonight. Quite honestly I'm surprised we are here again. I think we all know that this has already been denied -- denied effectively three times. Once at P&Z, once most recently that you are all familiar with, and, then, effectively a denial during the last administration that many of you were involved with where instead of an actual denial, it was remanded back to P&Z. Now, during that remanded decision the Mayor nearly dressed down the applicant at that time and reminded him that his development would actually change the character of our neighborhood and I think you see that's why so many of us are particularly upset with the resolution. Now, I think a lot of us believe and know we live in a pretty good neighborhood. But let me give you a little bit of flavor, because I think, unfortunately, since this has been going on for so long, we forget that this isn't just a thing, this isn't just a development, this is really about people, this is really about a bunch of citizens. I mean we have over 220 homes here, well over double that. I mean -- and this category of folks that live here are people that like to live and spend our money locally. The category of people who live here

routinely vote, right, and we care deeply, not only about the city, but specifically a little piece of that that we call Alpine Pointe. So, you know, when -- when there is things to happen -- when there is a snowstorm neighbors shovel snow and there is a community project. People come together with their shovel and rake in hand. And I'm not talking young folks, I'm talking old folks. Maybe spend 30 minutes, maybe you spend all day, but they come in droves. You should see it. And let me tell you quick another story. Now, if you had audio you would see me grinning a little bit, so don't be afraid to smile. But when you or on high decided to cancel Fourth of July for us little minions, you know, that was quite upsetting. I mean during the COVID time. We couldn't celebrate it as we normally would celebrate. I see you appreciate what I'm saying. Well, there is a young man that lives in our neighborhood that has some physical challenges. He comes around the neighborhood doing little chores on his three wheel bicycle, because that's the best mode of his transport. He was upset about that and he said to Frank, our president, he said, Frank, we should have a parade. So, within about seven days they organized a parade and we had like 75 people show up and decorated bicycles and wagons and cars and people from the next door neighbor -- and that's the flavor of Alpine Pointe. I'm trying to -- I'm trying to capture what you guys may not be able to understand. We live in a very tight community. We care very closely about each other. It's nearly family. There is people walking dogs, riding bikes all over the place all the time and as Mike mentioned we are getting younger and younger all the time. There is more children. Here is the point. You have heard this testimony. You know the opposition is overwhelming. There has been over 45 pieces of written testimony submitted in the last three or four days and so here is -- here is where I see you guys are at, in my opinion. We need to solve this and the solution really is only in two ways. One is a four -- ultimately a fourth denial. Now that hurts everyone involved. That means we need to go through this pain in the future. That means the current property owners have to continue to deal with how they go about selling their property. Or maybe we find a solution that maybe isn't perfect, but it's acceptable for most of them and that is Mr. Clark, the representative of the developer, has agreed that he doesn't need Dashwood Place until phase four. He doesn't need Dashwood Place until Centrepunch punches through. So, if he doesn't need it then he doesn't need it now. We get the connectivity via bicycle and, excuse me, foot traffic. It's all ADA compatible. So, the folks that live on my street that are in wheelchairs can maybe access that and maybe go down and have a cup of coffee. So, add those conditions, either deny it wholeheartedly or add the condition that it be built to emergency access only specifications and you build it in such a way that it stays that way in perpetuity. Nobody come back and backtrack on that and, then, reclaim it as a public right of way. Fix this once and for all tonight. Alpine Pointe can have some rest. The developer can move forward. You can put this behind you and you can have this special little info project and the two property owners that have been hung up by this can move on with their lives. That concludes my prepared statement. I will stand by. If not, I would appreciate your consideration tonight. I realize this has been a challenge for all involved, both prior administration and now, but let's make this right. Okay? Let's make this right tonight. As right as it can possibly be for everyone that's worried or concerned.

Simison: Council, any questions? Thank you very much.

Johnson: Mr. Mayor, next is -- listed is Sandy. I think that's Sandy King.

King: Yes. Can you hear me?

Simison: Yes, we can. If you could state your name and address for the record.

King: Great. My name is Sandy King. I live at 2453 East Honeywood Court in Alpine Pointe. I want to thank the Mayor and all of the Council Members for taking the time to listen to us. I know you all sort of have a life beyond this and we all do appreciate what you do and the time you give us. So, I'm going to do more of a ballpoint kind of a presentation. I'm going to be quick and I'm going to read it to save time. So, I am asking that the Council and the Mayor -- if the Mayor ends up making a split decision -- to please deny the Delano application in its current form. I agree with Mike and Laura that Dashwood needs to be completely closed. If it can be closed for up to ten years it can be closed permanently to traffic. Whether you allow foot traffic and bicycle, that's kind of an option. Maybe. Okay? I would like to see it completely closed, but if you are willing to close it with just the foot traffic it's livable. I think what gets missed is that with the Brickyards, which are commonly called the Barracks for a good reason, with the traffic that you see on the street, can you imagine the number of people that would be coming through Dashwood. They won't be on Centrepont, because it won't exist and speaking of Centrepont, the Centrepont originally was supposed to cut through to Bald Cypress. Perhaps that's a better option, because Bald Cypress homes back onto that street, not face on to it. The other issue would be the apartments. If you limit them to two story, not three story, that is transition from home to two story apartment, to three story apartment. I think that is a strong consideration that should be looked at. The daily traffic from the Brickyard from the homes, from the apartments, from the senior living, from Hobby Lobby, from the service station, from Dick's Sporting Goods, Kohl's, all of that will funnel through if Dashwood remains open, because it is going to be the path of least resistance. They don't want to go to Eagle Road, because you can't go anywhere during rush hour. They are wanting to get to Locust Grove and McMillan to leave. Delano's ability to exit was one of the arguments to use Dashwood is not an argument. They just proved that tonight in their own presentation. There are multiple ways out. So, if the city services are already on the Cook property, which they are, we zoomed in on Google and you could see the access is already there, you do not need Dashwood. Please do not ignore the impact to the neighbors of Alpine Pointe. We are passionate. We are family, quite honestly. We look like a Norman Rockwell picture in the winter shoveling everyone's driveway and sidewalk. You will destroy that relationship in our subdivision if it becomes traffic ridden. Dashwood and the creation of Centrepont Way did not show up on the master street plan until 2018. So, there is no way any of us who purchased, you know, prior to 2012 or during that time frame had no way of knowing that Centrepont Way was going to exist. There were no signs. There was no notation on -- on the street map. And --

Simison: Sandy, could you --

King: I guess my last request -- I am wrapping it up and I appreciate your timing. Thank you. My last request is to please reconsider using Centrepont Way to Bald

Cress -- Bald Cypress rather than coming up to Wainwright. And, then, it's connected and you don't have to wait for the Wong property to sell or anything else to be developed. The streets are already there and you could connect. If you wanted to change the light and remove it from Wainwright and go to Bald Cypress and Centrepoint Way, you would have it. It would be a done deal. So, thank you for your time. If you have any questions let me know. Again, I'm glad you are all safe and healthy and happy summer. Thank you.

Simison: Council, any questions? Okay.

Johnson: Mr. Mayor, next is Joy Cameron.

Simison: Joy, if you could state your name and address for the record. You will be recognized for three minutes. And just need to unmute your microphone.

Cameron: Hi. Joy Cameron. And 4211 North Chelmsford Avenue in Alpine Pointe, Meridian. Good evening, Mayor and City Council Members. I just want to address just a couple things and be done. One was the fact that we currently have three entrances and exits already. So, we have the Wainwright, the Camas Creek at McMillan, but we also have Settlers Bridge, which also cuts through our neighborhood also. We do have those three points. Mr. Clark had mentioned that all of the different exits be able to go out of the shopping center and where the housing is, but with respect to Wainwright that is actually the only left turn to get onto Eagle Road and so when people are trying to hurry to get through to the high school, to get down to the grocery store, anywhere else, that's where they cut through to to hit our light and take a quick left. Every signal is a right turn only into our neighborhood. And, then, the other thing is that I have brought up before is going to be school traffic. Hopefully kids will be back in school soon, but we do have a lot of kids at the Brickyard. There will be even more kids in those houses and the schools that they will be going to will be off of McMillan and, then, also off Eagle Road, so they will be cutting through our neighborhood to miss all of that traffic to get down McMillan to get to the middle schools and the high school and, then, also through Wainwright. And so with all the kids, with our seniors and everything else, that's a lot of impact traffic of school buses and carpooling that will definitely -- we also have the preschool that's right at the beginning of our entrance off of Eagle Road. So, that's additional traffic for those kids and a lot of times those kids are outside, because they have no place else to go, and they are playing right on Wainwright at the street there. And, lastly, we have several families in our neighborhood that have special needs, both intellectual and physical, and we have several people that are in wheelchairs and so, again, for the safety of our -- our homeowners and especially there in Dashwood we have several families that have special needs and I have to agree with keeping Dashwood closed to cars. I feel that that is in the best interest of the safety of our neighborhood on both sides. So, that's all I have to say. So, thank you.

Simison: Thank you very much. Council, any questions? All right. Appreciate it very much.

Cameron: Thank you.

Johnson: Mr. Mayor, the last person with their hand raised is Mr. Dave Martin.

Martin: Hey, fantastic. Good evening, Mayor, Council -- Council folk. Dave Martin. Address 2363 Freezeout Road, Caldwell, Idaho. 83607. I represent Stellar Senior Living and just would love to hear some clarification. So, if you will notice from their map it goes through our parcel and back out on the north side. Our approval for -- for our development there is -- is limited on the trips in and out of that parcel. Senior Living has very low trip count, which is good. It doesn't put too many -- too many trips back on Eagle Road. But having access through our parcel would -- would be a safety hazard for our residents. The average age of our residents is 85 and those that come to visit are of very similar demographic. We are for Delano being developed and we are happy to provide emergency access and that's what our plans show and that's what Meridian approved is emergency access through what is currently Jasmine Lane onto their -- onto their parcel. But we -- it's not part of Meridian's -- or not part of Boise's plan or part of our plan to have just open access into our parcel, even back out to -- to Wainwright in the future. So, just want to share that, maybe hear -- hear their thoughts or their plans of how that would work. But we are more than willing to provide emergency access with -- with a gate or bollards into -- into their parcel. Thank you.

Simison: Thank you, Mr. Martin. Council, any questions? Is there anybody else who would like to provide testimony on this application at this time? If so please indicate by raising your hand in the Zoom or star nine on the phone. Seeing nobody else from my end -- Mr. Clerk, can you confirm that as well?

Johnson: Confirmed.

Simison: I will turn this over to the applicant for his final comments, unless, Mr. Bongiorno, do you have something you need to weigh in at this point in time?

Bongiorno: I do. Mr. Mayor and Council, I just want to make sure that everyone is all on the same page. Listening to Council Member Bernt speak and to kind of address Council Member Borton's comment as well -- and I don't know if I'm early, I can wait until after the applicant speaks, but emergency access -- obviously we in the Fire Department and the Police Department -- everything is time. Time is golden for us and bollards and gates and these temporary measures are a barricade for us. So, the best thing for the Fire Department -- the best thing for Fire EMS is an open roadway and so for ultimate safety -- yes, bollards work and bollards can be used, but the best thing is an open roadway. So, I just wanted to make sure that that is -- is brought up. Planning staff and myself are working with our developers to make sure that -- we are trying to limit these emergency accesses, because it's best just to get us a road. Get us a road in there. That way if your house is on fire or your loved one is having a heart attack, there is no barrier or barricade or bollard or gate that will keep us from getting to your loved ones and so I just wanted to throw that comment out there to make sure that the best thing for the fire department is an open road. Thank you.

Simison: Council, any questions for the deputy chief? Okay.

Allen: Mr. Mayor?

Simison: Yes, Sonya.

Allen: Excuse me. If I could respond to some of the earlier access questions from Council and comments. There are several comp plan policies that support extension of public streets and interconnectivity between neighborhoods. So, that's -- that's one of the big things. The UDC also requires access to be provided from a local street. I believe that's what one of the Councilmen was referencing earlier. Access should be provided from a local street when available and that was why staff's requirement for extension of Dashwood was required. Council can waive that requirement. There is a provision of code that allows a waiver. However, Council should remember that ACHD is also requiring extension of Dashwood as a public street as well. So, even if Council approves this tonight, ACHD would also have to -- excuse me -- approve -- does not require extension of Dashwood as a public street. ACHD is still requiring it eventually in ten years.

Simison: Thank you. Council, any questions for Sonya on that point? I see a couple questioned looks.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I think it's a question for Mr. Nary if that's okay.

Simison: Yes.

Strader: So, I understand what the UDC and the comp plan states and I understand that it is almost always a preference to have a street, but it sounded like ACHD has confirmed that Council has the authority to permanently close Dashwood and I would like to know if Mr. Nary agrees with that, based on the earlier testimony from the ACHD disclaimer and the feedback that they have provided to an attorney.

Nary: So, thank you. Mr. Mayor, Members of Council, Council Member Strader. So, ACHD's policy only allows them to make a ten year recommendation. That's what the ten years is from. So, it isn't -- it's their policy that prohibits them from recommending anything beyond ten years. You can make it a permanent emergency access. You cannot close the road. So, the road vacation would be an ACHD decision or it could not be a -- no longer a roadway. They have their own rules on how that gets done. But you can make it an emergency access only. So, that is within your purview. So, obviously, the nuances is what kind of the conversation has been as what authority does the Council have. Ultimately your authority is the land use approval, the layout of the property, the plat that's being proposed and the accesses to that and as Sonya pointed out, 11-3A-3 does have language that says you can waive that provision that requires access on local streets and not collectors when local streets are available. So, that is an action you have taken in the

past or the Council has taken in the past for various projects. So, it is something you can consider.

Strader: Thank you.

Simison: Councilman Cavener, does that answer your question or did you have additional questions?

Cavener: Mr. Mayor, no, I think Councilman Strader touched exactly where I was headed.

Simison: Okay. Council, any further questions before I ask the applicant to close? Okay. Mr. Clark, you are recognized for ten minutes for closing.

Clark: Thank you, Mr. Mayor. Hethe Clark for the record. 251 East Front Street in Boise. So, it's been a bit of a night and I'm sure we are all kind of struggling at this point. It's been a long road. I do want to talk about the history here for a second and, then, circle back on some of these traffic related concerns. So, what is the history? This project was not denied back in November. It was remanded with direction and that direction was to go back, talk to the neighbors, address the transition, lose density and -- and reconsider the connection to Dashwood. As you will recall those connections were previously inverted and there was a gate down at Jasmine and the project was going to take access through Dashwood until Centrepoint connected. So, I -- at that point that's when I stepped firmly into the picture and it's disappointing to me to hear the way that this has been portrayed in terms of those neighbor conversations. We did have the two meetings. We -- I gave them everything that they asked for. The only thing I couldn't deliver, because it's within ACHD's hands and yours, is this -- a permanent closure at Dashwood. We were asked to lose transit -- lose lots on the northern border. We went from 15 to 11. We increased the square footage by 50 percent. We made the lot lines match where we could and the number that was given to me by the board at that point was 6,000 square feet. We got the 5,800. You know, we gave up 22 percent of the lots. We reoriented them. We even made the park for Pete's sake, bigger and kept it near Alpine Pointe's access. So, this is -- you know, it's -- you know, I understand, you know, stepping in and fighting for your neighborhood, but I -- I'm a little bit disappointed in the way that this has been described in terms of us not having done any hard work, because I personally have been involved in all of that since November. One other item before we circle on to traffic. With regard to the R-40 parcel and the future apartments, there is some things that are missing from the conversation from the neighbors. You know, one is that that does require a subsequent conditional use permit where the impacts of those apartments are going to be studied. Alpine Pointe is separated from those apartments. There is no -- there is no common boundary there. The common boundary of the apartment parcel are with the Brickyard and with the senior living center and those are two and three story buildings right next to it. So, to suggest, then, that something like that is -- is improper, not only doesn't reflect the facts on the ground, but it doesn't reflect the fact that this is going to require an additional conditional use permit later. So, let's -- let's circle back on some of these traffic and safety issues. With regard to the Brickyard and the parking, the Brickyard's built to city parking standards and we, as anyone knows, that that's a difficult

thing to make sure you get satisfied. If there are issues with the parking and the Brickyard or safety concerns, those are addressed by Meridian City Code. Those are not within our control. If that's the problem, then, that's something that the city needs to look at in terms of their code provisions or their -- or their code enforcement. You know, as we -- as we talk about this -- and I think it's important to talk about what the connection is down to the south into the -- excuse me -- the gridded area that we have talked about, I just want to show you just a quick picture of what that area looks like and -- with the parking on both sides. So, this is Centrepoint looking south and just a couple of items to add to what we discussed previously. A collector is designed for parking on both sides. Parking on a collector is not a safety issue. Arterials are not parked. The collectors are. And if -- if we think about this from a practical perspective, empty roads create racetrack. Parking on the sides of a collector actually slows people down and actually helps with the safety situation in and of itself. It is safe to be parked on that collector. The -- you know, and, then, in terms of the -- the capacities, which really we have -- we can't lose sight of that. The capacity of what are used, identify safety issues here. With regard to Wainwright, the ACHD finding on that was on -- and I quote: Wainwright Drive west of Eagle Road is projected to operate within acceptable levels of service planning threshold through all phases of this development. Close quote. With regard to the -- and ACHD has confirmed, you know, the -- the sight distances on -- on Wainwright are acceptable. Dashwood. ACHD has confirmed that Dashwood operate -- will -- will at build out operate within an acceptable level of service. Centrepoint. ACHD has confirmed that it will operate within an acceptable level of service at built out. So, that the evidence in the record is that. So, again, what was the problem that we discussed back in May? The problem was that Centrepoint to Dashwood connection timing. We have proposed a solution and I just want to clarify that ACHD has approved -- approved that solution and that approval is not limited to ten years. The prior temporary was limited to ten years, because it was going to be ACHD's right of way from the beginning. But because we are holding that out it's not ACHD's right of way, they don't have the same tenure limitation that we have discussed. So, it would stay that way until the -- it would stay closed until Centrepoint actually connects. So, it -- it truly does solve the issue that was the focus of the last hearing. Now, if this doesn't go, you got to ask yourself what happens next. Because you just -- you just can't avoid the question. It creates a chicken -- a chicken and the egg problem. This property and the Wong property are subject to the exact same rationale. Wainwright is about 55 to 60 percent capacity. Centrepoint will be at 55 to 60 percent capacity. So, you have the exact same traffic thresholds for both. If you are going to deny one based on their not being a connection you are going to have to deny the other and keep in mind that one is within the area of impact of Meridian. The other is in the area of impact of Boise. So, the likelihood of those two parcels going at the same time is remote. So, I just -- I just want to close by just saying, again, in-fill is hard. You know, I have -- I have felt that for a long time. I feel that no more with this app -- than I have with this application. But -- but, Council Members, you know, your concern at the last hearing was the timing of the Dashwood connection and we have solved that. The area traffic capacities are well within hand. So, we are asking for you to approve, because there is no traffic reason to deny it at this point. We have done we believe what it takes to get an approval. We appreciate your patience in listening to all this and call it a night. Thanks.

Simison: Thank you, Mr. Clark. Council, any questions?

Borton: Mr. Mayor?

Perreault: Mr. Mayor?

Simison: Councilman Borton.

Borton: Hethe, can you comment real briefly on the question that I posed in the middle of the public testimony with regards to a modified 1-F and in light of Mr. Nary's comments that -- is it at least an option to have a 1-F condition be -- nothing with phase -- your new phase four until Centrepont Way is fully connected and that Dashwood, which will be emergency access, remains emergency pedestrian access even through phase four.

Clark: Yeah. Mr. Mayor, Council Member Borton, so you will recall that that actually was my initial proposal was to try to get that to be emergency only. So, we have no opposition to that. And so I -- I don't have a reason to oppose that at all. The -- I think I will just leave it at that. You know, we have -- we have been hearing, you know, ACHD's points on this and we have heard staff's points on this and we have heard what we thought was Council's points on this, but we have tried to be open to -- to solutions. But, again, we are not opposed whatsoever to that being an emergency condition -- an emergency only.

Borton: Okay. Thanks.

Simison: Council Woman Perreault, do you have a question?

Perreault: Thank you. Mr. Clark, the mixed use regional comp plan FLUM assignment to that eastern property, which will be developed in phase three, what other consideration was made for uses on that property and can you give us a little background in how you came to the decision -- or how your -- how your client came to the decision that the multi-family would be the best to use and trade off for another use that's allowed in that -- in that area?

Clark: Mr. Mayor, Council Member Perreault, thanks for the question. So, you know, the -- the conversations between the cities and -- and -- that we had between the cities went on for, you know, quite a while. Back in -- I think it was in October of last year we went in front of Boise city and the one thing that we heard over and over at -- from a couple of different council members was that they didn't want to see a low density use of this property and they were -- they were basically sending a shot across the bow that we are -- we -- not we, but the city council of Boise was saying we understand that it makes more sense for this to develop in Meridian, but we want to see it going in high density, because of the proximity to the transportation corridors and that they deem that to be a better use of the ground. So, you know, given that direction, you know, their wish -- obviously this is now in the Meridian area of city impact and it's ultimately your decision, but we did try to respect that. So, that's the direction that we have gone with the application. Now, keep in mind, too, that you have the senior center on the east, then, you have residential on

the south. So, we are looking at that as trying to match -- to match the uses -- you know, trying to put a commercial use in between all of that I think would be a little bit more difficult.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Mr. Mayor, Mr. Clark, could you comment on Mr. Martin's representing Stellar Senior Living about their -- their access points are not a through to Wainwright?

Clark: Mr. Mayor, Council Member Hoaglund, that is -- that was new information to me and so I apologize to Mr. Martin if I misspoke there. That was -- we had reviewed the site plan and that looked to be an access, so if that's the case, then, we understand that. Regardless, the -- the roadways do still function fully within capacity and, again, there is a number of entries and exits and it's very porous from Centrepoint all the way down to Ustick.

Hoaglund: Mr. Mayor, question for staff.

Simison: Councilman Hoaglund.

Hoaglund: I just want to confirm. I had heard that for the apartment portion of the development that they would require a conditional use hearing. Is that accurate, Sonya?

Allen: Mr. Mayor, Councilman Hoaglund, yes, it would require conditional use permit.

Hoaglund: Okay. Thank you.

Simison: Council, any further questions for the applicant?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Real quick. I just wanted to make sure, Hethe, at the last hearing when the motion to approve, which ultimately didn't prevail, but there were some conditions about keeping trees and the -- that would be the southwest corner for that established subdivision to that end. I was trying to remember if there was something else. That's the one that comes to mind. But any -- any comment on those previous conditions that you recall?

Clark: Mr. Mayor, Council Member Hoaglund, our position hasn't changed on those. The tree mitigation condition that was identified by staff is acceptable. If you will recall at that last hearing we did show that a lot of those trees are not in great shape and much of the area that is in question actually backs up to the Brickyard, whereas Champion --

Champion Park, I believe the name of -- Champion Park is on our southwest and we have kind of a 45 degree angle there and our park is located there and we anticipate maintaining the trees, you know, to the extent we can -- to the extent that they are still healthy in that location. So, that -- that is not an issue whatsoever.

Hoaglund: Thank you.

Simison: Council, any further questions for the applicant or is there discussion and thoughts from the Council before we take any action regarding the public hearing?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I would like to request that we leave the public hearing open during our discussion in case we have more questions for Mr. Clark, if Council agrees.

Simison: Okay. Sounds good. Mr. Clerk, you can probably take Mr. Clark out for now or reduce him down.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I will be happy to kick off some discussing. So, one of the things that is a philosophical thing -- I know our Planning staff feels very strongly that interconnected neighborhoods are safer neighborhoods, are healthier neighborhoods, and I think most of the time I agree with that, but I have done a lot of soul searching and I think on this one -- to me I don't define interconnection as sending a bunch of cars through a neighborhood that will already be well served by vehicular access back and forth. I think when Centrepoint is connected that that will provide a great connection for everybody. I subscribe to the idea that Dashwood is not up to the standards and would become a collector and I just generally think that having a pedestrian connection and bicycle connection is the kind of connection that is needed. And I don't define connection as having to do with cars. I just don't. And so from where I'm sitting I think I'm tracking with Councilman Borton's question and I'm leaning toward -- you know, now that we know we could designate Dashwood as permanently emergency only, along the lines of what Councilman Borton was asking about, I would be supportive of that. I think that makes the most sense and I also think we need to put the neighbors out of their misery here with hearing this endlessly and just put it to bed. That's where I'm sitting.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: I don't know if I necessarily disagree with that. I have always been a proponent of connectivity in this case and there is definitely a strong argument to keep it an emergency only access. That's fine. My opinion it still doesn't solve the issue of the traffic safety issue that I feel personally, in my opinion, that this -- this one access point will create. I thought it was interesting -- Hethe only provided a picture of going south. I would -- I would love to see what that looks like going north, because that's where the problem is. The problem is that connection from where that picture was taken north through the apartment complex. That's where the issue lies and there is going to be a heck of a lot of cars going in and out of that subdivision, especially when the multi-family project goes in. I would be okay with this project if the multi-family project was moved to phase four and I think that that would be a healthy compromise on my part, but seeing a lack of connectivity in -- in other areas of our city and the problems that it creates in my opinion is a big deal and I was elected, you know, and -- by my -- our constituents in the City of Meridian to keep the neighborhood safe as well. That's -- that's one of our number one responsibilities in my opinion. And I just cannot support something that is, in my opinion, going to create safety issues in regard to traffic until there is a full connection made from Centrepoint all the way to Wainwright. So, I have been consistent with this issue and I -- and I stay true to it. So, I appreciate Hethe. You are a good guy, Hethe. Don't take anything personal. You do a great job. We are just going to have an impasse here. We are going to -- we are going to agree to disagree on this one.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I just want to talk briefly. This -- this would be a lot harder decision and discussion if we were just talking about 66 units and -- and having Dashwood open or not. Really in my mind what -- what the game changer is is the Brickyard apartments. I mean that will -- if we leave that access point open that is their route. I think it was Joy Cameron who said Wainwright is the only left turn onto Eagle. So, unless they go out to Ustick to turn left, I -- human nature being what it is -- leaves that open. That's how they would be getting to that and that's a lot of cars and that's -- and, you know, I -- I empathize with the folks in these neighborhoods who have been there since the mid 2000s and that that makes it a difficult situation. We need that Centrepoint to be open to allow that. That's -- that's why I can once again support making that a permanent -- making it a permanent emergency access. Deputy Chief Bongiorno is absolutely right, open roads are better, allow quicker access, but this is a temporary second emergency access to make sure as -- as it gets developed they have an alternative route into this site, so -- until that Centrepoint become -- becomes open. So, it's not the main access, it's -- it's that secondary access and -- and, then, the fact that we are going to have a separate hearing on the apartments, I think we can address that issue at that time, because the Brickyard and those -- those traffic issues, that is going to be a major part of the issue I think that will have to be worked through on that. So, that's why I'm interested to see what -- what comes of that phase four and closing -- closing Dashwood on a permanent basis and only allow it for emergency and foot traffic, bike traffic, and that sort of thing. So, that's -- that's kind of where I am.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I'm really tracking along with Council Member Hoaglund. I was -- I was thinking about the very first time I ever came to a Meridian City Council meeting, I was like, I don't know, 12, maybe 11 years old and I -- as you know I grew up in Old Town and there was a developer that was going to build a neighborhood next door and it would have created a -- essentially cut through to the high school and we came in I think, then, Mr. Nary was on the City Council and my parents came much like the folks that are here tonight and said, you know, this is -- this is our neighborhood and we -- we have a great community here and it's important that we create community first and I'm seeing a lot of parallels to what I have heard from the citizens, both at previous hearings and here tonight and -- and, honestly, I think that's what the applicant's hoping to achieve as well is to create community. I had some concerns about the phasing plan that -- the lack of homes with phase four. If -- if Council is kind of trending where I think that they are about keeping Dashwood emergency access only and that -- that addresses some of my concerns. I will kind of wait and see where the conversation goes and if -- if we are trending where I think, then, it's not necessary, but if -- if we are exploring some other options I have got a couple of other comments I may want to make. But I appreciate the -- the discussion from the body here tonight on this particular application. And, frankly, the testimony from the public tonight.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, this is a tough one. This is a tough one and I have spent a lot of time thinking about everything I read in the public testimony, reading through the staff report many many times to make sure I was grasping all of the concerns and really trying to understand the staff's recommendations and the -- the property owners' concerns. I'm very familiar with Alpine Pointe. I have close friends that live there. I'm familiar with it regarding their real estate and the real estate values. What I keep going back to is that I -- and this isn't going to probably be popular to say, but I'm -- I'm in agreement with what ACHD originally recommended, which is to leave that as emergency access and pedestrian only until Wainwright is -- is punched through and the reason why is because I truly believe that -- that people do take the path of least resistance and I think that for me as a driver I'm going to take Wainwright, which is going to be a higher speed and easier to -- to get to. Excuse me. Centrepont. I keep saying Wainwright. But I mean Centrepont. I'm going to take Centrepont to Wainwright and make the right turn out onto Wainwright to get to the light. I would rather not go north on Dashwood, passed homes, and as the HOA president presented, she said, hey, there is potential line of sight issues, there is trees in the way, I'm not going to take that route. I'm not going to take that route, because it's slower. I'm not going to take that route because there might be some fencing, some trees in the way, I'm going to take that Centrepont to get to Wainwright, if that's my option. That's what I'm going to take if I lived in Delano. So, that's what I really believe

to be true based on my years as a Planning and Zoning Commissioner, based on my years of understanding and studying subdivisions and how people move around them, is that I don't believe people are going to want to use Dashwood as a way to access -- other than maybe the property owners that are in phase four. I believe that most people will exit out onto Centrepont, head north and make a right onto Wainwright to get out of -- onto Eagle Road, essentially. So, I don't -- I don't believe that -- that Dashwood is going to be a problem once Centrepont is -- is built all the way through. And I'm not saying that haphazardly, I'm saying that based on a lot of experience and a lot of just education and understanding of how these subdivisions are developed. So -- so, I am not -- I'm not completely against the idea of making it a permanent access -- a permanent emergency access and pedestrian, but I'm not -- in other words, if that's where Council decides to go, I would understand that direction, but I'm not completely excited about that possibility, because I am very concerned about public safety and I am concerned about access for our Fire and Police Departments. As -- as some of the members of the -- of the public had mentioned in their testimony there are several -- if there are -- and there are it sounds like -- like several individuals on that section of Dashwood who have challenges with accessibility, who maybe are in a wheelchair, they are going to need that emergency services more than ever and are we going to, then, add an extra two or three minutes to -- to take the collector road up and around and to get into Dashwood from the north side or are we going to allow that access to them through -- through Dashwood once Wainwright has been built. So, I just -- again, I think that the need for that to stay closed off until phase four is developed and understanding the applicant is proposing that -- that ACHD doesn't have any ability to put a street in there until phase four, you know, proceeds. So, those are my thoughts. I have gone back and forth on this. I understand both sides, but I really truly think that there just will not be a lot of use of Dashwood once -- once Centrepont is built.

Simison: Councilman Borton, would you like to add anything to this conversation or move forward with any other activity at this time?

Borton: Thank you, Mr. Mayor. So, I have been just taking notes of the discussion. It sounds like considerations that I'm hearing from us collectively is -- and this is with regards to 1-F. If something were to go forward for approval with this project, it sounds like at least the vast majority are supporting Dashwood to be a permanent emergency access only with pedestrian and bike and designed for that being the connection. Emergency only. And that phase four wouldn't commence until Centrepont connects. So, that's one basket of options. And, then, kind of in addition to that is what Councilman Bernt had said, which means -- which would say -- which would request to include within phase four the multi-family portion. So, the phase four as currently designed is -- is one consideration, that that phase four -- seven lots I believe. Wouldn't commence until Centrepont. Or does Council want to requests that the multi-family portion be included in the new phase four. I think that's what Trent was talking about. So, I think that's -- and under either consideration the other conditions of approval, the tree mitigation, et cetera, from the previous hearing would be included, but I hear that as sort of a two headed option if something were to be approved. So, I just -- I just put that out there if that's an accurate summary. If I have missed something from the six of us in this discussion --

Simison: Well -- and since it does not appear that my vote will be needed on this one, I will refrain from some of my comments, but I think part of the reason why phase four exists was to allow Dashwood to open. If there is no expectation that Dashwood ever opens up, then, phase four really has no need to exist in all intents and purposes. So, I would encourage Council to reconsider a phase four. Whether or not you want to put the apartments into the last phase and make that contingent upon something, but if Dashwood remains closed phase four has no purpose.

Borton: Mr. Mayor, it does -- to a certain extent it would --

Bernt: Mr. Mayor?

Hoaglun: -- if it -- if it lessens to some degree the impact on the roads and parking, if you have got fewer homes that are constructed prior to Centrepont.

Simison: If that's the rationale. I don't think that was the rationale. The rationale was to try to encourage the rest of the development to occur in that area, so that they would go back and finish what they started. My opinion.

Borton: Got it.

Cavener: Mr. Mayor?

Simison: Mr. Cavener.

Cavener: I -- I'm tracking where Council Member Borton's at and I appreciate that conversation about kind of eliminating the necessity of phase four. I'm not one that likes to come up with phasing plans on the fly, but I guess maybe if Council is going to invite the applicant to at least chime in about it -- in hearing some of the comments about if there would be proposed changes to what they have proposed.

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun, is there something else related to that for the applicant? Because I see he is unmuted to answer that question.

Hoaglun: If he's ready to go, let's go.

Simison: Okay. Mr. Clark, do you want to provide comment on that issue?

Clark: There we go. Thank you, Mr. Mayor. So, I think that the -- the question is what is really the purpose of phase four and -- and does it have a purpose if the emergency only condition is permanent and, you know, my -- my comment would be that I agree with the Mayor. The -- that the reason for the phase four was to ensure that Dashwood can't open prior to Centrepont, because that's what we heard was the biggest concern. If Dashwood is just not going to open, then, there is not a reason to hold back that -- that property if --

if that was the -- that was the entire function of that. So, the -- you know, the pedestrian connectivity, the bicyclist connectivity, all of that would be there and wouldn't change.

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Hethe, can you comment on including -- can you comment in regard to having the multi-family move from phase three to phase four?

Clark: Mr. Mayor, Council Member Bernt, I think I would kind of reiterate what we said before, that's a -- that's a huge imposition on the property without a traffic related justification for it. You know, I -- I know that you and I don't necessarily see eye to eye on that question. I -- you know, if I'm able to share the screen I would be happy to show you the northbound look of Centrepont, because it looks exactly the same with cars parked on both sides. So, I just -- I don't see that and we have got two buyers here and -- excuse me -- two sellers here that -- and it just really puts the project in a bind if we have to hold the apartment indefinitely and, again, there is not a traffic-related basis to do so.

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

Simison: Council Woman Strader.

Strader: I guess a question for planning staff would be if -- and I think to clarify a question that Councilman Hoaglan asked -- so, there would need to be a conditional use permit for the apartment portion of the project, but would there be a public hearing and would that come before Council as a separate decision or not?

Allen: Mr. Mayor, Council Woman Strader, Council, a conditional use permit does require a public hearing and it's only heard by the Commission. The Commission is the decision making body, so it would not go before Council.

Nary: Mr. Mayor. Unless it's appealed. Because they can appeal from the Planning and Zoning to the Council.

Simison: Did the rest of you hear that on --

Bernt: Yeah. Heard something in there.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I could be wrong, but I think some of the disconnect might have been in the previous hearing I think there was a belief that Dashwood had to be opened and that we -- and we didn't have ultimate control to allow it to be permanently emergency and so we

were trying to create some way to draft sideboards on it being open, but maybe if that's the case it sounds like that's clarified now, that we do have the authority despite any control of ACHD to choose to have Dashwood remain emergency only.

Nary: So, Mr. Mayor, Members of the Council, maybe I can help muddy the water. I don't know. So, when we tie it to a development agreement and you are tying it to phasing or you are trying it to permitting, the city, then, has that level of control, right, because we are issuing the permit. ACHD doesn't issue anything. So, unless they -- unless they decide in their master street program to build that street differently at some point in the future, they are not going to come back and tear out bollards. They just don't do that. They don't have the time for it. It's not on their radar. They have no plan to do that. So, their ten year window is kind of a misnomer. Like I said, it's a -- it's a policy decision for them, because they don't have a clock that tells them ten years is up and we got to go rip out bollards all over town. So, they are not going to do it. It just isn't practical for them. If it's petitioned, if it's requested by the neighbors, if there is a process they can follow, potentially that could happen. But, again, the neighbors that are opposed to it today may be different neighbors at that point in time. So, that's why the staff is saying if you tie it to your development agreement you have some level of control. If you require the development do it prior to a phase being built, prior to the last CO getting submitted -- or approved, then, they are incumbent on the developer to do it. If there is no requirement for the developer to do it, then, no one's going to do. So, in my opinion ACHD doesn't have -- it doesn't have the land use authority that you do to be able to say this is the -- this is the plat we approved, this is the -- now, if they won't sign the plat, that's an issue between the developer and ACHD to deal with, because they do have to sign off on the plat. So, if they have a concern about that they could raise it and deal with the commissioners at that point. But the commissioners have recognized that, again, you have a land use authority, they don't, so --

Simison: And my recollection, Councilman Borton, it wasn't so much about whether or not the city could or couldn't, I think there was disagreement on whether they should or shouldn't, but it was a lot more on the contingency of the inability to understand Centrepoint would ever or how it would ever connect. That was my -- that's more my recollection of the issues, but what do I know.

Hoaglund: And, Mr. Mayor, that was my recollection, too, was the issue of that access of Centrepoint, when would that be done, and if it would ever be done and what -- what comes of that. I mean we were kind of holding phase four hostage here to make sure that gets done and I don't think that's a small matter when the applicant testified earlier -- and I heard him say that's, you know, a half million dollars worth of inventory there, you have got street, you have got sewer lines, you have got water lines, why wouldn't you develop seven lots if it's -- if it's there. It -- it just doesn't make much sense from a development standpoint not -- not to move forward with that and -- but the -- as we recognize, the Centrepoint completion is not in their control, so that's the -- that's -- that's the kicker there. I mean they can't develop that until Centrepoint is developed and -- and who knows with this senior living center going in, I'm sure other things will follow that as well, and -- and we will see when that -- what the timing. But to offer the phase four I

think is a legitimate offer to -- to keep that closed until Centrepoint is open, but, then, if ACHD doesn't have that authority -- I was under the same assumption we were trying to do something that prevented action by someone prior to that. So, it doesn't sound like that's -- that's the case now. But they could not develop phase four until Centrepoint is open.

Johnson: Mr. Mayor, I apologize --

Bernt: Mr. Mayor?

Johnson: -- some members of the public have e-mailed they are having difficulty hearing Council.

Simison: Okay.

Bernt: Mr. Mayor, Chris, any specific individuals are they having a hard time with?

Johnson: Did not indicate. It was -- just did come in this moment. Some of those -- Councilman Hoaglund or whoever spoke previous to him.

Bernt: Mr. Mayor, I --

Simison: Councilman Bernt.

Bernt: I'm -- I'm in agreement with Council Woman in a sense that once Centrepoint -- that connection is made to Wainwright Dashwood is going to be a mute point. You're -- you're going to see -- you're going to see very little traffic going through that connection. It's just -- just my opinion. I was on Planning and Zoning as well for a while and saw this time and time again, people are going to take the path of least resistance. I couldn't agree more. So, they are going to go straight up that connector from Centrepoint to -- to Wainwright 90 plus percent of the time. So, if -- just also my opinion, but I will reiterate what I said before and I will say it again, this -- the success and the safety of -- of those who will be living in the apartment complex south of this proposed project is totally determined on the connection from Centrepoint to Wainwright. It's essential in my opinion and I will leave it at that. Hello? Is the -- is the volume on?

Simison: The volume is good.

Bernt: Okay.

Simison: Just looking for anybody that would like to take --

Bernt: I thought -- I thought I lost everybody. I apologize.

Simison: It was just so brilliant in my opinion that I had nothing to say.

Bernt: Sorry to ruin the silence.

Perreault: We are all deep in thought.

Simison: Okay. Well, Council, I think I can count and know where the votes are on this issue, but my -- my denial last time was predicated on the issue of Dashwood alone, so if you guys believe you're in alignment or agreement on that issue and whatnot, then, I think that you are probably ready to move forward if you can figure out what you want to do about the phasing, if that -- where that fits into this conversation. Or we could take a ten minute break for everyone to gather their thoughts and feelings and --

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I started work very early this morning and I think I'm on like hour 13, so a short break to refresh my mind would be great.

Simison: Council, do you need a ten minute break? Okay. Let's go ahead and take a ten minute recess. We will reconvene at 9:00 o'clock.

(Recess: 8:50 p.m. to 9:01 p.m.)

Simison: Council, I will go ahead and bring us out of recess and we can continue this conversation or -- the public hearing is still open if you need additional information or would like to start taking -- taking action on this item.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I'm going to move this toward the action part and we will see where we go. I move that we close the public hearing on Item 6-C, H-2019-0027.

Hoaglund: Second the motion.

Bernt: Second.

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

MOTION CARRIED: ALL AYES.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: We have had a lot of good discussion on this with the applicant and Hethe's done a really good job and the public has provided extremely valuable input over the various hearings that we have had and you can see the Council wrestle with these decisions and considerations, because there is -- there is not a clear bright line policy consideration that makes some of these issues difficult for us to address, which you can tell that everyone takes the concerns of the public extremely seriously in trying -- to try and make sure that we get those addressed. So, we have wrestled with it at length trying to address those concerns. I think the balance of considerations support approval of this project. I think it's -- where I find it to be most appropriate is that Condition 1-F which speaks to the new phasing plan and Dashwood, that it be approved -- that this project be approved and that phase four does not commence until Centrepont is connected to the north as the applicant had proposed and that that Dashwood remain emergency access only in perpetuity. I think there is -- there is pros and cons to both and we have discussed them greatly, but the citizens' considerations do weigh heavily on all of us and I think tie goes into that consideration in this unique circumstance. So, I will make a motion for approval of H-2019-0027, with the modified 1-F. Again, phase four doesn't commence until Centrepont is constructed to the north and connected. Dashwood remains emergency only access.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I will second the motion.

Simison: I have a motion and a second. Is there discussion on the motion? Seeing no one wishing to discuss the motion, I will ask the clerk to call the roll.

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

Simison: Five ones, one nay. Motion passes.

MOTION CARRIED: FIVE AYES. ONE NAY.

D. Public Hearing for Hill's Century Farm North (H-2020-0080) by Kody Daffer, Brighton Development, Inc., Generally Located South of E. Amity Rd. and East of S. Eagle Rd.

1. Request: Modification to the Existing Development Agreement (Inst. 2020-059662 – provision #5.1g) to allow building permits for the commercial portion of the development to be issued prior to subdivision of the property.

Simison: Thank you to all the staff and public and the applicant for sticking with the conversation. Next we will move on to Item 6-D, public hearing for Hill's Century Farm North, H-2020-0080. I will open this public hearing with staff comment and turn this over to Sonya.

Allen: Give me just a second, Mayor. All right. Mr. Mayor, Members of the Council, the next application before you is a request for a development agreement modification. This site is located off the southeast corner of East Amity Road and South Eagle Road. This property was annexed in 2015 with the requirement of a development agreement, which has been amended three times previously. A rezone, preliminary plat, planned unit development for an age restricted 55 and older gated community and a conditional use permit for a self-service storage facility was approved earlier this year. The Comprehensive Plan future land use map designation is mixed use neighborhood. The applicant proposes to amend Provision 5.1G in the existing development agreement to allow for building permits to be issued in the commercial portion of the development prior to subdivision of the property as currently required. Because commercial property isn't typically required to be subdivided prior to issuance of building permit, staff recommends the existing provision is stricken and alternative language is provided instead that would simplify the requirements for subdivision of the property, which the applicant agrees meets their intended purpose as follows: The R-8 and R-15 zoned residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the community center complex on Lot 101 as shown on the revised concept development plan dated October 30th, 2019. Building permits for the community center complex may be issued prior to subdivision of the property. Subdivision of the C-N and C-C zoned commercial portions of the annexation area is not required prior to issuance of building permits. Written testimony has been received from the applicant Mike Wardle, Brighton Corporation. They are in agreement with the staff report. Staff will stand for any questions.

Simison: Thank you. Council, any questions for staff at this point? Seeing none, I will turn this over to the applicant for ten minutes. I believe -- I don't know if this will be Mr. Wardle.

Johnson: Mr. Mayor, I have Mr. Phillips in the room as well.

Simison: Okay.

Wardle: Mr. Mayor, Council Members, Mike Wardle, Brighton Corporation, 2929 West Navigator, Suite 400, Meridian. 83642. Sonya has laid it out perfectly. It was an oversight when we went through this process just a few months ago not distinguishing between the commercial and the residential portions and as Sonya noted, typically the commercial does not require the same type of subdivision platting requirements as a residential does. So, even though the language that staff has recommended is slightly different from what we have proposed in our application, we concur with it and ask for your approval.

Simison: Council, any questions for the applicant? Okay. This is a public hearing. Mr. Clerk, do we have anyone signed up to testify on this application?

Johnson: Mr. Mayor, the only sign-up was James Phillips and he is in, if he has anything to add.

Simison: Okay. Mr. Phillips, if you would like to provide testimony, you can unmute yourself and you will be recognized for three minutes. If you could state your name and address.

Phillips: Thank you. James Phillips. 4140 East Rockhampton Street, Meridian, Idaho. 83642. Hillside Creek community. I did have a presentation. I will go ahead and just share my screen if that's all right.

Johnson: Okay.

Phillips: Let me know when --

Simison: We have it up. Chris, could you reset the timer for three minutes once he starts speaking.

Phillips: Mr. Mayor, Members of Council, the purpose of this brief presentation is to provide some insight to specific challenges that southeast Meridian residents are facing and how the mixed use designations could be best used to address these specific challenges. To that end I just wanted to show a visual representation of the 2019 new residential units. As you can see and to the surprise of probably no one, southeast Meridian is one of the residential hot spots. Examining more closely we see that Ada county assessor already has over 850 residential lots designated in the Century Farm, Hillside Creek area. Note this does not include the Hill's Century Farm North land that is being discussed right now. Those numbers also don't include the 850 plus residential lots that are part of the Sky Mesa development and surrounding neighbors to the west, the Shelburne development and surrounding neighbors to the north, nor does it include the preliminary plat plan that we recently received in the mail for development of 355 additional dwelling units that will be -- that's proposed to go across the street from Hillside Elementary. As you know with the growth comes challenges and it's my hope that the city ensures that the mixed use designation addresses these challenges. Community Planning Association of Southwest Idaho, COMPASS, specifically calls out mixed use development as an effective land use strategy for improving transportation and accessibility to meet the needs of residents. By having commercial in close proximity to those residents and Meridian's own mixed use neighborhood description it mentions that mixed use designation can be used to provide the surrounding residents goods and services that they need on a regular basis and provide employment opportunities. It goes on to provide sample use for the commercial aspect of the mixed use neighborhood as you can see there. Currently when the southeast Meridian residents like myself look for various services, this is often what we see in the Google Map results. Here is an example of coffee shop, salon, and you can see there is a big vacuum of space just south of Victory.

Sandwich shop. Ice cream shop. These are all just the different types of uses indicated in the -- the mixed use neighborhood. A gift shop. Drug store. Here I think there is a Rite-Aid about a mile north that just so happens to be in your -- in your -- in network. The 2019 new building permits visual shows only a few nonresidential permits, the red dots in southeast Meridian, which does little to alleviate our concern around the last commercial goods and services immediately underway. Certainly there are other mixed use designations in southeast Meridian, for example, the plaza across the street of Eagle and Amity that's planned to go in, will help. As you can see from the FLUM there are not any commercial only designation -- designated areas south of Victory. For this reason we need to embrace the commercial aspect of mixed use designation in southeast Meridian in order to create a walkable, bikeable, and serviceable community. And that's kind of the gist of it I guess. In conclusion, I hope the City Council will ride through the -- around storage units specifically -- while technically are commercial, my question is whether or not they are really the best use of mixed use designation, specifically as it pertains to southeast Meridian, whether it's a general lack of goods or services within close proximity to its residents. Thank you. Oh, I did look up also the Google Map results of storage units. There is actually one south of Victory. Last time I rented a storage unit it didn't matter whether it was walking distance really or not, I had to bring my truck anyway. It is a prime commercial location. The primary and secondary arterial roads to kind of go to waste.

Simison: Mr. Phillips, if you could wrap up, please.

Phillips: Yes. And, in conclusion, that's it. I just wanted to make sure that it was -- I was able to speak to some of the concerns that I have, along with other people in the community with -- that live in southeast Meridian around not having a lot of commercial in this location.

Simison: Thank you. Council, any questions? Okay. Thank you very much, Mr. Phillips. This is a public hearing. If there is anyone who is still watching online that would like to testify on this item, if you can indicate your desire to do so by raising your hand. Seeing no one who would like to testify, I will turn this over to the applicant for final comments.

Wardle: Mr. Mayor, Council Members, thank you. I'm going to ask Sonya to bring back the site plan, because Mr. Phillips has actually identified the real thrust of our whole program for what we call Century Farm North. There we go. As noted when you look at the complex that started out there originally with the YMCA and Hillsdale school, we have a whole series of commercial parcels available in addition to the self storage that Mr. Phillips cited. So, all of the uses that he noted in that mixed use neighborhood element are possibilities. We don't have those committed at this point, but there certainly are going to be the types of services -- potential retail, as well as professional. So, I believe that the concept that we have brought forward and will be completed with Hill's Century Farm North actually accomplishes the objectives that Mr. Phillips was encouraging the Council to embrace. So, with that, again, we would ask for your change of that one governing condition, 5.1G, to allow the commercial uses to proceed in advance

or platting, whereas the residential must be platted before building permit requests begin. Thank you.

Simison: Thank you, Mr. Wardle. Council, any questions? Okay. Any discussion? Or motions? Or silence.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I guess to kick things off, I would close the public hearing for H-2020-0080.

Borton: Second.

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

MOTION CARRIED: ALL AYES.

Hoaglund: Mr. Mayor, I think this is --

Simison: Councilman Hoaglund.

Hoaglund: -- a fairly -- fairly straightforward change to do some things that staff laid out pretty clearly and put in a format that I think that we could support and so after considering -- I would move that after considering all staff, applicant, and public testimony I move to approve file H-2020-0080 as presented in the staff report for July 28, 2020.

Borton: Second.

Simison: I have a motion and a second to approve Item H-2020-0080. Is there any discussion on the motion? If not, Clerk will call the roll.

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

Simison: All ayes. Motion passes.

MOTION CARRIED: ALL AYES.

E. Public Hearing for Quartet Northeast (H-2020-0017) by Brighton Development, Inc., Located at 4020 & 4340 N. Black Cat Rd.

1. Request: Annexation of a total of 68.73 acres of land with R-8 (48.42 acres) and C-G (20.31 acres); and,
2. Request: A Preliminary Plat consisting of 137 buildable lots (136 residential and 1 commercial), 19 common lots, and 2 other lots on 66.52 acres of land in the R-8 and C-G zoning districts.

F. Public Hearing for Quartet Southeast (H-2020-0018) by Brighton Development, Inc., Located at 4020 and 4340 N. Black Cat Rd.

1. Request: Annexation of a total of 22.26 acres of land with an R-8 zoning district; and,
2. Request: A Preliminary Plat consisting of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district.

Simison: Item 6-E and F are public hearings for Quartet Northeast and Quartet Southeast, which are H-2020-0017 and 2020-0018. I'm going to open both these public hearings with staff comment and turn this over to Sonya.

Allen: Thank you, Mr. Mayor, Members of the Council. The next applications before you --

Bernt: Mr. Mayor?

Simison: Councilman Bernt.

Bernt: Mr. Mayor. Sorry, Sonya. I didn't mean to interrupt. Before we start these two applications I feel it's prudent for me to recuse myself from these applications. One of my customers is involved with the building team that will be potentially building in this subdivision -- in these two subdivisions, so I think it would be important for me to recuse myself from these conversations, since I would be directly impacted by it. Thank you.

Simison: Thank you.

Allen: All right. Mr. Mayor, Members of the Council, the applications before you are a request for annexation and zoning and two preliminary plats. A property boundary adjustment application was recently approved in Ada county that adjusted the boundaries of the parcels south of the creek in Quartet Southeast to that shown on the proposed annexation and preliminary plat boundaries per the record of survey shown on the right. Two separate preliminary plats are required because the Five Mile Creek owned by Nampa-Meridian Irrigation District lies between the two properties, because both plats are proposed to develop and be marketed based on the overall project. This site consists

of 86.44 acres of land. It's zoned RUT in Ada county and is located at 4020 and 4340 North Black Cat Road. The Comprehensive Plan future land use designation is medium density residential, which calls for three to eight dwelling units per acre, and that's -- excuse me -- approximately 50 acres of the site and mixed use nonresidential, which consists of approximately 41 acres of the site. A city park is also designated on the future land use map in this general area. The applicant proposes to annex a total of 90.99 acres of land between the two subdivisions with R-8, which is 70.68 acres and C-G, which is 20.31 acres, zoning and develop 186 single family residential detached homes at a gross density of 2.8 units per acre and nonresidential commercial uses on the site. The eastern 18 acre residential portion of Quartet Northeast is located within the mixed use nonresidential designated area, which is a nonresidential designated area that provides approximately a quarter mile separation and buffer to the city's wastewater treatment facility. Because the future land use map is not parcel specific, the applicant requests the medium density residential designation on the western portion of the property is extended to the collector street North Joy Way, which bisects the eastern portion of the property. The portion of the property east of the collector street is proposed to be zoned C-G and developed with nonresidential and commercial uses in accordance with the mixed use nonresidential designation. At the request of the city the applicant included the .97 acre outparcel at the southwest corner of Quartet Northeast Subdivision, where a sewer lift station is located in the annexation boundary. If you can see my cursor it's that little area right there. A concept development plan was not submitted for a nonresidential commercial lot proposed to be zoned C-G. The applicant states this lot will be the subject of future discussion with the city regarding a potential park site as depicted on the future land use map or consideration of other potential buffer uses determined by the results of the Public Works noise and odor study, which is planned to take place later this year. Although some residential uses are allowed in the C-G zone, staff recommends as a provision of the development agreement that no residential uses be developed on that lot unless a subsequent noise and odor study as conducted by the city determines residential uses are appropriate in that area. Two preliminary plats are proposed containing an overall total of 186 residential building lots, one commercial building lot, 29 common lots and two other lots. The subdivisions are proposed to develop in three overall phases, with the first two phases located along Black Cat Road and a third and final phase of the eastern portion of the site. The minimum lot size is 6,866 square feet, with an average lot size of 9,145 square feet. There are two existing homes, one within each of the preliminary plat boundaries, that are proposed to remain on lots in the proposed subdivision. These homes are required to hook up to city water and sewer within 60 days of services becoming available. Access is proposed via one collector and one local street from Black Cat Road. The collector street is proposed to extend over the Five Mile Creek and through the site to the north boundary for future extension to McMillan Road, consistent with the master street map. A 25 foot wide landscape street buffer is required along Black Cat Road and a 20 foot wide street buffer is required along the collector streets. A multi-use pathway is proposed offsite along the north side of the Five Mile Creek and along the east side of the collector street north of the creek to the north boundary in accord with the pathways master plan. If Nampa-Meridian Irrigation District does not allow the pathway and associated landscaping to be located on their property, the pathway should be provided within a 20 -- minimum 20 foot wide common lot along

the southern boundary of Quartet Northeast Subdivision. A minimum of ten percent qualified open space is required to be provided in each subdivision. Six point six five acres is required in Quartet Northeast. A total of 7.6 acres or 11.5 percent is proposed and 1.99 acres is required in Quartet Southeast, a total of 3.4 acres, or 17 percent is proposed, which exceeds UDC standards. Open space consists of half of the street buffer along the arterial street, the entire buffer along the collector street, a linear open space and common areas exceeding 50 feet by 100 feet in area. A minimum of one qualified site amenity is required for developments over five acres in size, within an additional amenity required for each additional 20 acres of land being developed. Based on 66.52 acres, a minimum of three amenities are required in the northeast portion and based on 19.92 acres a minimum of one amenity is required in the southeast portion, for a minimum of four amenities overall. A community swimming pool, a tot lot with children's play equipment, segments of the city's multi-use pathway system and one acre of qualified open space beyond the minimum requirements is proposed as amenities in the northeast portion and an additional 1.41 acres of qualified open space beyond the minimum required is proposed as an amenity in the southeast portion, meeting the minimum standards. The Creason Lateral runs along the eastern portion of the north boundary of the northeast portion of the development within a 40 foot wide easement in a common lot and is proposed to be left open. The Five Mile Creek, which lies between the two plats, is required to be protected during construction. A portion of the site is within the Five Mile Creek floodplain. A floodplain permit will be required prior to development of this area. Conceptual building elevations were submitted as shown for the single family homes. Homes are a mix of one and two story units with building materials consisting of a variety of siding styles, with stone and brick veneer accents. No elevations were submitted for the nonresidential commercial portion of the development, as no development is proposed at this time. The Commission recommended approval of these applications. Mike Wardle and Jon Wardle, Brighton Corporation, testified in favor. No one testified in opposition or commented. Written testimony was received from Carrie Hovey. Concerns pertaining to traffic and safety of existing two lane roadways and the amount of development occurring in this area, which is worsening the situation, and impact of more development on areas schools. Would like these applications to be rejected or at least postponed until road infrastructure and schools can be prepared to handle the additional impacts. Key issues of discussion by the Commission were as follows: Concerns pertaining to growth and traffic and adequacy of existing infrastructure to handle more development until improvements are made in this area and the option of requiring the noise and odor study to be completed prior to development of phase three to determine if residential uses are appropriate in the area current -- currently designated mixed use nonresidential. The Commission made the following changes to the staff recommendation. They modified Condition B-1-2 to require the water main in North Joy Way to continue south through Quartet Southeast to provide a second connection out to Black Cat Road with the second phase of development, instead of the first phase as recommended by staff. There are no outstanding issues for Council tonight. Written testimony since the Commission hearing was received from Mike Wardle, Brighton Corporation, and they are in agreement with the Commission's recommendation. Staff will stand for any questions.

Simison: Thank you, Sonya. Council, any questions for staff at this point? Okay. Hearing no questions --

Cavener: Mr. Mayor?

Simison: Oh, Councilman Cavener.

Cavener: Thanks, Mr. Mayor. And not a question maybe for Sonya, but maybe a question for either -- I see Laurelie is on. I think Dale is here as well. Just give me a sense about the status or the plan for the noise and odor study. I know it's something the department has been considering for a while. I'm just curious if you can give us a quick update as to what the plan is to conduct that and when do you expect it to be complete?

Dolsby: Mr. Mayor, I can do that as well.

Simison: Mr. Dolsby.

Dolsby: Mr. Mayor and Council Member Cavener --

Cavener: Sorry. I didn't know you were on. I'm sorry.

Dolsby: I jumped off and went down to chambers a little while ago, so -- the odor study has been kicked off. We anticipate to have the sampling for the study done in early August and towards the end of September we will get some preliminary results from the study, so that's kind of the schedule we are on right now to complete that study that they mentioned.

Strader: Mr. Mayor, some follow up.

Simison: Council Woman Strader.

Strader: Maybe what would be helpful is kind of walk us through it. Is it an study, enough information to make a final determination on things? I mean that's -- to me its like a wind study, you know, like trying to capture the wind and what it's going to do. Is there an element of discretion involved here where you might require something more than an odor study ideally to make those final determinations?

Dolsby: Mr. Mayor, Council Woman Strader, so to complete the odor study we do do some monitoring out at the wastewater treatment facility. Then there is -- we do have some subjectivity in the results. There is some standards of the industry that you want to keep odors within a certain level, like say the -- for instance, the odor study we completed in 2004 had a diagram that showed different levels of odor and as you move farther away from the plant, obviously, the odor dissipates. The plan that they have shown today that shows the phase one, two, and three, we measured it and the road on the edge of the development is about 900 feet from the corner of our property, which if you went by the study that we completed previously, it would be -- we would be in favor of the plan as it

stands right now. There is no guarantee that the study we are kicking off now we will say the -- result in -- have the same result, but I would say that as time goes on we do try to be cognizant of odors. With new projects we complete at the facility -- we have enclosed our headworks facility last year, which was a major source of odor that we controlled. We are looking at that in future projects as well. There is still odor from the facility. Don't have a high level of complaints right now and we are completing that study as I mentioned.

Cavener: Mr. Mayor, additional question if I may.

Simison: Councilman Cavener.

Cavener: Clint, recognize the study takes in kind of a moment of time today, how does the study comprehend future growth and the impact on both noise and odor, recognizing that the footprint that we have for the WRRF today will not be the same into the future.

Dolsby: Mr. Mayor, Council Member Cavener, so the study will look at the projects we have planned in probably a ten to 15 year horizon, but, honestly, the -- the monitoring they are doing is just based on what's built out there today, but we do look at that horizon when we are looking at the odors that would emanate from the plant and we -- as we do future projects we are making a real effort to control odors in those projects. I mean there is no -- I guess there is no guarantee that there wouldn't be odors that would be reported outside of the areas that we designate, but we are doing everything we can to control odors as we do future projects at the wastewater plant.

Cavener: Sure. Thanks, Clint.

Simison: Council, any additional questions for staff at this time? Okay. I will turn this over to the applicant for their comments for 15 minutes.

Wardle: Mr. Mayor, Council Members, again, thank you. Mike Wardle, Brighton Corporation, 2929 West Navigator, Suite 400, Meridian. 83642. Knowing that Sonya provides all the necessary information on this particular case, she has done so, we did not prepare a formal presentation. We do have some slides that perhaps we would refer to just to articulate a little bit more of the primary issue that you folks looked at and that is the relationship of the property to the wastewater treatment plant. Sonya, I'm going to ask if you would bring in the four slides that I have provided to you and it would be the second slide that I would ask you to focus on. And I have no clue whether it's possible from here or not, so I will rely on Sonya. Back a couple of slides, Sonya. It would be -- that's number four. So, if you go back to number two. There you go. Perfect. Thank you. When we sat down with staff in pre-application discussion of the overall site and property, we knew that this particular issue was going to be a primary point of discussion and concern. It was staff's opinion during that period of time that there probably could be some separation, because if you, essentially, connected the quarter mile location or the quarter section locations, you know, and did an arc around there, it would kind of resemble what the collector roadway, which becomes the easterly boundary of that project is. So, we went forward with a design on using that arbitrary line at this point, creating a

nonresidential parcel for future discussion, knowing that the city would be conducting that study and leaving the question open to future consideration. An application. So, we are aware of the issue and I appreciate Clint's statement that based on the prior studies it would not be an issue with this particular proposal as it has been presented to the Council. We do agree with the -- the recommended conditions of approval and the Planning Commission's recommendations for approval of the annexation with the two R-8 and C-G zones and the approval of the preliminary plat conditioned as presented to you. So, unless you have further questions, I would stand for your -- I would just end at that point and allow for your discussion or consideration. I just would note, since Sonya did cite some of the considerations and discussions that the Planning Commission had, the school issue -- there was a letter presented and it's in the records from the West Ada School District that noted that there is an elementary school just nine-tenths of a mile to the north that will be opening this fall. Hopefully our children and grandchildren will be going back to school, but that facility is actually located partially on property from our Cambridge Subdivision project. They also noted that in the middle school situation -- and, again, it's the Star Middle School, but we don't control their school zones and boundaries, but there would at this point be 308 spaces available in that middle school situation and at Meridian High School 439 spaces available based on current enrollment and their capacity. With regard to the transportation system -- and it was cited that there was a comment made by Carrie Hovey in June prior to the hearing at the Planning and Zoning Commission, her concern expressed about, you know, infrastructure. We would just note -- and, Sonya, if you would go back one more slide -- thank you. There is a little orange dot kind of hidden in the area to the west side of that parcel and that's -- that's the parcel that Ms. -- Mrs. Hovey lives and the same mitigation will be provided by Quartet Northeast as the builder of her home two years ago provided through the impact fee structure of the Ada County Highway District. We all acknowledge the challenges, but, in reality the development in this particular case -- and you can see the -- the total of the future property development that we will be bringing forward -- will provide the infrastructure, sidewalks, roadway widening and improvements that are required by ACHD along that corridor that otherwise would sit and wait for some undetermined action in the future. So, acknowledge the challenges, but the school district has provided information to you, noting that there are -- there is capacity at this point in time and that we certainly will be contributing 187 times 3,143 dollars in impact fees to the Ada County Highway District for improvements in addition to those that we will also construct by widening at intersections and adding sidewalk along Black Cat Road. So, at that point I would conclude and stand for your questions.

Simison: Thank you. Council, any questions for the applicant at this time?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Mike, one question that's come up occasionally and this application begs the question. On that phase three, which is to be zoned C-G, it's not platted and it's just in a holding period until the noise study is done. What's the -- the reasoning behind annexing

that part now, other than it's just all one parcel perhaps? I mean given that a zone, you know, entitles it to immediate development rights and, you know, the noise study is going to be done and -- I'm not quite sure how that would formally constrict any future uses. I get the intent is all good, but help me understand that.

Wardle: Well, Mr. Mayor, Councilman Borton, interesting that when we do bring parcels we are expected to bring them entirely or in the case of Quartet Southeast we had to do a property boundary adjustment to create that parcel, but there was already two parcels south of Five Mile Creek, so we just did an adjustment there. So, we would have had to have done the same thing in the northeast parcel, but, obviously, the landowner, the Quenzer family, didn't really want to break it up and create some uncertainty. So, it just felt like the solution was to bring it forward, but note that it would be at this point nonresidential. There are three options that will be forthcoming. One would be -- and it's uncertain as to why the city's recently updated Comprehensive Plan designation actually does put in a park site designation on that parcel in that nonresidential area, so it could be a park, if the city so chose, or it could be a buffer in perpetuity if the city determined that no use would be appropriate, but at that point, obviously, the city would have some responsibility to secure that buffer or based on a determination through the study that Public Works is doing some nonresidential use could be brought forward through some future application. So, it was primarily just because it was an entire parcel and I think you hit that right in the beginning of your comment.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: That's helpful, Mike. I guess one quick follow up on that is if it's, you know, two years down the road -- or maybe not too far down the road, but if a noise study says -- the noise and odor study says ultimately uses one, two, and three are appropriate, but four through ten are not appropriate, so the city says, well, now you can't do four through ten and you say, well, I have got a C-G zone, I want to do four through ten. I mean how does that -- how does that disconnect -- you used the phrase the responsibility is to secure the buffer with the city, I'm just trying to contemplate are there -- are there any unforeseen circumstances where the city in its study might say we don't think you should do X and you want to do X and how does that get resolved? How do we secure the buffer?

Wardle: Excuse me. Mr. Mayor, Councilman Borton, through the same process that we are holding right now and that would be to start with site specific discussions with the Planning and Public Works staff to determine what uses would or would not be appropriate. So, it's -- it's a conversation that we know will happen in the future, but it -- I don't know that we can hypothetically dawn any conclusions this evening of what that may be or may not be, but it's open and it will be discussed and concluded in the future.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: The last question on it. And it certainly will probably get resolved and worked out as you have described and maybe it's a Mr. Nary question, but I just don't understand the -- what happens if you don't. I mean what are the -- what are the -- what's the structure built into this request today that allows that to be resolved. Let's say you are having that meeting and there is -- there is disagreement, is there something in the DA that says while the -- if there is a disagreement the city has ultimate final say on that issue or the applicant does or -- I just don't -- I don't understand how that works if there is a disagreement down the road.

Wardle: Well, Mr. Mayor, Councilman Borton, again, staff's saying that it would -- there would be no residential uses there. There would possibly be commercial uses that would be appropriate, we just don't know at this point and we are not concerned at this point until the studies are completed and we know more of what the options are. So, I -- it's just a future discussion that we have, but we are not -- we are not at this point making any determination of exactly what that may be, we are just leaving it open.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: Just some thoughts. I think we are trying to be very forthcoming about our concerns now with people, with all this COVID out there with life. My main concern in tying the development of phase three to an odor and noise study is that from speaking with the Public Works Department I feel that that study is not an adequate determination of everything we need to know to make that decision. They are not cut and dry. It sounds like they are very subjective and they -- they can say that a two mile radius has some odors, that odors are worse the closer you get -- it depends on the way the wind blows. Just is a lot up in the air. I have been struggling a little bit. I think -- I would need -- personally, I guess I would like the applicant's feedback on is, you know, for phase three, not only could be contingent on the completion of a noise and odor study to determine appropriate uses, but I would also need, you know, the Public Works Department to opine that there is adequate buffer space next to the wastewater treatment plant and I would love to have them sort of sign off on the plan, if you will. So, sort of struggling a little bit with just having it contingent on just a study. I just -- I'm not sure that gets me there. I -- my initial reaction was just to delay the whole thing a little while until everyone could come to agreement and we have that input and from speaking with them it sounded like they were okay -- and I don't want to speak for them -- they are okay with -- they just said phases one and two, but I think three maybe not. So, that's -- I would like your feedback on that, because that's what I'm struggling with.

Wardle: Mr. Mayor, Council Members, I'm going to turn a moment over to Jon Wardle to address this a little bit further.

J.Wardle: Mr. Mayor, Council, Jon Wardle, 2929 West Navigator, Meridian. 83642. I appreciate the opportunity to -- to talk about this for just a minute, because I -- I have had very direct conversations with Mr. Bolthouse and Mr. Stewart on this very issue. It is a

single parcel. So, let me just address that first that because it is a single parcel we are bringing it all in, annexing it at this time. But we did sit down very specifically and looked at that roadway alignment and, basically, established a line that Public Works -- and Clint can correct me if I'm wrong here and I will let you do that -- but we drew a line basically saying everything east of that line, which is the road, would be held in a zone that is compatible with the current Comprehensive Plan until the time that the odor study comes back and, then, we can sit down and talk through that again. We aren't asking for anything on that property at this time. We know that residential currently is not acceptable. We do know that there are conversations that need to be had, but that collector road that will go from Black Cat eventually all the way to McMillan provides a very good line at this point, which in our conversations with city staff, was that it was a -- was the delineation and so based on those conversations that we have had directly we felt like, yes, we could create the commercial buffer to the east and the residential to the west and those conversations, which would be, quote, phase three, could be had at a time in the future and we can come back with a full plan and, like Mike indicated, it could be a variety of things, but at this point we -- we are not asking for any of those, other than the zoning that would be acceptable to the city based on the Comprehensive Plan.

Simison: Council, any further questions for the applicant?

Strader: Mr. Mayor, maybe a follow up.

Simison: Council Woman Strader.

Strader: I guess I'm wondering if -- you know, is there any harm -- or help us understand your -- your timeline for your phasing and -- we are looking to get started like, you know, the end of July -- it sounded like there will be some preliminary feedback in early -- so some point in September -- I'm thinking we are two months away from getting the key input and possibly this could be a stronger application if you, you know, came with a -- maybe opinion for Public Works about an adequate buffer around the wastewater treatment plant. Maybe give me some feedback on that in terms of your timing.

J.Wardle: Mr. Mayor, Council Member Strader, thank you for the question. I do want to restate that we did take this very specific plan to Public Works and the -- the location of that collector road is not like what -- that was deemed to be a good delineating point, so -- that we could come back in the future and address what would happen to the east and as noted by Sonya, we aren't asking for anything on the east of that collector road at this point in time. With that said, our phasing, however, we would be developing in Quartet Northeast, north of the Five Mile Creek first, about a 24 acre phase, but it does come down and it does connect to that collector road. Maybe, Sonya, we can go to the third slide here. Yeah. Right there is great. So, we would be building from Black Cat Road north of Five Mile Creek all the way through and making that first connection to the collector road, which is the buffer and also building a bridge over Five Mile Creek, so that we could provide secondary access. The timing of this is pretty critical for us. As you know, as we experienced recently with the construction on Ten Mile, and, then, building over Five Mile Creek, which also happened in the irrigation season, which also happened

where we had a lot of rain and things like that, the ideal time for us to be building that bridge is this winter and so the longer we take to address what's appropriate of that collector road, which is -- which is a step point, by the way, the collector road as it goes to the north, that also aligns with a future collector on a -- to the north the existing public road -- getting this collector set so we can build it over the winter is pretty critical to us, because we would also be building secondary access out to Black Cat south of Five Mile and creating -- or finishing that water loop, which was also something that Public Works wanted us to do. So, we would have that life safety issue as well. So, that kind of -- that's the timing that we have in play right now.

Strader: Thank you.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Question on the -- on the -- follow-up on the phasing, if you would. That first phase is in Quartet Northeast and I noticed that there will be -- the secondary emergency access will be that perimeter road where your -- your boundary is to the buffer and it will come to Black Cat there out of Quartet Southeast as a gravel road. I was just curious in future when phase one is completed and Quartet Southeast is phase two, if I remember correctly, is -- is that entryway off of Black Cat going to be completed for construction or are they just going to use that for construction? It's just interesting when we do these in-fill projects, the people that are already there are complaining we want the construction vehicles to come in a different way and even though it's -- it's empty right now, those folks will probably be saying the same thing when -- when phase two starts, how come they are driving through our subdivision -- you know, our part when they could come in another way. So, I was just curious about the timing or the -- how phase two would be accessed at that time.

J.Wardle: Mr. Mayor, Council Member Hoaglund, thank you for the question. Ideally Quartet Southeast would be accessed directly off of Black Cat south of Five Mile Creek on that -- that collector road that we would be building. We, obviously, will have some coordination that needs to happen, but for the development work in particular we will be able to come right off of Black Cat Road to do that construction work. I also think that when homes are being built in Quartet Southeast, that that obviously -- the construction -- the direct line to get there would be off of that collector road as well and not coming through Quartet Northeast. So, I don't think the access from a development perspective for home construction will impact Quartet Northeast and, then, we move to the balance of that area of Quartet Northeast we will have that collector road that will come right off of Black Cat as well. So, I do think that we have -- we will be able to satisfy that and minimize the impact. We are very well aware of those. It does happen with every single multiple phase project we have. You know, the first phase that gets built and phases later on happen. We do have a very tight builder team and we -- we do talk with them frequently when these issues come up, so we are aware of it, we do address it, and we will, hopefully, be able to minimize it over time.

Hoaglun: Thank you, Mr. Mayor, Mr. Wardle, appreciate it.

J.Wardle: Thank you.

Strader: Mr. Mayor, I have a question for Bill Nary.

Simison: Council Woman Strader.

Strader: Hey, Bill, a question for you -- I'm thinking of some conditions of approval around phase three -- I don't know how the rest of the Council feels about it yet, I haven't proposed it, but any addition to the study that there is approval by the Public Works Department in their sole discretion on the adequate configuration of buffer space around the wastewater treatment plant. I'm just curious along with what Councilman Borton was saying, if the phase three has a condition and this has a certain zoning, what are the teeth that the city has to ensure that that happens in the future?

Nary: So, Mr. Mayor, Members of the Council, Council Member Strader, there is a couple of questions in there. First, I wouldn't recommend that you have Public Works be the final decider. I think ultimately the City Council should be the final decider on what goes there. The zone that's proposed, again, has some uses. Again, you can put a limitation on that portion of the DA that basically puts the C-G zone. I think from what I understand from looking at the staff report and listening to the testimony, the C-G zone would line up, because, again, that's uses that have previously been allowed here and so it was trying to be consistent with the current uses that are allowed. So, the concern wasn't that somebody would build a C-G project there without the Council of viewing it, but if you wanted something that required the Council to have to review whatever was going to be proposed there you certainly could do that. I don't know if the applicant would be resistant to something that -- that stringent, because, again, we have anticipated uses there other than residential and it's been that way for almost 20 years. So, I think what they are doing is trying to get some movement that residential could be considered -- Public Works' consideration of that in those studies. Council ultimately will be the decider on whether or not residential people will be allowed or any forms of residential, such as -- such as nursing homes or other types of things. But certainly we can craft the DA in any fashion, but I think that Council should be the final decision maker on that, with input, obviously, from Public Works and that we can craft whatever you want in that C-G zone or limitations on that C-G zone, but, again, in the past we have allowed other things in that C-G zone, such as storage, for example. That's why it's right there adjacent to it.

Strader: Follow up, Mr. Mayor?

Simison: Council Woman Strader.

Strader: Totally appreciate that. I just consider this a very abnormal circumstance because of its proximity to the wastewater treatment plant and the specific safety and other concerns around co-locating there. So, if I can confirm, it sounds like a possible

additional condition could be City Council final approval of any use in phase three with input from the Public Works Department. Is that right?

Nary: Yes.

Strader: Thank you.

Simison: Council, any further questions for the applicant?

J.Wardle: Mr. Mayor? Mr. Mayor?

Simison: Mr. Wardle.

J.Wardle: If I might, there -- that additional language that Council Member Strader was recommending, it likely would go into an existing condition that's there already, which is A-1-E where it does talk about no residential uses shall be developed on that nonresidential commercial C-G parcel, including multi-family, vertically integrated residential, and/or nursing home care, unless the subsequent noise and odor conducted by the city determines residential uses are appropriate in that area. So, if -- if you are going to insert something additional, that probably is the spot to put it, just a little bit more clarification, but we have been reviewing these conditions and we are committed to work with Public Works and the city on that point, so -- so, that -- that phase three, which we represent -- it's actually -- we may have more phases in here, but we -- maybe we just will refer to it as the C-G zone, that nothing happens in that C-G zone until the odor study is complete. We have worked with Public Works and we come back to the city with an acceptable solution for that site in the C-G zone and a DA mod.

Bolthouse: Mr. Mayor? This is Dale.

Simison: Mr. Bolthouse.

Bolthouse: I have been -- I have been kind of patiently listening into the conversation and I do have a couple of comments to make as it relates to kind of the historical process of this particular designation and I -- I just want to clarify a couple things for the benefit of -- of Council and the applicant. So, this particular area was developed as part of the 2002 future land use map process and was adopted in August of 2002. The first noise and odor study that was completed by Public Works at the wastewater treatment, did not occur until 2004 -- September of 2004. So, the initial designations that were made were a rough estimate of what might be a reasonable, proper space for nonresidential around the area. It was not predicated on any kind of noise and/or odor study. That came two years after this designation was created. Having said that, that study made an attempt to look at the existing processes at that time, make odor -- do odor analysis around the facility that each of the component processes that were in place at that time, project them to a future growth and, then, model based on atmospheric conditions, if you will, on what the probability would be that you would have odor concentrations and frequency that could constitute complaints and that overlay study and this designation in the blue map seemed to align

reasonably well. That study also identified a number of ways that the facility can, in fact, make investments in the processes to reduce that odor -- reduce those sources of odor and many of those have been completed over last 15 to 20 years -- I guess 15 years since that initial study was completed. Clint did mention a few of those that have been completed -- the largest being most recently with the headworks project where the city made a significant investment in enclosure of those odor causing processes, as well as putting in an activated bio-filter system. There have been another -- other similar movements and just anything we do at the wastewater plant we do take into consideration, you know, its impact on odor. So, it's with that information that we now look at where we are at today. We have been planning this odor study for the last couple of years to get ourself an updated analysis completed to see what that looks like. It is our opinion that we believe that with the investments we have made in technology at the facility that it's likely to have improved since the original study was completed back in 2004 and as Clint mentioned that if we were to kind of overlay this development recommendation, that -- over the old report that it would likely suggest that the risk of odor concerns that are lined out here with the development phasing plan, would -- would likely be an acceptable situation and we hope that that gets confirmed with the study that's underway. As Clint mentioned that study will be concluded here in the month of August. We anticipate preliminary results and something to talk off of by the end of September and look forward to that effort. We did not include noise as part of this study. It did not go show itself as a significant issue back in 2002 and we have not added any noise producing operations in our facility that we haven't consciously made efforts to muffle and enclose and do those kinds of things for noise as well. So, we chose not to include noise, but rather it's just an odor study at this point in time. We have engaged with Brighton and Quenzer on this property discussion some time ago as we looked to secure additional access to the wastewater facility and so one of our options continues to be some kind of access along Five Mile, whether it followed our pressure sewers from our Black Cat lift station on through or in this case, you know, the possibility of securing an access way from the proposed development and the roadway and the bridge that's being proposed here. So, we have had a lot of conversation over the last few years in terms of how this property would develop, what kind of access was going to be secured with it and whether or not we felt like it was going to offer the city adequate buffering space from the no odor standpoint in the odor study. We have had four odor complaints that we have registered at the wastewater facility in the last five years. All of those odor complaints are downwind, if you will, to the east and to the south of the wastewater treatment facility. We have had no complaints in the other directions and we have had two complaints in 2019, one I believe in '17 and one in '2016. So, we look at the developed areas to the east and to the south and we recognize that that appears to be -- even with the prevailing wind, you know, a pretty adequate buffering situation in those -- in those directions.

Simison: Council, any questions for Mr. Bolthouse?

Hoaglun: Mr. Mayor?

Simison: Councilman Hoaglun.

Hoaglun: Not a question, just a comment to back up the director's comments there right at the end. For 25 years I have lived directly due east of the plant and it's exactly a half mile -- not to the edge of the property, but to the waterworks itself. And there were times that during the year when you could -- you knew the plant was there and I have to say over the years it has gotten better and better and I can't tell you now when -- when was the last -- when the last time was that I smelled anything from the sewer plant. So, I think their mitigation efforts are helping and it certainly is not an issue where there is going to be a lot of -- a lot of complaints. They do a great job there. I can see, you know -- and the prevailing winds do tend to come from the northwest and west, so -- and occasionally the wind may shift, but certainly if they have laid out that buffer area and are going to explore that, I think that's -- that's a good thing. It's -- I think it's something they need to do, but with the way our plant's operated I'm fully confident they are not going to find much, so I'm optimistic about that just based on experience of living there and having that grow in -- in our neighborhood if you will.

Simison: Thank you, Mr. Hoaglun. Council, any further questions for the applicant?

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: So, Jon or Mike, whoever would like to respond to this. I want to start a conversation in a different direction regarding traffic movement on Black Cat, transportation in that area. A lot of the information in the ACHD final report was from earlier in 2020 and -- and prior years and I really don't feel like it reflected -- accurately reflects what is -- what is going to be happening along Black Cat with the many different applications that we have had this year. I think we approved three last week off of Black Cat, something like that, and so we -- we have a lot of residences coming in in a very, you know, short distance from one another. So, what I specifically was wanting to find out from you is did you have any conversations with ACHD regarding when their exact timeline is -- or more specific timeline for the widening of Black Cat between Ustick and McMillan? I know it's set in the -- the five year plan between '21 and '26. Have you received any information from them on when they are going to start design, sort of what the time frame is for that and how -- and, then, could you share with us how it relates to when you -- when your properties will be complete and ready for sale?

J.Wardle: Mr. Mayor, Council Member Perreault, thank for the question regarding transportation. We -- we know that is a -- very much a hot item everywhere. Fortunately, when we did -- and I can't talk to what's happened in the last couple months, but we did go through a full traffic study on this with ACHD, taking in all of the background of projects which are -- had been approved and in the pipeline to look at it. So, we -- we are aware that transportation is something that is very much on the top of everybody's mind. But you are correct that they -- this -- this segment of Black Cat is in their five year work program. I do not have a date in terms of when we will be looking at design. We -- we actually -- and we could probably go back to the previous exhibit that will show it, but we do control a lot of the frontage here all the way down to Ustick down. At this point in time

we are only bringing in a small portion of the project, so that we can start making these life safety connections across Five Mile Creek. We will have more robust conversations with them as well. There is a roundabout planned at this intersection. There are -- at the intersection -- at the half mile that we would be completing and working with them and I would anticipate we would also do a -- a cooperative development agreement to make these improvements as we are working on the project, so that we are not holding out a long period of time. Now, there is a quarter mile north of us, which we don't control, so we will have to have that conversation with ACHD on how to make that happen as well. So, we -- we very much are aware of the traffic situation and we will continue to work with ACHD like they have with other projects to expedite improvements as much as we possibly can.

Simison: Council, any further questions? This is a public hearing. Mr. Clerk, did we have anybody sign up to provide testimony on this item?

Johnson: Mr. Mayor, we had nobody sign up in advance.

Simison: Okay.

Johnson: We do have a hand raised.

Simison: Okay.

Johnson: That is Denise LaFever and she's coming in now.

Simison: Okay. Denise, if you can provide your name and address for the record and you will be recognized for three minutes. You will have to unmute yourself.

LaFever: Got it. My name is Denise LaFever. I'm at 6706 North Salvia Way. I do have some comments back. I was present at all the comp steering committee meetings and I took them seriously. On the day that the future land use map was discussed, Mr. Turnbull and Mr. Wardle were both there. I asked the committee to allow both of them to participate. The mixed use nonresidential that's -- that's shown on the application was later specifically discussed at a later meeting. The developers present voiced their concerns. The consultant, Brian and Caleb, based on comments from the city staff folks all held to keeping this area mixed use nonresidential due to the plant use not being compatible with residents. Residential complaints. And the biggest concern was future plant expansion. They held very strongly to keep it the way it was. In addition to that, I also have concern of just blanketly taking a C-G zoning without any idea or concept of what is going to be built there. That just really puts a real bite into what if they go back to it and want apartments, unless it's conditioned that there is no residential in there. What if the use is really high and now we didn't take into compact that -- take into consideration the additional liability that that may cause for this addition. In addition to that, on the north -- the northwest area, it wasn't really clear what that's going to be developed. Was that -- was that designated float -- floated to mixed use -- mixed use residential? Is that -- I just don't see -- I just don't see where it's really clear what these large chunks of lands

are going to be developed as, which causes a lot of angst for residents in the future, especially those residents that move in to those subdivisions that think that they are going to go back through and have something developed over there, only to find out that the use -- they think they moving into a subdivision and now all of a sudden they have storage or -- or a big commercial use or some other use that they weren't anticipating. I just don't think it's right for the residents. But, furthermore, this was discussed at length at our meeting and it was decided to keep this mixed use nonresidential. That's all I have to say.

Simison: Thank you. Council, any questions? All right. Seeing no one else on the call who would be able to testify to my knowledge and no one in the room, I will turn this over to Mr. Wardle for -- the other Mr. Wardle for closing comments.

J.Wardle: Mr. Mayor, again, Jon Wardle for the record. Thank you very much for the opportunity to testify. I -- candidly, yes, we were very much at the table during the comp plan discussions. We had submitted not only verbal conversations in those meetings, but also letters regarding this issue. We made a very concerted effort to go meet with Mr. Bolthouse and with Mr. Stewart regarding this issue. I think Mr. Bolthouse has already addressed this, but the location of the collector road that we are showing here really is where the city feels like this impact is -- we don't have an impact. So, the collector really is a good designation for this and that's why it's delineated exactly where it is. It provides over 900 feet from the corner as it exists currently from the wastewater treatment plant corner. So, we have not gone into this with -- with some level of understanding. We -- it was also stated to us at the time that the comp plan was going forward that the city wanted to initiate this odor study and, therefore, at that point they didn't want to make a change to that. So, what we are proposing here as part of this annexation and zoning request is to use the collector road as the point. East of it would be C-G. West of it would be residential. We -- we are committed to not proposing any residential on that until there is some sort of consensus as what the appropriate buffer should be on the wastewater treatment plant. And we also know that the city has recently acquired land directly north. There may be a portion of that that -- that truly needs to be the buffer and we understand that as well. So, there is conversations that need to happen, but the C-G zone is appropriate. There is a condition in there that holds very clearly that no residential uses can be proposed. That will be in the development agreement and we -- you know, we agree with that. There is more work to be done, but that C-G zone will come back to the city in the future and we will discuss the appropriate uses and any modification to the development agreement which would be appropriate at that time. We do request your approval. We are excited to be able to propose Quartet and to provide additional opportunities in Meridian, which is a great place to be. One of the things that's kind of overlooked here, but it's important where we have been very focused on with all of our communities is how do we connect people in a nonvehicular way. Five Mile Creek is -- is something that we control quite a bit of. The city controls Five Mile Creek and we are going to be able to create another regional pathway that will connect from Black Cat to Ten Mile where you have connections the other direction already. That's something that we probably should have talked about a little earlier, but that's a great community asset. Not just a Quartet asset, but a community asset for all of Meridian to continue these

regional pathway systems. We do request your approval of the Quartet projects and I would stand for any other questions you might have for me tonight.

Simison: Thank you. Council, any additional final questions for the applicant? Okay. Thank you, Mr. Wardle.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I would be happy to kick off a discussion or happy to close the public hearing, but we have had a bad track record of doing that, but looking around should we just discuss? So, I -- I think in my opinion I really would like -- if we move forward with this project for me to be comfortable I would need not only the completion of the odor study, but I really feel to be comfortable I would, then, need City Council approval on any future use for phase three with input from the Public Works Department. I just think that this location is critical -- an extra critical infrastructure and having their input on the configuration of buffer space is essential and we only have one chance to get it right. I wouldn't even be comfortable tying it to one of the other conditions. I think it should just be in blanket condition for City Council approval on any future use for phase three.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: The battery in my iPad is going to die, so I will share my comments before I maybe relocate back into Council Chambers. I really like the idea of this project. Brighton's got a good track record in our community, but, man, I -- I have some really strong reservations -- not even about phase three. There is elements of phase one and two that I think are -- are, frankly, too close to the wastewater treatment plant that without current updated data it's really hard for me to get on board with this project right now. I'm supportive of having a conversation about limiting anything in phase three. I appreciate what the applicant has done and relying on data and engaging Public Works early on, I just think that some of this is a little premature without a sound and -- and odor study being complete.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Yeah. I'm -- I'm less reticent about moving forward. From the standpoint where we have had Public Works engaged in this, we have had them out there -- there has been a previous odor study. Although it's been a while and it definitely needs to be updated and they feel comfortable with that -- where that boundary is to put out there and they are -- they are marking that off, they are not going to put any residential in that eastern part --

Simison: Councilman Hoaglun, it seems like they are having a hard time hearing you. Try a little less is more.

Hoaglun: A little less is more. How is that? Less is more? Can you hear me? Kind of?

Cavener: That's better.

Hoaglun: This is too much; right? How is this?

Cavener: Not great.

Hoaglun: How is this?

Cavener: Even worse.

Hoaglun: How is this? Better?

Cavener: Wonderful. Yeah.

Hoaglun: New Microphone. Okay. Yeah, they just wore out. I was just saying I'm less reticent about having this move forward from the standpoint that they have engaged Public Works, they looked at where the areas of impact could be -- possibly be. They have done previous odor studies. I would like to think Public Works, if it had concerns about this would have made certain that they would be known and -- and Mr. Bolthouse had talked about and gave us some background on -- on how it all transpired and whatnot. The technology at the facility, as I have experienced firsthand, has -- has improved tremendously and I think the covering of the -- the unit -- and I can't remember what it's called, the waterworks one, has -- has reduced some of that odor immensely. I mean we have Five Mile Creek right there and we have a -- our pathway system is going through that and we certainly don't want people -- what my son would call when he was three years old -- stink your nose. You know, hold your nose when you walk by. So, you know, we -- that's -- that's a city amenity. So, we know we have to make sure that that facility is operating well within tolerances of -- so people won't have to stink their nose and -- and that means people who live nearby and there is other development that's going to happen. The area around that is a -- is a commercial application, because we can feel comfortable that offices, warehouses, whatever is in those areas under our C-G zoning will be within -- well within means. They aren't going to be there at midnight and if there is a burb from a methane tank or something, whatever might happen, no one -- no one is going to notice that. So, I'm -- like I said, I'm less reticent. I mean I'm open to ideas on some of this, but I just don't have as much angst over it, but I'm willing to certainly discuss it further.

Simison: Council, my two cents for your consideration is -- you know, we often hear about people that buy a piece of property that expect a house -- they see an empty field and, then, they didn't know what's going to go in next to it. In this case we have a developer who will have a fully functioning wastewater treatment plant in operation where people will be purchasing a homes yet to be built and will have the opportunity to be on premise

first hand and see, hear, and smell before a single home is ever purchased. If that's not buyer beware I don't know what is and, quite frankly, I can't think that a developer is going to put homes in an area that are going to -- you know, knowingly before they are ever sold be -- be subject to those circumstances. Now, I could be wrong. Maybe there is a market for smelly homes that I'm not aware of, but I do think that sometimes common sense and practicality does weigh out and the, you know, future buyers of these homes have one hundred percent full disclosure of the situation, more so than a vacant field that may turn into something else that they don't like.

Cavener: Mr. Mayor?

Simison: Councilman Cavener.

Cavener: I -- I couldn't agree with you more. But, then, I -- I recall I think when I worked for the city watching what happened in the city of Nampa with the Lactalis Cheese Factory and development occurred around that and suddenly the people that moved around the cheese factory were upset about the noise and the smell coming out of the cheese factory. The piece that causes me pause is that we are not done building the WRRF. As Meridian grows and expands so, too, will our need to expand out on that campus and we know that citizens will have an expectation based on when they move out there, but any changes or shifts I think will likely be met with a lot of public resistance that I just don't think is appropriate. So, I hear you and I think that you are correct, although other municipalities where the public would understand, haven't necessarily come to that same conclusion.

Perreault: Mr. Mayor?

Simison: Council Woman Perreault.

Perreault: I -- I think I'm tracking mostly with my fellow Council Members' concerns, but I want to throw a couple of -- of things out there. First of all, there is -- there is a lot of residential already built around the existing treatment plant to the east. All along Ten Mile there is -- there is a lot of -- of subdivisions and residences already there and I trust that Mr. Bolthouse when he says that they have had four complaints in the last five years, that he's done his research on that and that there would have been more complaints from those residents that will be just as close -- or that will be about the distance, probably, as the residences on the east side of Ten Mile. We already know that people live in and near the plant -- the plant as it is and that we can use that information as a -- that history as an indication of what the public's concerns are regarding the wastewater treatment plant. In addition, we still live in a rural agricultural area and I don't know if you have ever lived downwind from a dairy, but it smells a heck of a lot worse than a wastewater treatment plant does and we are not having conversations about whether we are building -- we are building subdivisions next to dairies or building subdivisions next to cattle ranches or building subdivisions on old potato fields. So, I'm not trying to be Devil's advocate, but, truly, I mean -- I under -- I do understand the concerns, but it's kind of like, okay, if we are going to have these discussions for this applicant about the wastewater treatment plant, then, we need to be having other discussions about other uses that are creating just as

much of an issue with -- with smell. So, I would say I -- I agree with the Mayor in terms of -- from a real estate standpoint the wastewater treatment plant is existing. There is nothing between this and there is nothing that -- that the consumer would be unaware of going into this and now for the individual who did live in -- in subdivisions 15 years ago and didn't know that -- that Meridian was going to expand, didn't know that there was going to be an additional 40 acres that were purchased to make -- you know, to grow that wastewater treatment plant, that's a different story. At that time there was no way to know. But now that information is going to be available to everybody that comes through there. So, I'm not saying that as a -- specifically advocating for approval of this, because my concerns are very much surrounding the traffic and transportation in that area. I have lived off of Black Cat for 11 years, I have seen the changes that have happened and my -- my primary concern is that we will create a similar situation to what's happening on -- near Century Farm, which is another Brighton community right there on Taconic where we have one subdivision on the east side of the road, we have another subdivision on the west side of the road and we have what is slated to be a roundabout in between, which currently there is nothing in between, it's just a -- a HAWK signal I think it what's out there. And so I'm very concerned that we are going to create that same scenario between what's existing on the east side and the future site that will exist on the west side and that we are going to be back having conversations just like we have been having over and over and over again with Sky Mesa and Century Farm on a two lane rural road where we have a lot of traffic coming in and out of there on a daily basis and there are safety concerns and there is concerns about kids getting to school, because we have an elementary school going in on the east side of Black Cat and all these new developments coming in on the west side of Black Cat where there is no crossing across Black Cat whatsoever and there is already Coleman Homes going in there on the west side. The Oaks is expanding. We have more -- we have an entire -- there is 700 homes in the Oaks North. There is a couple of more subdivisions that are slated for that area with absolutely no crossing for our elementary school kids to go into Pleasant View. Those are the kind of concerns that I'm really having with this application, more so than -- than the wastewater treatment plant, because those are things that -- that -- that a homeowner or home buyer can know.

Simison: And if Council Woman Perreault just opened up the conversation about roundabouts, let's go. I'm ready for that one.

Perreault: Let's not. It's 10:30 at night. Mr. Mayor, follow up.

Simison: Council Woman Perreault.

Perreault: It seems we oftentimes comes back to this conversation about is it fair to deny or to continue or hold off on a particular application, because we will -- when we didn't hold off on other prior applications because of transportation challenges and we -- we have this conversation really frequently -- it's a conversation about transportation, the conversation we have about schools, which is why we are doing an awesome job with -- with getting more staffing to help manage the city concerns. But, honestly, I'm aware of the -- the fact that it is a challenge to decide where do we stop, where do we draw that

line, what's safe, what's not safe. And I understand all applicant concerns when we start having conversations about how many is too many when past ones have been approved and -- approved and, yet, it doesn't seem like the highway district is -- is -- you know, is -- gives a report where the traffic concerns are going to be worse than D or E or whatever -- whatever the -- that -- you know, whatever the requirement is to -- to do the widening prior to having more residences come in.

Hoaglund: Mr. Mayor?

Simison: Councilman Borton.

Borton: One of the -- the remarks Council Woman Strader had an idea that -- that had great merit with regards to phase three I think. I'm comfortable moving forward on this application. But I think that suggestion of the standalone DA provision that -- that required what it sounded like -- might confirm it if that's correct. It sounded like whatever future use would be contemplated on phase three, that would -- the DA provision would be written to require that to come back to City Council for ultimate approval. You would work it out with Public Works and staff and -- but, nonetheless, the ultimate decision of what would go in phase three and how it would go in phase three, that portion, that would come back for a future Council in the form of a DA modification request to permit that specific use to be determined at that time. I think that's what I heard and if that were to be the way that condition would go forward, Mike, is that something that you would be supportive of? Or comfortable with? Living with?

J.Wardle: Mr. Mayor, we have got a question directed at us. The simple answer, Councilman Borton, is, yes, we would be comfortable bringing back -- back to you specifically on the C-G zoned parcel -- we keep saying phase three, but the C-G zoned parcel, we would work it out with Public Works and we would come back and the City Council would have an opportunity to review that as well.

Borton: Thanks, Mike. I think that's what I heard and I think --

Simison: Jon. You said Mike, but it's Jon.

Borton: Oh, Jon. Sorry. I'm just reading. It's late.

J.Wardle: I have been called worse.

Borton: I apologize.

J.Wardle: No need to apologize. It's all the same.

Borton: Thank you for clarifying that, so --

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I move that we close the public hearing on this application.

Borton: Second.

Simison: I have a motion and a second to close the public hearing. Is there any discussion on the motion?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: Is this closing the public hearing on both of the applications?

Simison: It would be if the first makes that so and the second agrees.

Borton: Second agrees.

Strader: I agree. Close the public hearing on both.

Simison: Okay. All those in favor signify by saying aye. Opposed nay. The ayes have it.

MOTION CARRIED: FIVE AYES. ONE RECUSED.

Strader: Mr. Mayor?

Simison: Council Woman Strader.

Strader: I want to give this a try and I'm counting on Councilman Borton to correct me if I go astray. All right. After considering all staff, applicant, and public testimony, I move to approve file number H-2020-0017 and H-2022-0018 as presented in the staff report for the hearing date of July 28th, 2020, with the following two additional conditions. Number one, that the noise -- that the odor study is determined prior to the development of these three. To determine if residential uses are appropriate in the area currently designated mixed use nonresidential and the second condition that the approval of City Council will be required for any future use for the C-G zoned parcel and that we will take into account input from the Public Works Department and other city staff at that time.

Borton: Second.

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

Nary: Mr. Mayor? Mr. Mayor, Members of the Council, Council Woman Strader, I think both section and references need to be C-G zoned parcel, rather than to phase three. But other than that I think that's fine.

Hoaglund: Mr. Mayor?

Strader: I agree and will amend the motion.

Simison: Does the maker of the motion agree with Mr. Nary --

Borton: Second agrees.

Simison: Second agrees. Councilman Hoaglund.

Hoaglund: Mr. Mayor, I just want to make sure I heard correctly. Was that the noise study or odor study?

Strader: Odor.

Hoaglund: Odor study. Thank you.

Simison: Is there any discussion on the motion?

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: Just -- just kind of a brief comment. I -- this applicant's done great work in our community for a while and we belabor the point a bit, but fully trust that the applicant understands the intent of the city and the desire and concern on the buffer consideration. So, we appreciate the -- kind of the cooperative commitment that you have made to continue that with that intent. It's much appreciated.

Hoaglund: Agreed.

Simison: Any further discussion?

Allen: Mr. Mayor, may I clarify the motion, please?

Simison: Yes, you may.

Allen: Odor study prior to development of phase three and that is the residential portion in the mixed use nonresidential designated area on the west side of the collector we are referencing; correct?

Strader: Yes.

Allen: And, then, that would not require a modification to the development agreement, that would just require the odor study prior to development to ensure residential uses are appropriate in that area; correct?

Johnson: Mr. Mayor, it looks like they are having difficulty hearing us. You want to come back in the room I think we -- we can shift you in there if you need to speak again, but otherwise --

Hoaglund: Mr. Mayor, question for Sonya on that. Did you say west side of the collector?

Allen: Yeah. There has been a bunch of discussion about phase three and the commercial portion of the development. I just want to make sure we are all on the same page. So, phase three is the residential portion of the development on the west side of the collection street. The commercial is on the east side of the collector street and it's not shown on the phasing plan as a phase. So, if -- if the concern is that the proposed residential uses in the mixed use nonresidential designated area on the west side of collector, the odor study is shown to impact that area, then, that's what I'm asking. Or is it the commercial portion you are talking about?

Strader: Mr. Mayor, can I clarify my motion?

Simison: Yes. Go to the maker of the motion, please, to clarify. Council Woman Strader.

Strader: Okay. I will give it a try. So, my rationale is that the residential portion of phase three is slightly inside of the 900 to 1,000 foot buffer and so my thought was that we need the odor study to move forward on phase three and that we need the odor study to also move forward on any other uses that are not in phases one and two. If that makes sense. And, then, further that the city would approve any future use for the C-G zone as a separate condition. Does that make sense? I will look to Councilman Borton if I'm tracking there.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I think that -- I thought we were -- we were framing the -- the limitation on future development to the C-G zone and C-G zone was that portion of this project to the east of the collector road and that -- so, that portion of the C-G zone would have a DA limitation preventing any future development until the odor study is completed and a DA mod application is filed specifying here is what we intend to do in light of those results and any other data that we have.

Simison: So, it sounds like the first and the second are not in alignment as to the motion at this point in time.

Borton: That's why you have to clarify it.

Simison: So, I guess I would go either to the maker of the motion to say if she wants to stick with her viewpoint or if the second wants to retract his second if it -- if she believes phase three of what we just saw should not move forward. Council Woman Strader.

Strader: So, the way I look at it would be that phase three is closer to the area of concern, but I'm okay with moving forward with just having the odor study for the -- I mean I -- I'm not going to fall on my sword over that point. Because I get that we are more comfortable. I just needed that phase three is phase three for a reason and we need to have that input from the odor study.

Hoaglund: Mr. Mayor? I was --

Allen: Mr. Mayor, if I could clarify. Mr. Borton, the -- the C-G portion is -- is right here, if you can see my cursor. The phase three -- the C-G portion is not included on the phasing plan. So, that was the clarification I was making. And approximately -- if you look at the residential area that they are proposing here on the phases one and three, there is -- if you look at the future land use map that's the -- the brown area is the mixed use nonresidential designated area. So, what I understand is that the -- the Council would like to have the development agreement modified prior to any development occurring in the C-G zoned portion of the site to include a development plan.

Borton: Mr. Mayor?

Simison: Councilman Borton.

Borton: I think that's correct and maybe the motion and the second weren't aligned on that issue, but I think the first part, which is -- it's my mistake to -- I think I missed the additional limitation on phase three development, so -- maybe we can make the motion again and we will -- we will clarify it. I apologize, I might have created confusion.

Strader: Mr. Mayor?

Simison: So, from a process standpoint --

Strader: Shall I try again or --

Simison: Would you like to -- would the second and first take away their motion and we try it one more time.

Borton: Do it.

Simison: Okay. We will make it so. All right. Council Woman Strader, do you want to take another crack at it?

Strader: I think so. So, after considering all staff, applicant, and public testimony, I move to approve files H-2020-0017 and H-2020-0018 as presented in the staff report for the

hearing date of July 28, 2020, with the following additional two conditions. The first condition being that the odor study should be completed prior to development of phase three to determine if residential uses are appropriate in the area currently designated mixed use-residential and that the second condition that the approval of City Council will be required for any future use in the C-G part of the parcel. The parcels.

Borton: Second.

Simison: I have a motion and a second. To my untrained ear that seemed like the same motion as the first one, phase three limitations, so is it -- was that clear? Because -- is the C-G part of phase three or not? So, we are back at the same place we were in the first motion, just so we are clear.

Hoaglund: Mr. Mayor, if I might ask Council Woman Strader on that first one that the odor study be completed before phase three construction can begin and, then, there was a second part to it and my brain was starting to cogitate on that and, then, you had a second part to that first -- first bullet point.

Strader: I think there is just two conditions. The first condition is the one that was in the -- in the staff report or the hearing outline, which is requiring the odor study to be completed for the development of phase three and, then, separately the condition that City Council approve any future use for the C-G zone, which is the area outside of the first three phases, with the thought behind that being that we need the Public Works Department to opine on the configuration of adequate buffer space around the wastewater treatment plant.

Hoaglund: So, yeah, Mr. Mayor, that -- to me that seems like, okay, they do the odor study and if things are fine, phase three just goes on as planned, but if they find issues that might -- that boundary might have to change slightly if they -- if they find something that that occurs. Thank you.

Strader: Mr. Mayor?

Simison: Is there further discussion on the motion?

Allen: Mr. Mayor, further clarification on Mr. Hoaglund's comment just now. If the odor study -- prior to development of phase three determines that residential uses will be impacted in the mixed use nonresidential designated area on the west side of the collector, would that require a modification to the development agreement at that time? I would assume to change the development plan for that area.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglun: Sonya raises a good point. I think we would have to have a mechanism in place to -- to allow that to -- to happen.

Borton: Mr. Nary?

Nary: Mr. Mayor, Members of the Council, probably the easiest way I can think of is -- the purpose of the odor study is to determine where the residential line can be. So, that's going to take both consultant, city, and adjoining property owners to participate. So, they are all going to know where the line is going to be, so the -- the line -- and I think Mr. Borton brought this up earlier. What's the trigger to move that line then? So, if the -- if the -- if the condition in the development agreement is that the odor study is completed and will allow residential use in phase three as depicted, then, they can proceed. If it won't allow residential units in any part of phase three, they will have to come back for a modification. So, they can't proceed with phase three if it doesn't allow for all of it to be residential, because there -- as Council Woman Strader pointed out, a small portion of that is in the area that's previously designated as mixed use nonresidential.

Simison: Council, further --

Strader: Mr. Mayor?

Simison: Yes, Council Woman Strader.

Strader: I guess I would just amend my motion slightly taking into account Mr. Nary's feedback that they complete -- that the phase three study is required to allow residential uses and if the city staff and the report and others do not agree, then, they would have to come back for a development modification and if this doesn't work, I'm giving up and Mr. Borton can try.

Simison: Does the second agree with that modification?

Borton: Second agrees.

Simison: Second agrees. Is there further discussion on the motion? If not, clerk will call the roll.

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

Simison: All ayes. Motion carries.

MOTION CARRIED: FIVE AYES. ONE RECUSE.

Item 7: Ordinances [Action Item]

A. Ordinance No. 20-1886: An Ordinance (H-2020-0030 – McKay

Farms Subdivision) for Annexation of a Parcel Located in the NE of the SE ¼ of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, as 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 10.501 Acres of Land From RUT to R-8 (Medium Density Residential) Zoning District in the Meridian City Code; Providing That Copies of This Ordinance Shall Be Filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as Required by Law; and Providing for a Summary of the Ordinance; and Providing for a Waiver of the Reading Rules; and Providing an Effective Date

Simison: We will move on to 7-A, Ordinance No. 20-1886 -- and I'm tired -- and I will ask the Clerk to read this ordinance by title.

Johnson: Thank you, Mr. Mayor. This is an ordinance related to H-2020-0030. McKay Farm Subdivision for annexation of a parcel located in the NE 1/4 of the SE 1/4 of Section 32, Township 3 North, Range 1 East, Boise Meridian, Ada County, Idaho, as 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 10.501 acres of land from RUT to R-8 (Medium Density Residential) Zoning District in the Meridian City Code; providing that copies of this ordinance shall be filed with the Ada County Assessor, the Ada County Recorder, and the Idaho State Tax Commission, as required by law; and providing for a summary of the ordinance; and providing for a waiver of the reading rules; and providing an effective date.

Simison: Thank you. You have heard this ordinance read by title. Is there anyone present who would like it read in its entirety? Seeing and hearing no one with that request, do I have a motion?

Hoaglund: Mr. Mayor?

Perreault: Mr. Mayor?

Hoaglund: Oh, go ahead.

Perreault: I move we approve Ordinance No. 20-1886 with the suspension of rules.

Hoaglund: Second the motion.

Strader: Second.

Simison: I have a motion and a second to approve Ordinance No. 20-1886 under suspension of the rules. Is there any discussion on the motion? If not, all those in favor say signify by saying aye. Those opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Item 8: Development Agreements [Action Items]

A. Development Agreement for McKay Farm Subdivision (H-2020-0030) with HBU Investments, LLC (Owner) and Fairbourne Development, LLC (Developer), Located at 5875 S. Eagle Rd.

Simison: Item 8-A, development agreement for McKay Farm Subdivision, H-2020-0030.

Johnson: Mr. Mayor, typically this is on the Consent Agenda.

Simison: Right.

Johnson: Between Mr. Nary and I we had some confusion and moved it after the annexation, when, indeed, it should have actually come before. So, this just requires a motion and approval.

Simison: So, do I have a motion for this item?

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move approval of the development agreement for McKay Farm Subdivision, H-2020-0030.

Strader: Second.

Simison: I have a motion and a second to approve Item 8-A. Is there discussion on the motion? If not, all those in favor signify by saying aye. Those opposed nay. The ayes have it.

MOTION CARRIED: ALL AYES.

Item 9: Future Meeting Topics

Simison: Is there any item for No. 9 under future meeting topics?

Item 10 [Amended on to Agenda]: Executive Session per Idaho Code 74-206A(1)(a) To deliberate on a labor contract offer or to formulate a counteroffer

Simison: If not, we will move on to Item 10.

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I move that we go into Executive Session per Idaho State Code 74-2064(1)(a).

Borton: Second.

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

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

Simison: All ayes. Motion carries.

MOTION CARRIED: ALL AYES.

EXECUTIVE SESSION: (10:59 p.m. to 11:38 p.m.)

Hoaglund: Mr. Mayor?

Simison: Councilman Hoaglund.

Hoaglund: I make a motion to come out of Executive Session.

Cavener: Second.

Simison: Motion and second to come out of Executive Session. Any discussion on the motion? If not, all those in favor signify by saying aye. The ayes have it. We are out of Executive Session.

MOTION CARRIED: FOUR AYES. TWO ABSENT (Perreault. Bernt).

Hoaglund: Mr. Mayor, I move to adjourn the meeting.

Cavener: Second.

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

MOTION CARRIED: FOUR AYES. TWO ABSENT (Perreault. Bernt).

MEETING ADJOURNED AT 11:38 P.M.

(AUDIO RECORDING ON FILE OF THESE PROCEEDINGS)

MAYOR ROBERT SIMISON

_____/_____/_____
DATE APPROVED

ATTEST:

CHRIS JOHNSON - CITY CLERK



AGENDA ITEM

ITEM TOPIC: Final Order for Allmon Subdivision (H-2020-0071) by Dean Waite, Todd Campbell Construction, Inc., Located at 5875 and 5885 N. Locust Grove Rd.

BEFORE THE MERIDIAN CITY COUNCIL

**HEARING DATE: JULY 28, 2020
ORDER APPROVAL DATE: AUGUST 11, 2020**

**IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 33 BUILDING)
LOTS AND 4 COMMON LOTS ON)
9.91 ACRES OF LAND IN THE R-8)
ZONING DISTRICT FOR ALLMON)
SUBDIVISION.)
)
**BY: TODD CAMPBELL)
CONSTRUCTION, INC.)
APPLICANT)**
_____)
)**

**CASE NO. H-2020-0071
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT**

This matter coming before the City Council on July 28, 2020 for final plat approval pursuant to Unified Development Code (UDC) 11-6B-3 and the Council finding that the Administrative Review is complete by the Planning and Development Services Divisions of the Community Development Department, to the Mayor and Council, and the Council having considered the requirements of the preliminary plat, the Council takes the following action:

IT IS HEREBY ORDERED THAT:

1. The Final Plat of “PLAT SHOWING ALLMON SUBDIVISION, BEING 5875 AND 5885 NORTH LOCUST GROVE ROAD, SITUATE IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 30, TOWNSHIP 4 NORTH, RANGE 1 EAST, BOISE MERIDIAN, CITY OF

MERIDIAN, ADA COUNTY, IDAHO, 2020, HANDWRITTEN DATE:

1/3/2020, by JOSEPH D. CANNING, PLS, SHEET 1 OF 4,” is conditionally approved subject to those conditions of Staff as set forth in the staff report to the Mayor and City Council from the Planning and Development Services divisions of the Community Development Department dated July 28, 2020, a true and correct copy of which is attached hereto marked “Exhibit A” and by this reference incorporated herein, and the response letter from Dean Waite, Todd Campbell Construction, Inc., a true and correct copy of which is attached hereto marked “Exhibit B” and by this reference incorporated herein.

- 2. The final plat upon which there is contained the certification and signature of the City Clerk and the City Engineer verifying that the plat meets the City’s requirements shall be signed only at such time as:
 - 2.1 The plat dimensions are approved by the City Engineer; and
 - 2.2 The City Engineer has verified that all off-site improvements are completed and/or the appropriate letter of credit or cash surety has been issued guaranteeing the completion of off-site and required on-site improvements.

NOTICE OF FINAL ACTION

AND RIGHT TO REGULATORY TAKINGS ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code § 67-8003, the Owner may request a regulatory taking analysis. Such request must be in writing, and must be filed with the City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at

issue. A request for a regulatory takings analysis will toll the time period within which a Petition for Judicial Review may be filed.

Please take notice that this is a final action of the governing body of the City of Meridian, pursuant to Idaho Code § 67-6521. An affected person being a person who has an interest in real property which may be adversely affected by this decision may, within twenty-eight (28) days after the date of this decision and order, seek a judicial review pursuant to Idaho Code § 67-52.

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

By:

Robert Simison
Mayor, City of Meridian

Attest:

Chris Johnson
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By: _____ Dated: _____

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



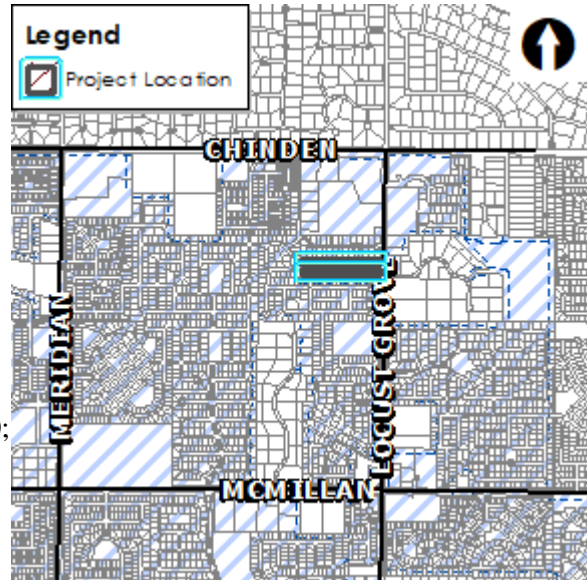
HEARING DATE: 7/28/2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0071
Allmon Subdivision

LOCATION: 5885 & 5875 N. Locust Grove Rd.
(Parcel #S0530142200 & #S0530142050;
NE ¼ of Section 30, T.4N., R.1E.)



I. PROJECT DESCRIPTION

Final plat consisting of 33 buildable lots and 4 common lots on 9.91 acres of land in the R-8 zoning district.

II. APPLICANT INFORMATION

- A. Applicant:
Dean Waite, Todd Campbell Construction, Inc. – PO Box 140298, Boise, ID 83714
- B. Owner:
TBC Land Holding – PO Box 140298, Boise, ID 83714
- C. Representative:
Same as Applicant

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2019-0135) in accord with the requirements listed in UDC 11-6B-3C.2.

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Staff has reviewed the proposed plat and the number of

Item #3.

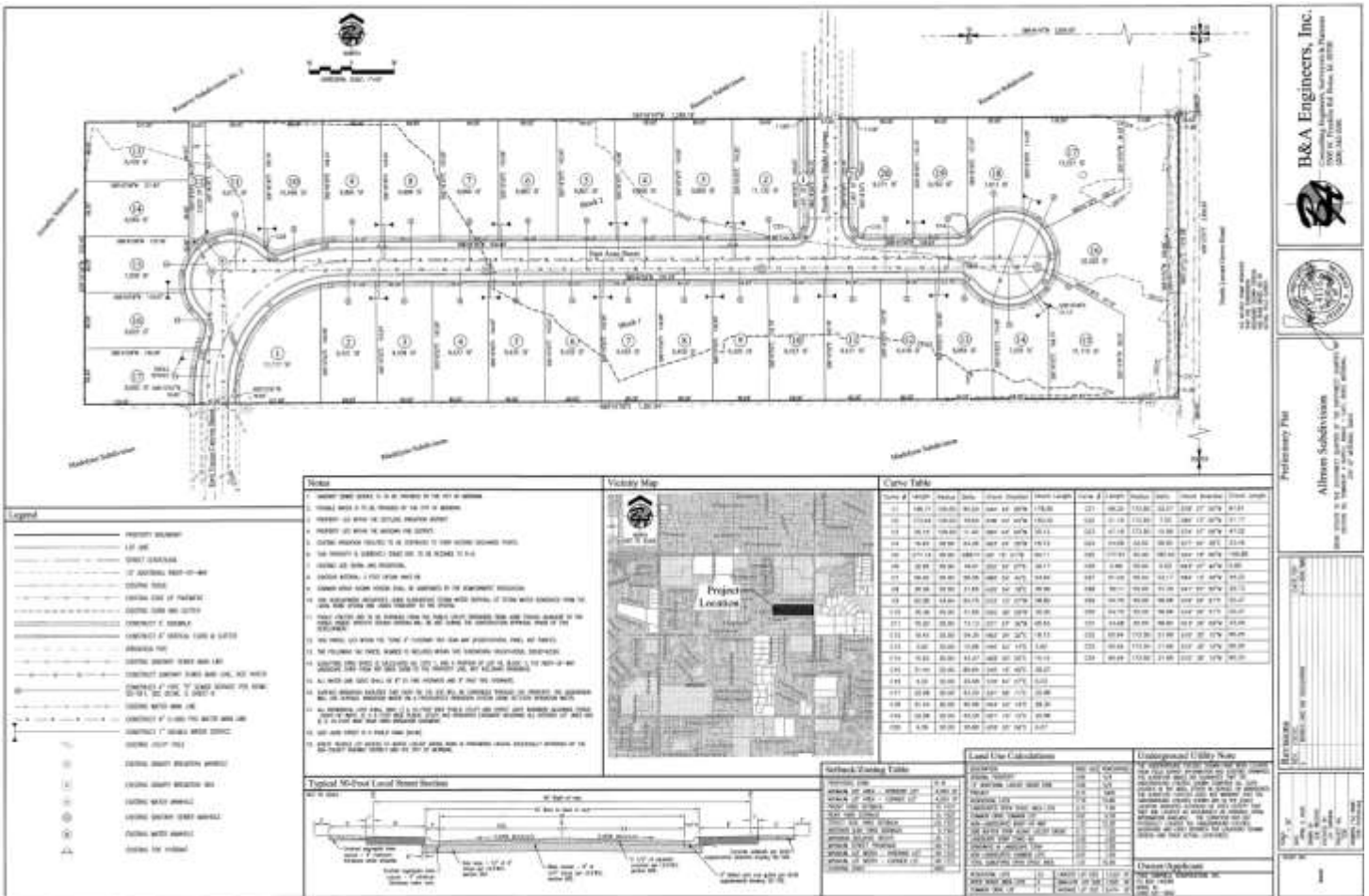
buildable lots and common open space is the same; therefore, Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

IV. DECISION

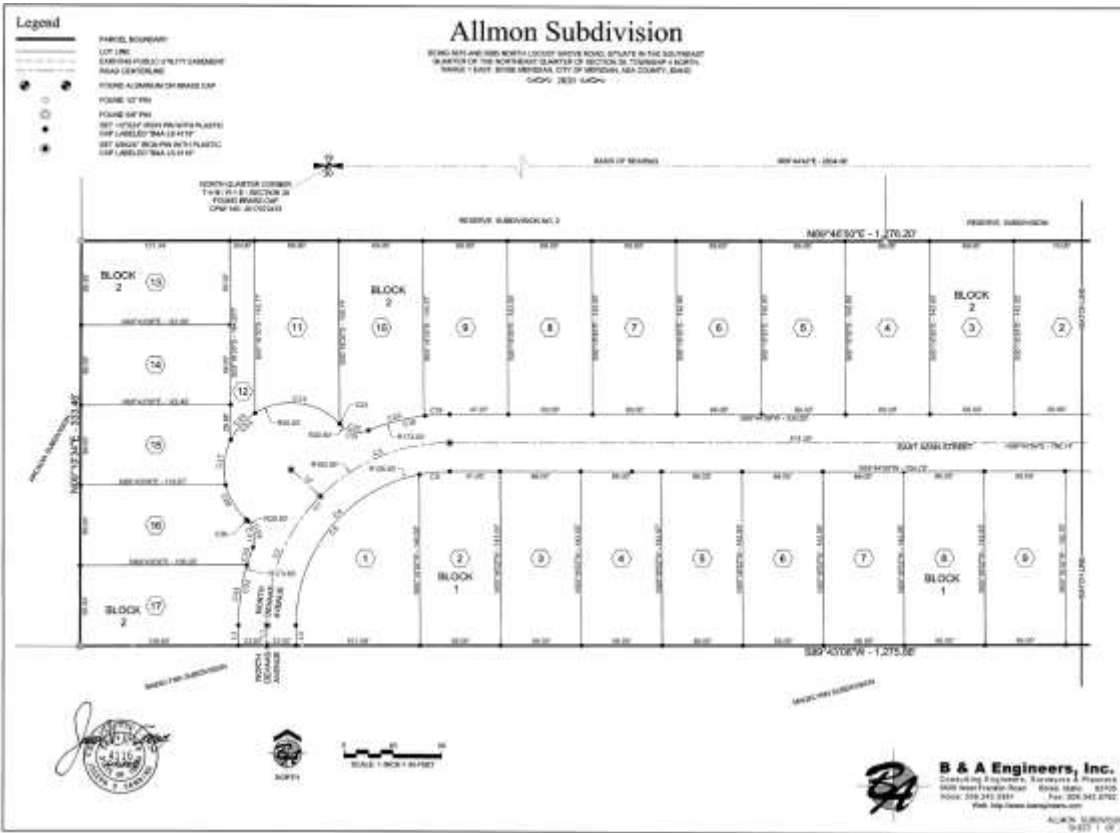
Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

V. EXHIBITS

A. Preliminary Plat (dated: 4/30/2020)

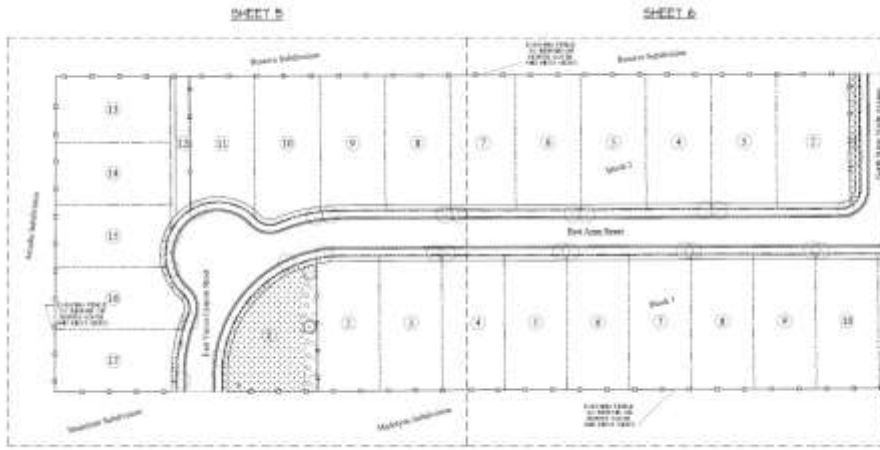


B. Final Plat (dated: 6/30/20)



Item #3.

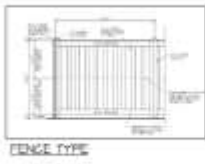
C. Landscape Plan (dated: 07/20/2020) & Site Amenity Details



**ALLMON
SUBDIVISION**

**TODD CAMPBELL
CONSTRUCTION**
P.O. BOX 18288 MOBE, IDAHO 83414 308-941-6807

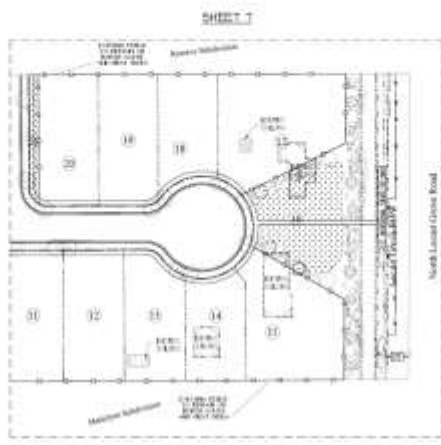
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FENCE TYPE
WOOD FENCE
WOODSCAPES FLAT
FLAGSTONE GRAY 108-104
(5PBC25)

PLANT SCHEDULE		DATE	REVISION
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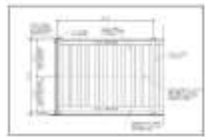
LANDSCAPE PLAN
SCALE 1/8" = 1'-0"



**ALLMON
SUBDIVISION**

**TODD CAMPBELL
CONSTRUCTION**
P.O. BOX 18288 MOBE, IDAHO 83414 308-941-6807

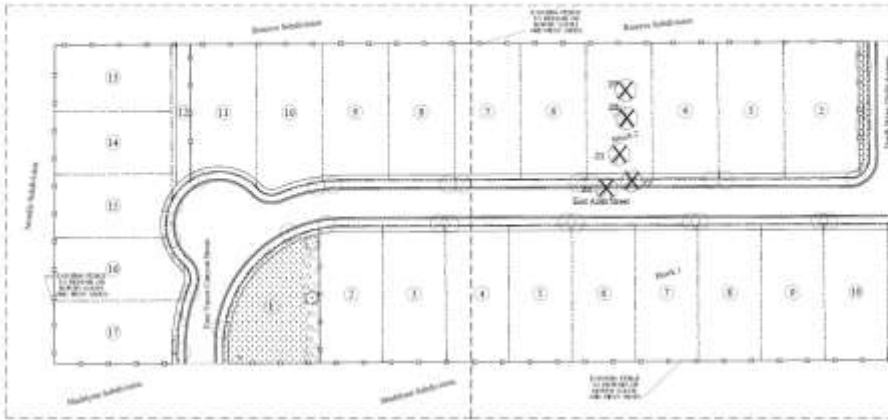
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FENCE TYPE
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WOODSCAPES FLAT
FLAGSTONE GRAY 108-104
(5PBC25)

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LANDSCAPE PLAN
SCALE 1/8" = 1'-0"



**ALLMON
SUBDIVISION**

**TODD CAMPBELL
CONSTRUCTION**

P.O. BOX 184258 - BEEBE, IDAHO 83416 208-941-9827

3

PLANT	QUANTITY	DATE	BY	CHECKED	DATE

LANDSCAPE CALCULATIONS TABLE

STREET	LF WIDTH	NUMBER	# OF TREES	# OF PLANTS
WESTERN BLVD	40	2	1	1
CHERRY	40	2	1	1
CHERRY	40	2	1	1
CHERRY	40	2	1	1
CHERRY	40	2	1	1
CHERRY	40	2	1	1
CHERRY	40	2	1	1

LANDSCAPE REQUIREMENTS

ITEM	REQUIRED	PROVIDED	UNFILLED
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0

TREE MITIGATION NOTES

- 1. THE EXISTING TREES TO BE REMOVED THAT REQUIRE MITIGATION ARE AS FOLLOWS FROM THE SITE AND NOTED ON PLAN AND EXISTING TREE LEGEND.
- 2. THE METHOD OF MITIGATION WILL BE TO USE THE PROPOSED NEW TREES THAT ARE OVER THE CITY REQUIREMENTS AND THE PROPOSED EXISTING TREES AS AT 2 CALLED THE RESULTS IN AN ADDITIONAL 16 CALIPER INCHES NOT INCLUDING THE CALIPER INCHES OF THE REQUIRED PROPOSED TREES AND REQUIRED EXISTING TREES.
- 3. TOTAL CALIPER INCHES REQUIRED FOR MITIGATION = 45 CALIPER INCHES.

LANDSCAPE LEGEND

- X EXISTING STRUCTURE TO BE REMOVED
- X EXISTING TREE TO BE REMOVED

EXISTING TREE AND REMEDIATION PLAN
SCALE: 1/8" = 1' - 0"

LANDSCAPE CALCULATIONS TABLE

STREET	LF WIDTH	NUMBER	# OF TREES	# OF PLANTS

LANDSCAPE REQUIREMENTS

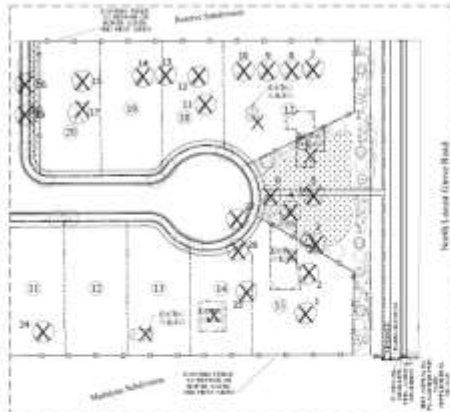
ITEM	REQUIRED	PROVIDED	UNFILLED
MINIMUM	1	1	0
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MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0
MINIMUM	1	1	0

LANDSCAPE LEGEND

- X EXISTING STRUCTURE TO BE REMOVED
- X EXISTING TREE TO BE REMOVED

TREE MITIGATION NOTES

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**ALLMON
SUBDIVISION**

**TODD CAMPBELL
CONSTRUCTION**

P.O. BOX 184258 - BEEBE, IDAHO 83416 208-941-9827

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PLANT	QUANTITY	DATE	BY	CHECKED	DATE

SETBACK/ZONING TABLE

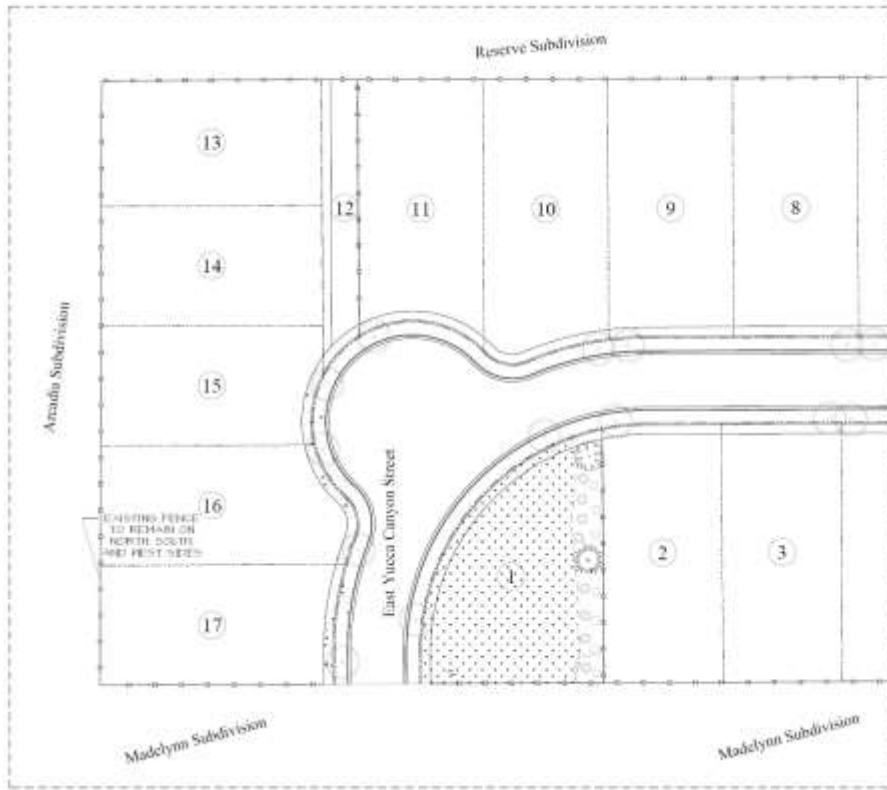
PROPOSED ZONE	R.S.	DESCRIPTION	AREA (ACRES)	PERCENTAGE
RESIDENTIAL LOT AREA - INTERIOR LOT	4,000 SF	RESIDENTIAL LOT	3.88	100%
RESIDENTIAL LOT AREA - INTERIOR LOT	4,000 SF	RESIDENTIAL LOT	1.35	17.7%
RESIDENTIAL LOT AREA - INTERIOR LOT	11,000 SF	OPEN SPACE AREA - LOTS	1.75	17.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	12,000 SF	ROAD / PARK / PARK	1.12	11.1%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%

LAND USE CALCULATIONS

PROPOSED ZONE	R.S.	DESCRIPTION	AREA (ACRES)	PERCENTAGE
RESIDENTIAL LOT AREA - INTERIOR LOT	4,000 SF	RESIDENTIAL LOT	3.88	100%
RESIDENTIAL LOT AREA - INTERIOR LOT	4,000 SF	RESIDENTIAL LOT	1.35	17.7%
RESIDENTIAL LOT AREA - INTERIOR LOT	11,000 SF	OPEN SPACE AREA - LOTS	1.75	17.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	12,000 SF	ROAD / PARK / PARK	1.12	11.1%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%
RESIDENTIAL LOT AREA - INTERIOR LOT	30,000 SF	LANDSCAPE / PARK	0.42	4.8%

EXISTING TREE AND REMEDIATION PLAN
SCALE: 1/8" = 1' - 0"

Item #3.



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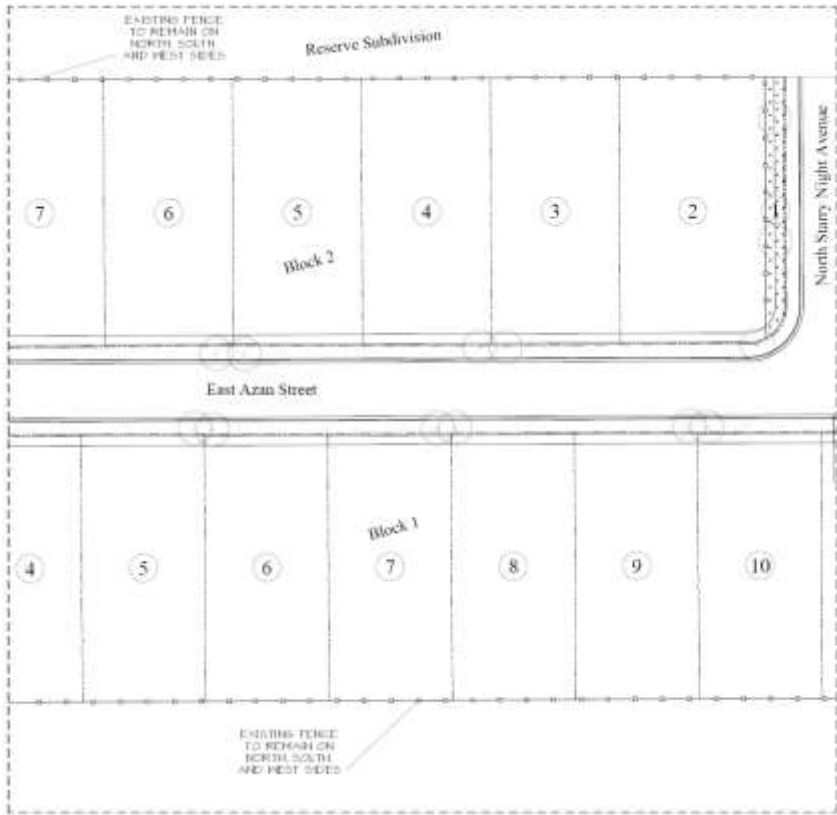
LANDSCAPE PLAN SHEET 1
SCALE: 1/8" = 1'-0"

ALLMON SUBDIVISION

TODD CAMPBELL
CONSTRUCTION

P.O. BOX 14228 IRVINE, CALIFORNIA 92614-0228

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PLANT SCHEDULE	
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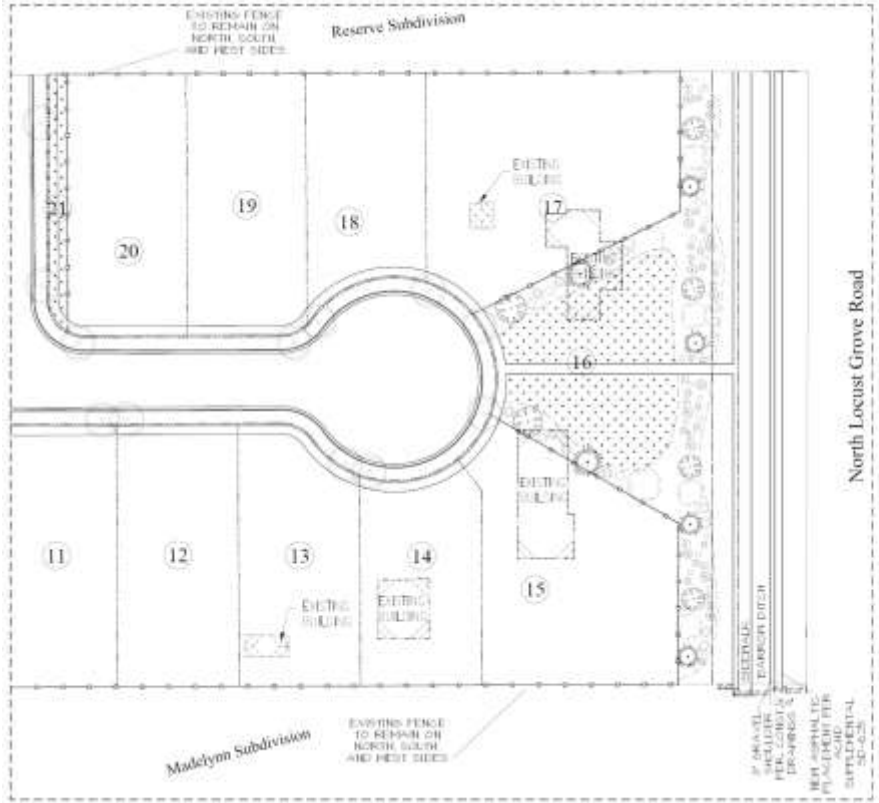
LANDSCAPE PLAN SHEET 2
SCALE: 1/8" = 1'-0"

ALLMON SUBDIVISION

TODD CAMPBELL
CONSTRUCTION

P.O. BOX 14228 IRVINE, CALIFORNIA 92614-0228

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NO.	PLANT NAME	QUANTITY	NOTES
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TOTAL			

ALLMON SUBDIVISION

TODD CAMPBELL
CONSTRUCTION
P.O. BOX 14028 BOSSA, IDAHO 83714 208-992-8987

7

GENERAL LANDSCAPE NOTES - DESIGN REVIEW AGENCY SUBMITTAL

1. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.
2. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.
3. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.
4. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.
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15. ALL PLANTINGS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.

AGENCY/LANDSCAPE NOTES

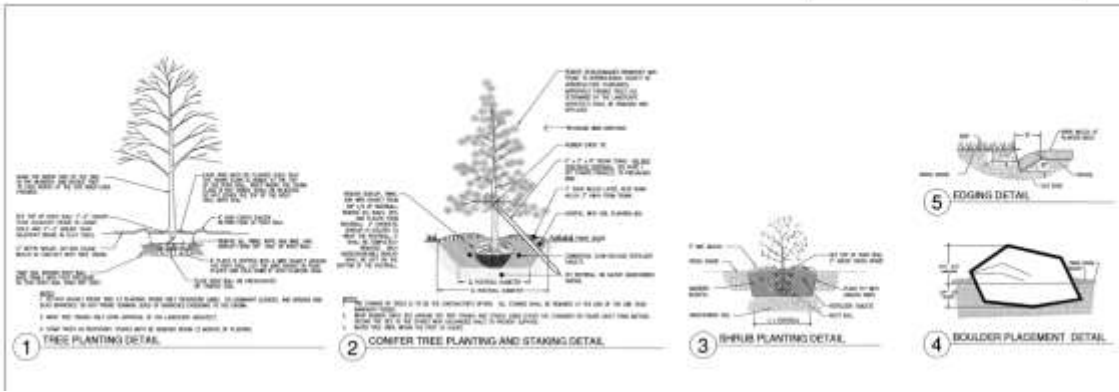
GENERAL IRRIGATION NOTES - AGENCY SUBMITTAL

1. ALL IRRIGATION SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.
2. ALL IRRIGATION SYSTEMS SHALL BE INSTALLED AND MAINTAINED IN ACCORDANCE WITH THE IRRIGATED AREAS ACT AND ALL APPLICABLE LOCAL, STATE AND FEDERAL LAWS.
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ALLMON SUBDIVISION

TODD CAMPBELL
CONSTRUCTION
P.O. BOX 14028 BOSSA, IDAHO 83714 208-992-8987

8



Item #3.



Tidewater Club
\$12,512.⁰⁰



Meets National Standards for: ✓ ASTM F1487-17 ✓ CPSC Guidelines #325

Product Description

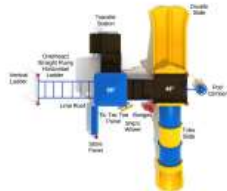
Look what the tide swept in... an afternoon of fun! With our Tidewater Club structure, children will wade into a world adventure. Composed of two different elevated platforms connected by a set of stairs, this activity-packed play structure features climbers, ladders, two slides, and creative accessories. Children will have a blast zipping down our unique, enclosed Tube Slide or racing one another down the Double Slide. Kids can access the 36-inch platform via Vertical and Overhead Ladders or take the stairs for more immediate access. Once they've climbed up the stairs, children will find the slide deck, which is also accessible via Pod Climber. Then, on the ground level, a Store Panel, Bongos, and a Ship's Wheel all facilitate dramatic and creative play, bringing children together, and making the Tidewater Club play structure ADA compliant. A classic Pyramid Roof covers one of the platforms, providing relief from the weather on sunny days. Compact and full of physical development challenges and educational accessories, the Tidewater Club proves again and again that it is no o...

Product Specifications

- Price: \$12,512.⁰⁰
- Model Number: PKP007P
- Age Range: 5-12 years
- Child Capacity: 28-32
- Fall Height: 84"
- Post Diameter: 3.5-inch
- Product Type: Quick Ship
- Safety Zone: 32' 0" x 30' 5"

✓ ADA Compliant

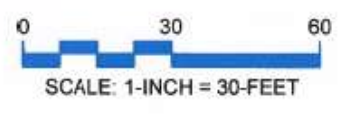
Elevated	5 components
Ground Level	4 components



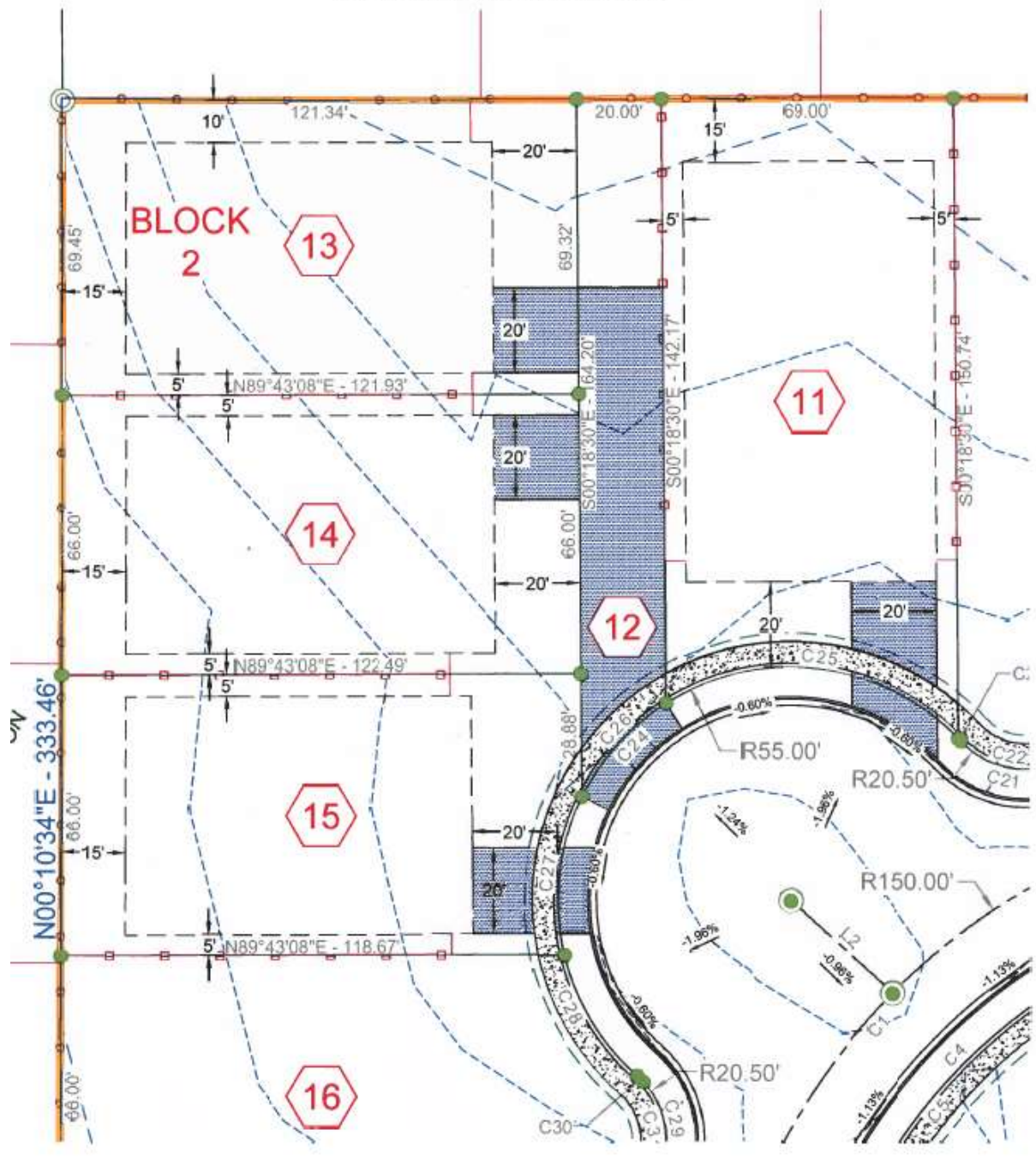
D. Common Driveway Exhibit



ALLMON SUBDIVISION LOTS 12-14, BLOCK 1 COMMON DRIVEWAY CONFIGURATION



SCALE: 1-INCH = 30-FEET



VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall meet all terms of the approved annexation (Development Agreement - Inst. #2020-070271) and preliminary plat (H-2019-0135) applications approved for this site.
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Council's approval of the preliminary plat (by May 12, 2022); *or* apply for a time extension, in accord with UDC 11-6B-7.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat prepared by B & A Engineers, Inc., stamped by Joseph D. Canning, dated: 6/30/2020, included in Section V.B shall be revised as follows:
 - a. Note #11: "Lots shall not be reduced in size without prior approval from the health authority and the City of Meridian."
 - b. Note #15: "Lots 1, ~~29~~16 and ~~34~~21, Block 1, and Lots 1 and ~~6~~12, Block 2 are common lots . . ."
 - c. Note #16: The lot numbers noted as servient to and containing the ACHD storm water drainage system are incorrect; revise accordingly and graphically depict easements on the face of the plat.
 - d. Note #17: "Direct lot ~~or~~ access to North Locust Grove Road is prohibited unless specifically approved by ACHD and the City of Meridian."
 - e. Widen Lot 12, Block 2 to a minimum of 25 feet to allow for a 5-foot wide landscaped buffer on the east side of the lot between the common driveway and the fence in accord with UDC 11-6C-3D.5.

A copy of the revised plat shall be submitted for City Engineer signature.

5. The landscape plan prepared by Idaho Precision Landscape., dated 07/20/2020, included in Section V.C, shall be revised as follows:
 - a. Depict a 5-foot wide landscaped buffer on the east side of the common driveway to separate the paved surface of the driveway from the fence in accord with UDC 11-6C-3D.5.
 - b. Include the grass symbol in all landscape areas or vegetative groundcover as set forth in UDC 11-3B-5N (i.e. parkways along internal local streets, along Locust Grove Rd., etc.).
 - c. If the unimproved street right of way is ten feet (10') or greater from the edge of pavement (along Locust Grove Rd.) to edge of sidewalk or property line, the developer shall maintain a ten foot (10') compacted shoulder meeting the construction standards of the transportation authority and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5.a. *Landscape improvements within the right-of-way require a license agreement between the property owner and the transportation authority.*
 - d. Depict trees along the pathways (micro-path and multi-use pathway) in Lot 16, Block 1 per the standards listed in UDC 11-3B-12C; and include the linear feet of the pathways and the required and proposed number of trees in the Landscape Calculations Table.

- e. Depict the eastern property boundary of the subdivision, the future curb location along N. Locust Grove Rd., and a landscape strip between the curb and detached 10-foot wide pathway/sidewalk.
6. A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for the common driveway, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the recorded easement should be submitted to the Planning Division prior to signature on the final plat by the City Engineer; or shall be depicted on the face of the plat.
7. Construction of the common driveway shall comply with the standards listed in UDC 11-6C-3D and with the exhibit in Section V.D.
8. Provide address signage at the entrance to the common driveway at the public street for homes accessed by the common driveway for emergency wayfinding purposes; and sign the common driveway with a “No Parking – Fire Lane” sign as set forth in IFC D103.6 Signs.
9. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Sue Prescott, at 887-1620 for more information.
10. All fencing shall comply with the standards in UDC 11-3A-7.
11. Future development shall be consistent with the minimum dimensional standards listed in UDC Table 11-2A-6 for the R-8 zoning district.
12. Off-street parking shall 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. Future development of Lots 11 and 13-15, Block 2 shall be consistent with the common driveway exhibit in Section V.D.
14. Single-family homes on Lots 14 and 15, Block 2 shall be restricted to 25 feet in height.
15. Staff’s failure to cite specific ordinance provisions or conditions from the preliminary plat and/or development agreement does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. The street light plan submitted with the construction plans appear to meet city requirements based on a preliminary review.
2. Separation between storm drainage infiltration trench and sewer mainline needs to be 10', per the scale on the drawings this requirement isn't met.
3. It is the City's desire to eliminate/minimize the number of sewer services going through storm drainage infiltration trenches. Where possible, locate services outside of trenches.

General Conditions:

1. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.

2. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
7. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
8. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
9. Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
10. It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
11. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
12. Developer shall coordinate mailbox locations with the Meridian Post Office.
13. All grading of the site shall be performed in conformance with MCC 11-1-4B.
14. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
15. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
16. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district

or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.

17. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
18. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
19. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.
20. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
21. Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Water Department at (208)888-5242 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources.
22. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
23. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
4. 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.

EXHIBIT B

Item #3.

Charlene Way

From: Dean Waite <pm.tccinc@gmail.com>
Sent: Monday, July 20, 2020 12:47 PM
To: Sonya Allen
Cc: Adrienne Weatherly; Charlene Way; Chris Johnson; Bill Parsons
Subject: Re: Allmon Subdivision - FP H-2020-0071 Staff Report for City Council on July 28th

External Sender - Please use caution with links or attachments.

We are in agreement with this report. Thank you.

Best Regards,

Dean Waite
Todd Campbell Construction Inc
208-631-5052

On Mon, Jul 20, 2020 at 11:45 AM Sonya Allen <sallen@meridiancity.org> wrote:

Attached is the staff report for the proposed final plat for Allmon Subdivision. This item is scheduled to be on the City Council consent agenda on July 28th. The meeting will be held at City Hall, 33 E. Broadway Avenue, beginning at 6:00 pm. Please call or e-mail with any questions.

Dean – If you are *not* in agreement with the provisions in the staff report, submit a written response to the staff report to the City Clerk's office (cityclerk@meridiancity.org) and me by 3:00 pm the Thursday prior to the meeting and the item will be placed on the regular agenda. If received after that time, the application will be placed on the regular agenda on the next available Council meeting.

Thanks,

Sonya Allen | Associate Planner

City of Meridian | Community Development Dept.
33 E. Broadway Ave., Ste. 102, Meridian, Idaho 83642
Phone: 208-884-5533 | Fax: 208-489-0578



Built for Business, Designed for Living



Item #3.

all messages sent to or received by City of Meridian e-mail accounts are subject to the Idaho law, in regards to both release and retention, and may be released upon request, unless exempt from disclosure by law.



AGENDA ITEM

ITEM TOPIC: Final Order for Hill's Century Farm North (H-2020-0077) by Kody Daffer, Brighton Development, Inc., Generally Located on the East Side of S. Eagle Rd. and South of E. Amity Rd.

BEFORE THE MERIDIAN CITY COUNCIL

**HEARING DATE: JULY 28, 2020
ORDER APPROVAL DATE: AUGUST 11, 2020**

**IN THE MATTER OF THE)
REQUEST FOR FINAL PLAT)
CONSISTING OF 134 BUILDING)
LOTS AND 18 COMMON LOTS ON)
29.77 ACRES OF LAND IN THE R-8)
ZONING DISTRICT FOR HILL’S)
CENTURY FARM NORTH)
SUBDIVISION NO. 2)
)
**BY: BRIGHTON DEVELOPMENT)
APPLICANT)**
_____)
)
)**

**CASE NO. H-2020-0077
ORDER OF CONDITIONAL
APPROVAL OF FINAL PLAT**

This matter coming before the City Council on July 28, 2020 for final plat approval pursuant to Unified Development Code (UDC) 11-6B-3 and the Council finding that the Administrative Review is complete by the Planning and Development Services Divisions of the Community Development Department, to the Mayor and Council, and the Council having considered the requirements of the preliminary plat, the Council takes the following action:

IT IS HEREBY ORDERED THAT:

1. The Final Plat of “PLAT SHOWING HILL’S CENTURY FARM NORTH SUBDIVISION NO. 2, LOCATED IN A PORTION OF THE NORTH ½ OF THE NORTHWEST ¼ OF SECTION 33, TOWNSHIP 3 NORTH, RANGE 1 EAST, B.M., CITY OF MERIDIAN, ADA COUNTY, IDAHO, 2020,

HANDWRITTEN DATE: MAY 13, 2020, by AARON L. BALLARD, PLS,
SHEET 1 OF 8,” is conditionally approved subject to those conditions of Staff as
set forth in the staff report to the Mayor and City Council from the Planning and
Development Services divisions of the Community Development Department
dated July 28, 2020, a true and correct copy of which is attached hereto marked
“Exhibit A” and by this reference incorporated herein.

- 2. The final plat upon which there is contained the certification and signature of the
City Clerk and the City Engineer verifying that the plat meets the City’s
requirements shall be signed only at such time as:
 - 2.1 The plat dimensions are approved by the City Engineer; and
 - 2.2 The City Engineer has verified that all off-site improvements are
completed and/or the appropriate letter of credit or cash surety has been
issued guaranteeing the completion of off-site and required on-site
improvements.

NOTICE OF FINAL ACTION

AND RIGHT TO REGULATORY TAKINGS ANALYSIS

The Applicant is hereby notified that pursuant to Idaho Code § 67-8003, the Owner may
request a regulatory taking analysis. Such request must be in writing, and must be filed with the
City Clerk not more than twenty-eight (28) days after the final decision concerning the matter at
issue. A request for a regulatory takings analysis will toll the time period within which a Petition
for Judicial Review may be filed.

Please take notice that this is a final action of the governing body of the City of Meridian, pursuant to Idaho Code § 67-6521. An affected person being a person who has an interest in real property which may be adversely affected by this decision may, within twenty-eight (28) days after the date of this decision and order, seek a judicial review pursuant to Idaho Code § 67-52.

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

By:

Robert Simison
Mayor, City of Meridian

Attest:

Chris Johnson
City Clerk

Copy served upon the Applicant, Planning and Development Services Divisions of the Community Development Department and City Attorney.

By: _____ Dated: _____

EXHIBIT A



STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT

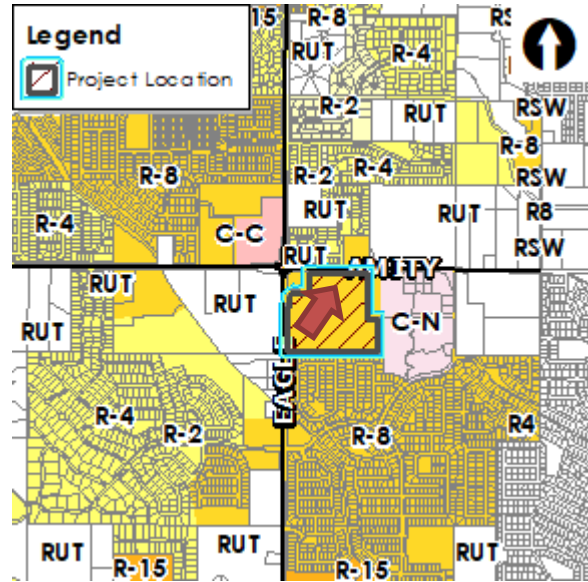
HEARING DATE: 7/28/2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0077
Hill's Century Farm North No. 2

LOCATION: East side of S. Eagle Rd., south of E. Amity Rd., in the NW ¼ of Section 33, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Final plat consisting of 134 buildable lots and 18 common lots on 29.77 acres of land in the R-8 and R-15 zoning districts.

II. APPLICANT INFORMATION

- A. Applicant:
Kody Daffer, Brighton Development – 2929 W. Navigator Rd., Meridian, ID 83642
- B. Owner:
Same as Applicant
- C. Representative:
Kody Daffer, Brighton Development, Inc. – 2929 W. Navigator Dr., Ste. 400, Meridian, ID 83642

III. STAFF ANALYSIS

Staff has reviewed the proposed final plat for substantial compliance with the approved preliminary plat (H-2019-0134) in accord with the requirements listed in UDC 11-6B-3C.2.

In order for the proposed final plat to be deemed in substantial compliance with the approved preliminary plat as set forth in UDC 11-6B-3C.2, the number of buildable lots cannot increase and the amount of common area cannot decrease. Staff has reviewed the proposed plat and the number of buildable lots and common open space in this phase are the same as depicted on the approved

Item #4.

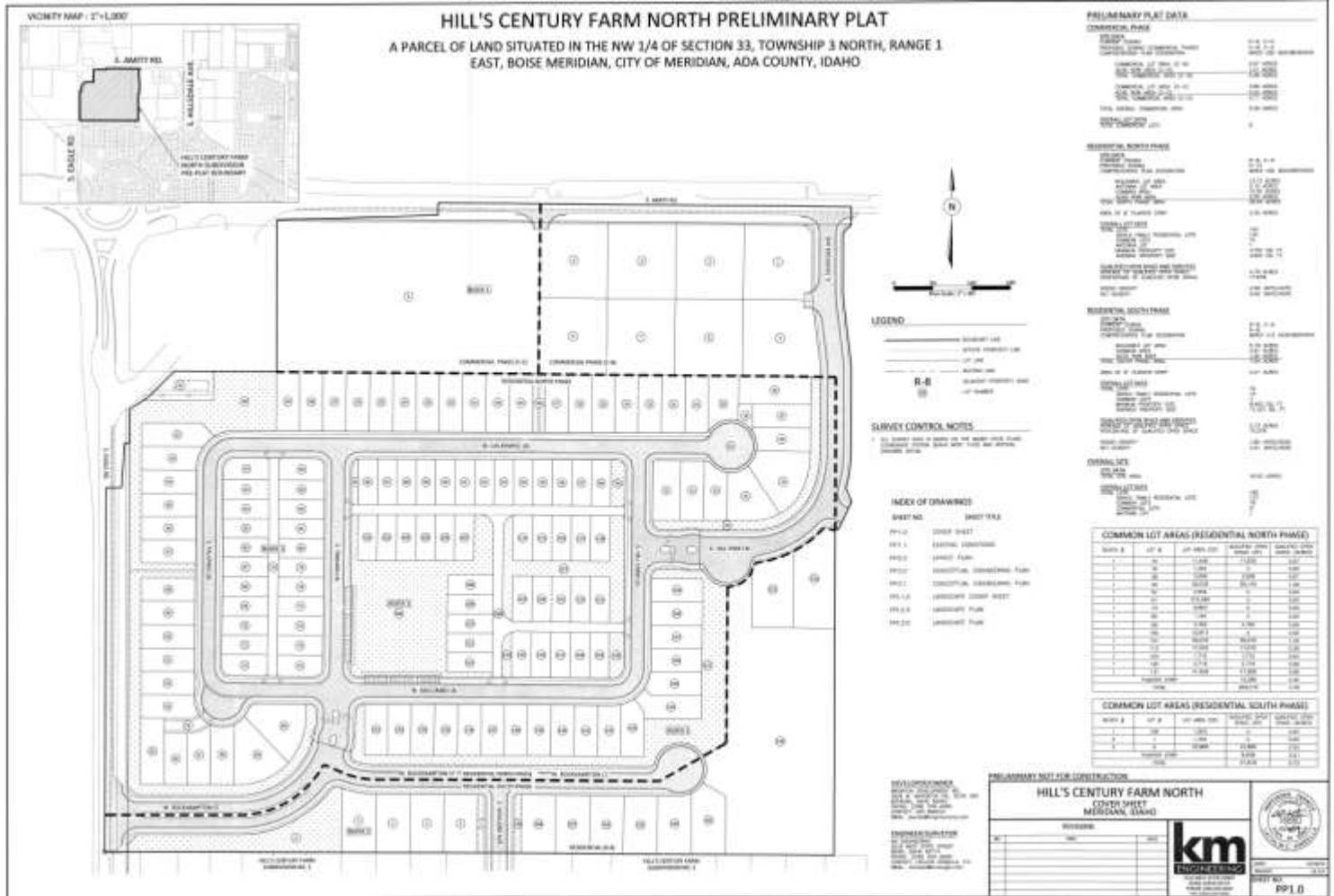
preliminary plat; therefore, Staff deems the proposed final plat to be in substantial compliance with the approved preliminary plat as required.

IV. DECISION

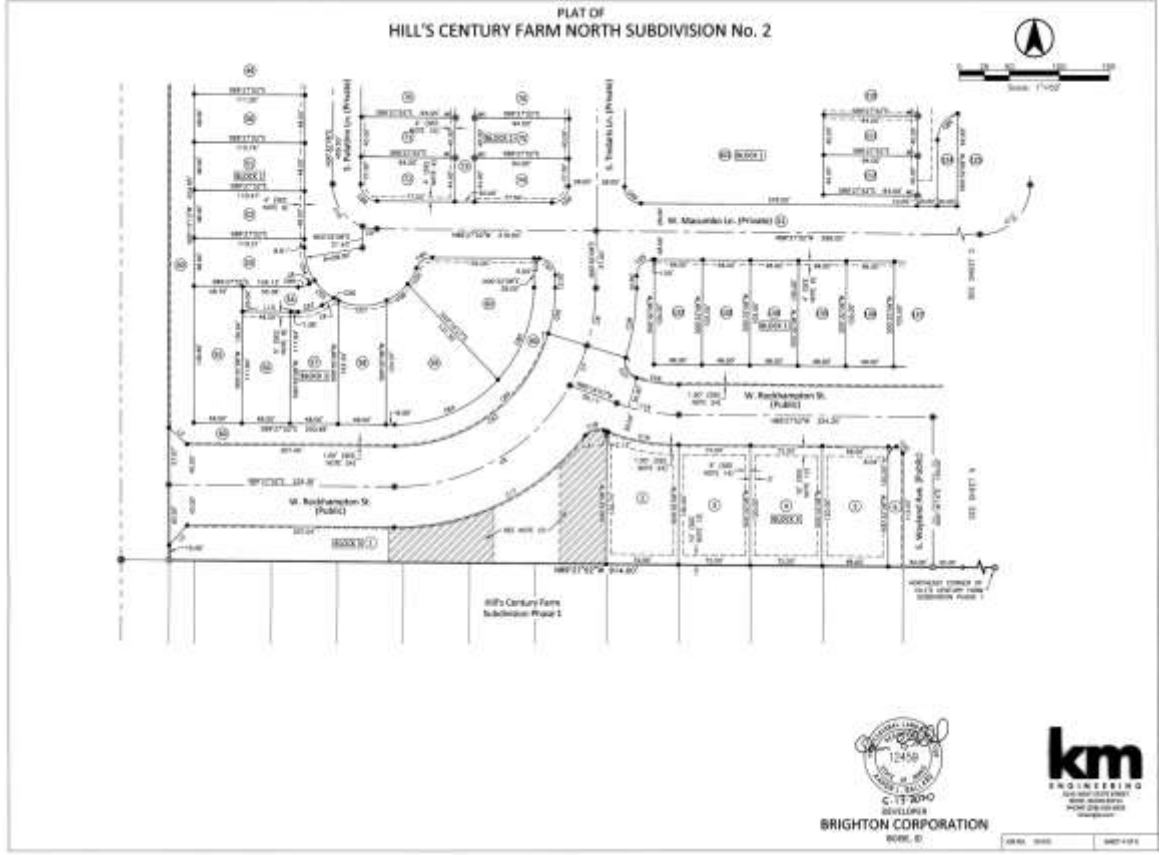
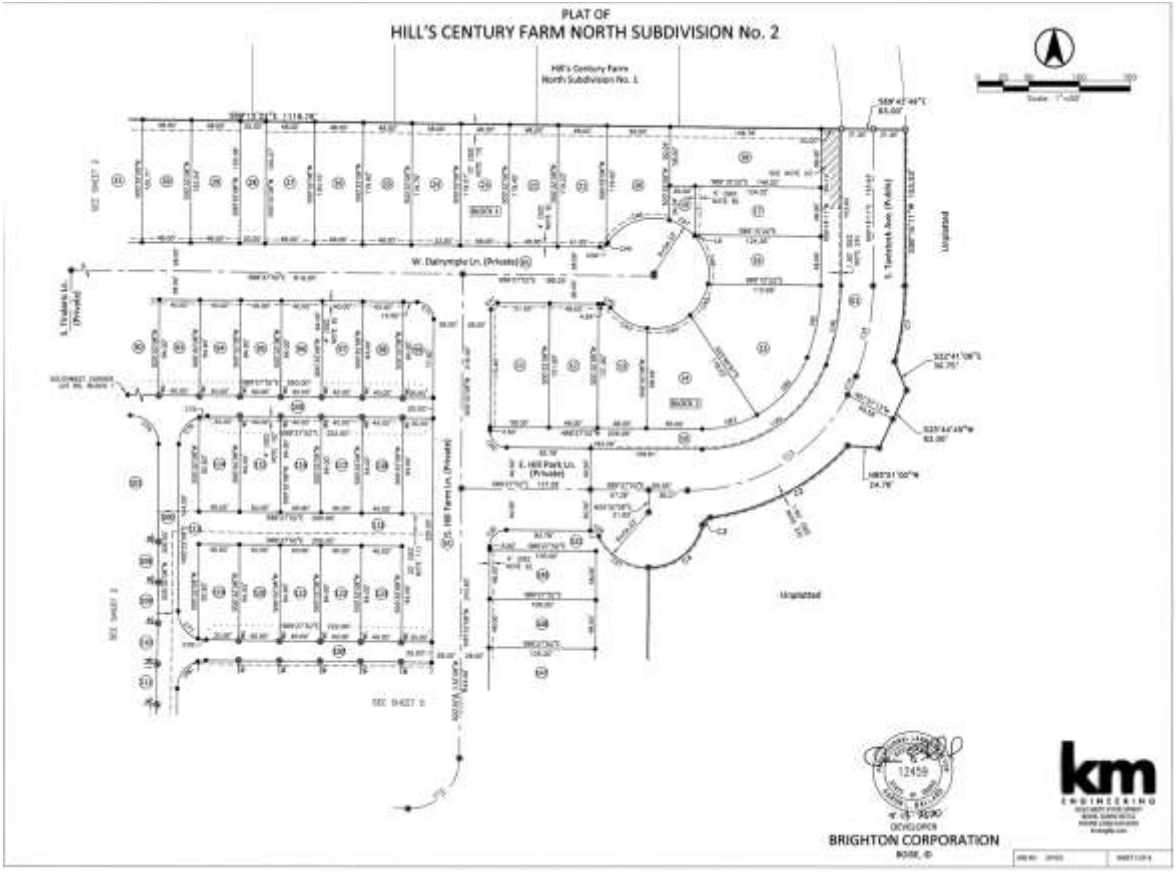
Staff recommends approval of the proposed final plat with the conditions noted in Section VI of this report.

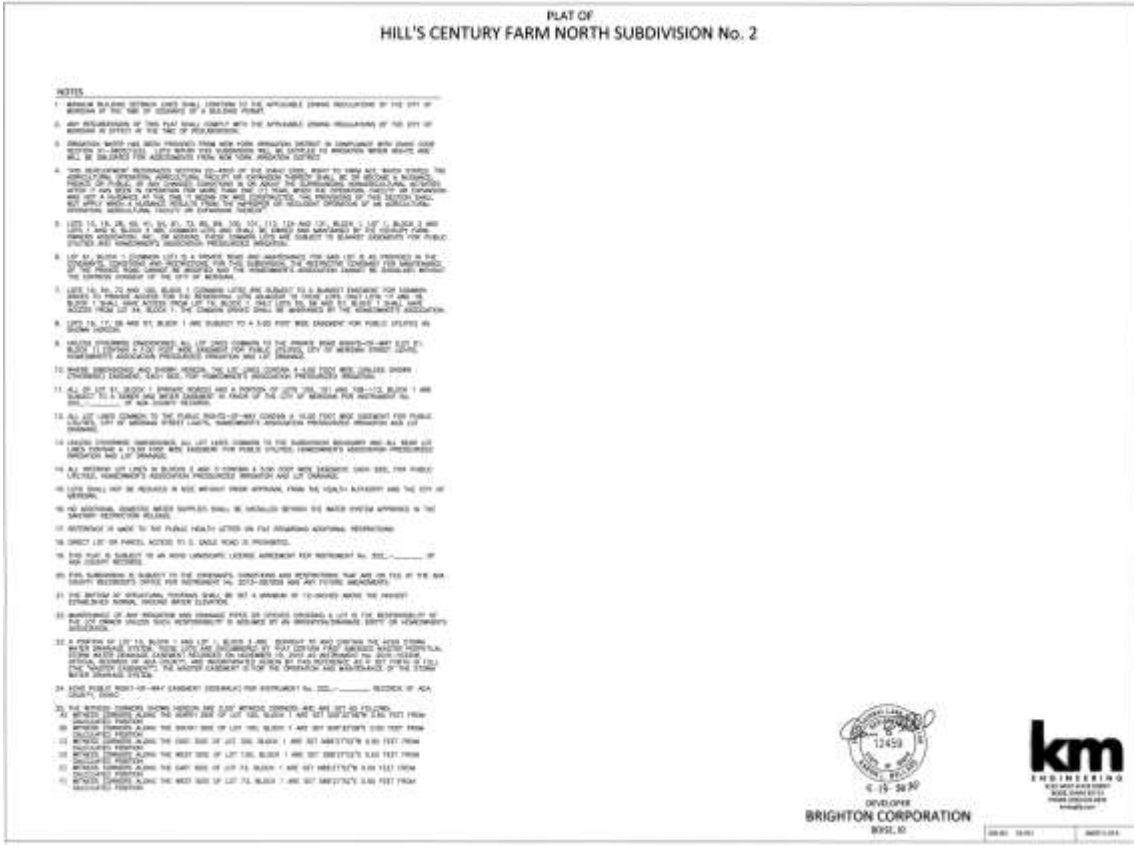
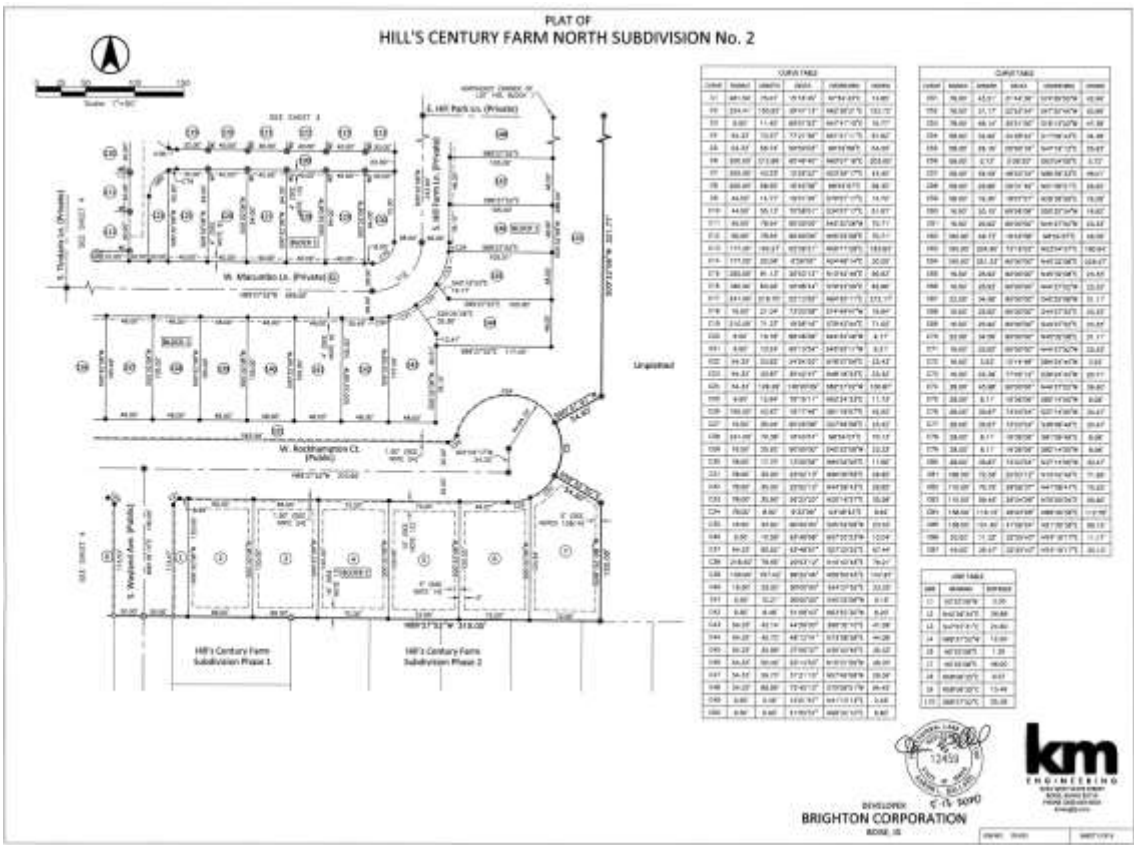
V. EXHIBITS

A. Preliminary Plat (dated: 11/18/2019)

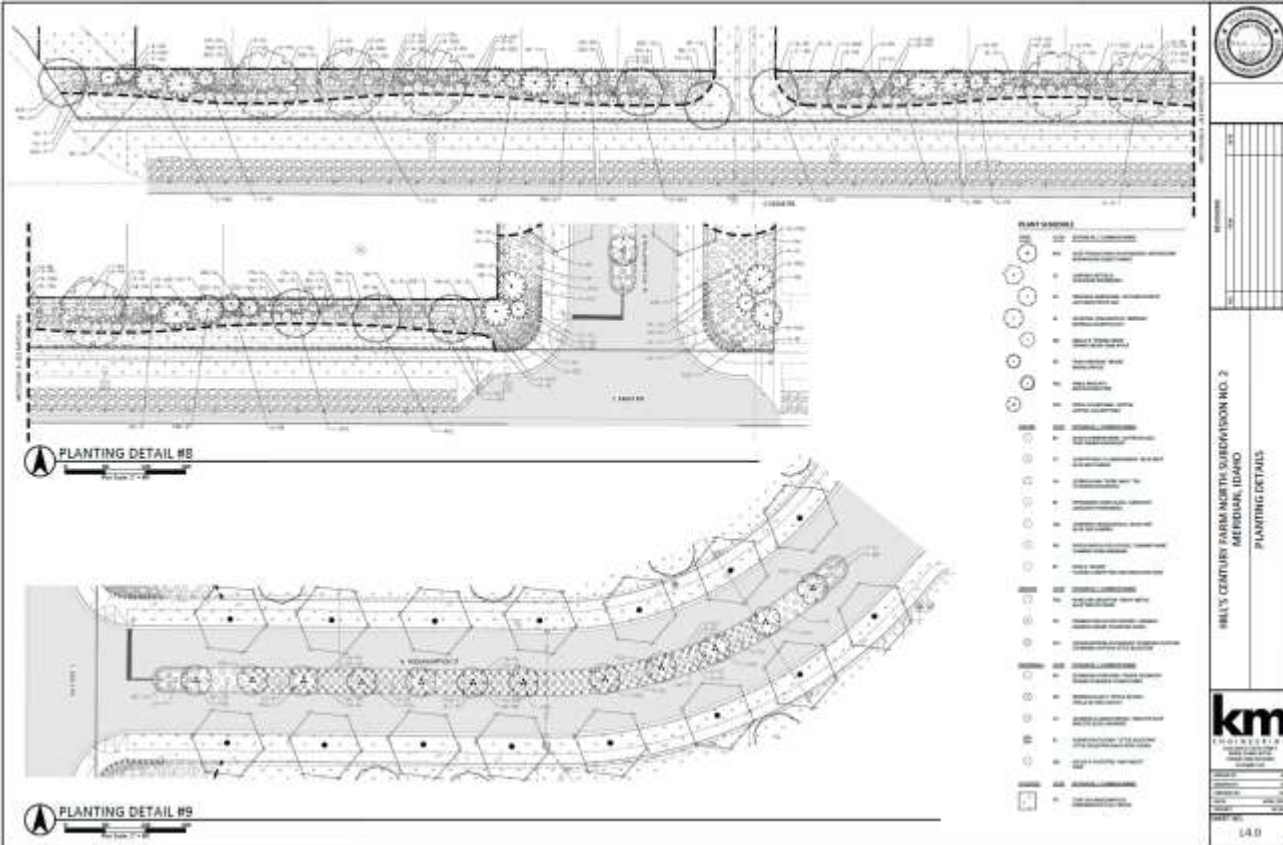
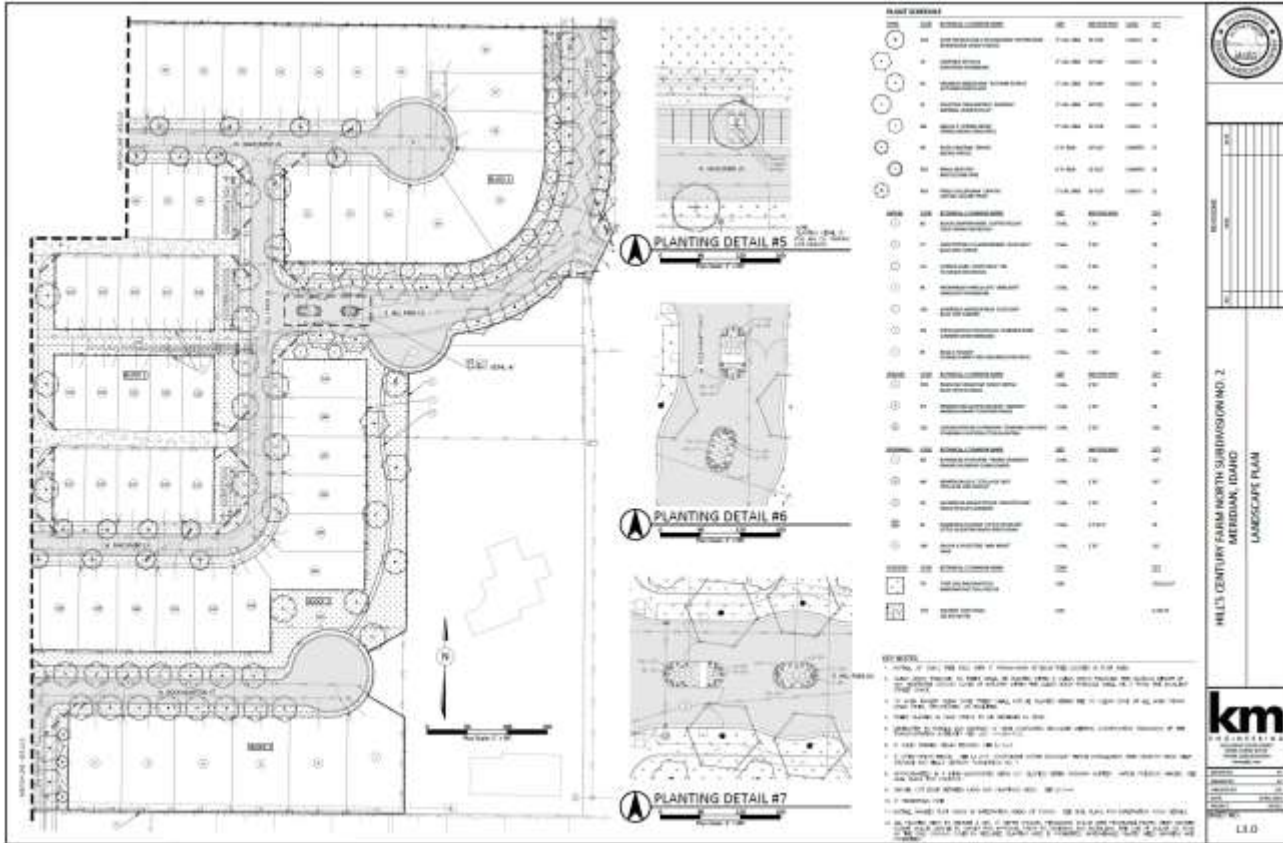


Item #4.



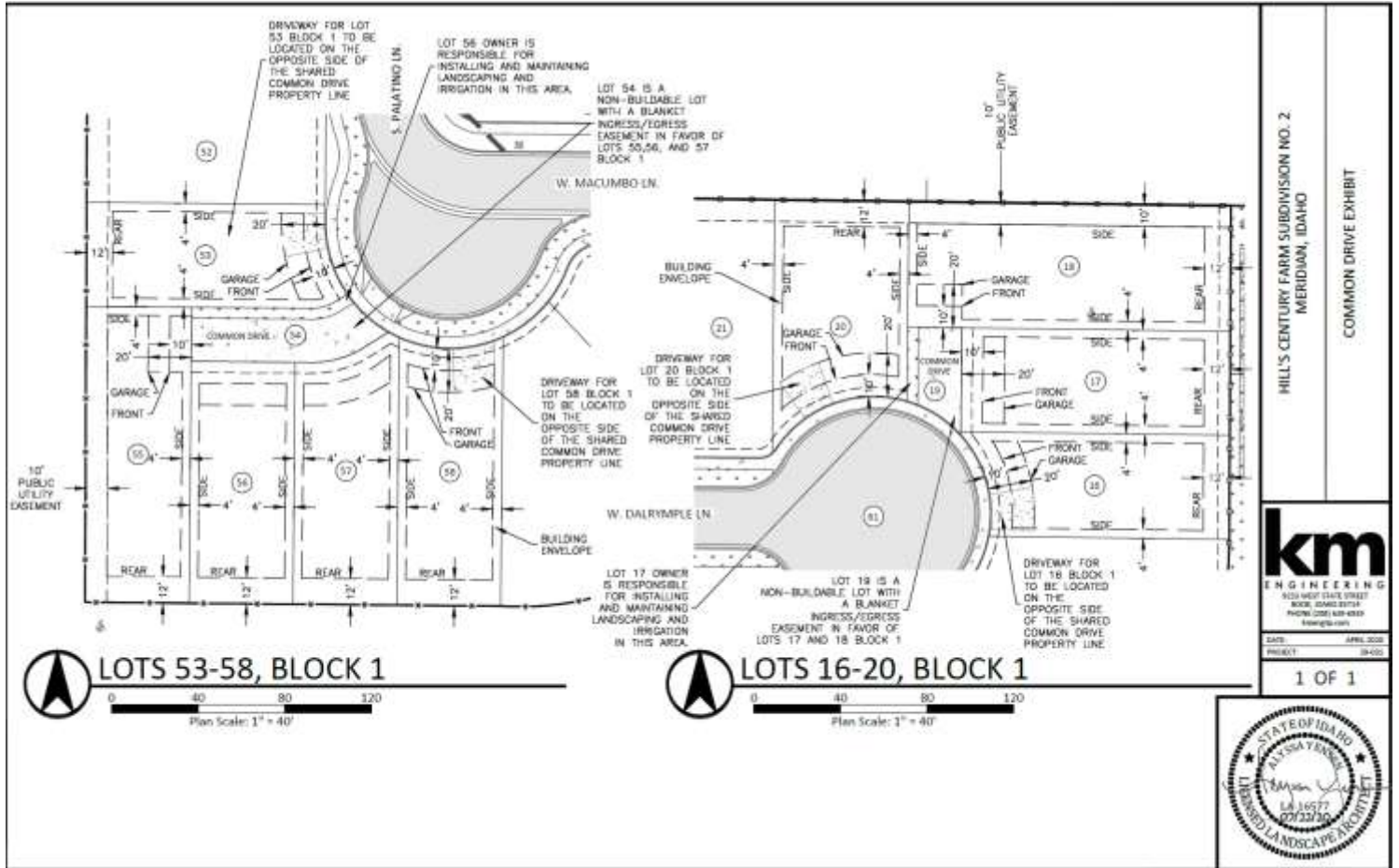


Item #4.



Item #4.

D. Common Driveway Exhibit



E. Residential Setbacks for Cadence Approved with the Planned Unit Development (H-2019-0134)



F. Conceptual Building Elevations Approved with the Planned Unit Development (H-2019-0134)



TYPICAL PATIO HOME ELEVATION



TYPICAL ALLEY HOME ELEVATION

VI. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. Applicant shall meet all terms of the approved annexation (Development Agreement - Inst. #2015-061375, 1st Addendum #2016-119080, 2nd Addendum #2019-033207 and 3rd Addendum #2020-059662) and preliminary plat (H-2019-0134) applications approved for this site.
2. The applicant shall obtain the City Engineer's signature on the subject final plat within two years of the City Engineer's signature on the previous phase final plat; *or* apply for a time extension, in accord with UDC 11-6B-7.
3. Prior to submittal for the City Engineer's signature, have the Certificate of Owners and the accompanying acknowledgement signed and notarized.
4. The final plat prepared by KM Engineering, stamped by Aaron L. Ballard, dated: 5/13/2020, included in Section V.B shall be revised as follows:
 - a. Note #1: "Minimum building setback lines shall conform to ~~the~~ that approved with the planned unit development (H-2019-0134) or the applicable zoning regulations of the City of Meridian at the time of issuance of a building permit, as applicable."
 - b. Note #9: Correct the typo on the width of the easement.
 - c. Note #11: Include the recorded instrument number of the City of Meridian sewer and water easement.
 - d. Note #19: Include the recorded instrument number of the ACHD landscape license agreement easement.
 - e. Note #24: Include the recorded instrument number of the ACHD public right-of-way easement.

f. References – R4.: Include the Book and Page numbers of the recorded plat for phase 1.

A copy of the revised plat shall be submitted with the final plat for City Engineer signature.

5. The landscape plan prepared by Alyssa Yensen, KM Engineering, dated 05/12/2020, included in Section V.C, shall be revised as follows:

a. If the unimproved street right of way is ten feet (10') or greater from the edge of pavement to edge of sidewalk or property line, the developer shall maintain a ten foot (10') compacted shoulder meeting the construction standards of the transportation authority and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5a.

A copy of the revised plan shall be submitted with the final plat for City Engineer signature.

6. The rear or sides of homes on lots that face S. Eagle Road (i.e. Lots 42-47, 48-53, and 55, Block 1) shall incorporate articulation through changes in materials, color, modulation, and architectural elements (horizontal and vertical) to break up monotonous wall planes and roof lines.

7. Prior to signature of the final plat by the City Engineer, the applicant shall provide a letter from the United States Postal Service stating that the applicant has received approval for the location of mailboxes. Contact the Meridian Postmaster, Sue Prescott, at 887-1620 for more information.

8. Building permits for the community center on Lot 101, Block 1 are allowed to be issued prior to subdivision of the property as allowed in the Development Agreement.

9. The Applicant or Owner shall have one year (until April 28, 2021) to complete the tasks listed in UDC 11-3F-3B for final approval of the private streets proposed within the development. **No building permit shall be issued for any structure using a private street for access to a public street until the private street has been approved, with the exception that a building permit may be issued for the community center.**

10. The Applicant shall coordinate with Terri Ricks, Land Development, and Joe Bongiorno, Fire Dept., for addressing lots accessed by alleys without frontage on a street.

11. All fencing shall comply with the standards of UDC 11-3A-7C.

12. A perpetual ingress/egress easement for the common driveway(s) is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the easement shall be submitted to the Planning Division prior to signature on the final plat; or, the easement may be depicted on the face of the plat.

13. Address signage shall be provided at the ends of the common driveways on Lots 19 and 54, Block 1; and for lots accessed by alleys that don't have frontage on a private street for emergency wayfinding purposes.

14. All common driveways shall comply with the standards listed in UDC 11-6C-3D; homes on lots accessed via common driveways shall comply with the setbacks shown on the exhibit in Section V.E.

15. All alleys shall comply with the standards listed in UDC 11-6C-3B.5 with an allowance for the entire length to be visible from a *private* street rather than a public street.

16. Parking is restricted to one side of the 29-foot wide streets and shall be provided on the street side adjacent to the alley accessed units rather than the patio homes with front accessed garages to allow for more spaces that aren't encumbered by driveways.

17. A minimum of 80 square feet of private, usable open space shall be provided for each dwelling unit in the R-15 zoned gated portion of the development (i.e. Cadence); this requirement can be satisfied through porches, patios, decks and enclosed yards as set forth in UDC 11-7-4B.
18. Development of the R-15 zoned gated portion of the development (i.e. Cadence) shall be consistent with the Residential Setbacks exhibit in Section V.E and the conceptual building elevations included in Section V.F.
19. Staff's failure to cite specific ordinance provisions or conditions from the preliminary plat, planned unit development and/or development agreement does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. The street light plan submitted with this application appears to meet requirements based on a preliminary review. Streetlights on Eagle Road may require a future installation agreement because the road is scheduled to be widened in 2023. If streetlights are installed on Eagle Road, the locations must be approved by ACHD.
2. The slope between sanitary sewer manholes SSMH #6 and SSMH #7 and SSMH #9 and SSMH #10 is too steep. Please revise to be 5% or less.
3. Since sanitary sewer clean-out #21 will be removed, the slope of pipe coming into SSMH #22 needs to match existing slope coming from SSMH #20 (0.44%).

General Conditions:

4. Sanitary sewer service to this development is available via extension of existing mains adjacent to the development. The applicant shall install mains to and through this subdivision; applicant shall coordinate main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
5. Water service to this site is available via extension of existing mains adjacent to the development. The applicant shall be responsible to install water mains to and through this development, coordinate main size and routing with Public Works.
6. 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.
7. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
8. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
9. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community

Development Department website. Please contact Land Development Service for more information at 887-2211.

10. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
11. In the event that an applicant and/or owner cannot complete non-life, non-safety and non-health improvements, prior to City Engineer signature on the final plat and/or prior to occupancy, a surety agreement may be approved as set forth in UDC 11-5C-3C.
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. All grading of the site shall be performed in conformance with MCC 11-1-4B.
17. Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.
18. The engineer shall be required to certify that the street centerline elevations are set a minimum of 3-feet above the highest established peak groundwater elevation. This is to ensure that the bottom elevation of the crawl spaces of homes is at least 1-foot above.
19. The applicants design engineer shall be responsible for inspection of all irrigation and/or drainage facility within this project that do not fall under the jurisdiction of an irrigation district or ACHD. The design engineer shall provide certification that the facilities have been installed in accordance with the approved design plans. This certification will be required before a certificate of occupancy is issued for any structures within the project.
20. At the completion of the project, the applicant shall be responsible to submit record drawings per the City of Meridian AutoCAD standards. These record drawings must be received and approved prior to the issuance of a certification of occupancy for any structures within the project.
21. Street light plan requirements are listed in section 6-7 of the Improvement Standards for Street Lighting (http://www.meridiancity.org/public_works.aspx?id=272). All street lights shall be installed at developer's expense. Final design shall be submitted as part of the development plan set for approval, which must include the location of any existing street lights. The contractor's work and materials shall conform to the ISPWC and the City of Meridian Supplemental Specifications to the ISPWC. Contact the City of Meridian Transportation and Utility Coordinator at 898-5500 for information on the locations of existing street lighting.
22. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather

dedicated outside the plat process using the City of Meridian's standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2" x 11" map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.

23. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
24. Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Water Department at (208)888-5242 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources.
25. Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact the Central District Health Department for abandonment procedures and inspections.
26. The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 9-1-28.C.1). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to development plan approval.
27. All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Delano Subdivision (H-2019-0027) by Boll Cook Investments, LLC, Located at 14120 W. Jasmine Ln. and 2800 E. Jasmine Ln.

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



In the Matter of the Request for Annexation of 15.22 Acres of Land with R-8 (3.31 Acres), R-15 (8.12 Acres) and R-40 (3.79 Acres) Zoning Districts; and Preliminary Plat Consisting of Sixty Six (66) Buildable Lots for Single-Family Detached Homes, One (1) Buildable Lot for a Multi-Family Development, Eight (8) Common Lots and Two (2) Other Lots on 15.22 Acres of Land in the R-8, R-15 and R-40 Zoning Districts for Delano Subdivision, by Boll Cook Investments, LLC.

Case No(s). H-2019-0027

For the City Council Hearing Date of: July 28, 2020 (Findings on August 11, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)

B. Conclusions of Law

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

- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 28, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for annexation & zoning and preliminary plat is hereby approved with the requirement of a Development Agreement per the provisions in the Staff Report for the hearing date of July 28, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

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

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

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

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

F. Attached: Staff Report for the hearing date of July 28, 2020

Item #5.

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

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT

COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: July 28, 2020

TO: Mayor & City Council

FROM: Sonya Allen, Associate Planner
208-884-5533
Bruce Freckleton, Development Services Manager
208-887-2211

SUBJECT: H-2019-0027
Delano Subdivision

LOCATION: 2800 & 14120 W. Jasmine Ln.



History: This project was originally heard by the Commission on May 2, and July 18, 2019; at the hearing on July 18th, the Commission voted to recommend denial of the project to City Council. The City Council heard the project on November 12, 2019; at that hearing, Council voted to remand the project back to the Commission to address the density issue of the proposed development and for Commission’s review of a revised plat with changes to lots proposed along the northern boundary of the subdivision that front on E. Della Street (e.g. single-story, detached units, lose a lot(s)). (See pg. 16 for more information.)

Update: The Applicant submitted revised plans for the Commission hearing based on discussion at the City Council hearing and meetings with the neighbors, included in Section VII. The revisions include a reduction in the number of buildable lots from 85 to 66; a change to the proposed zoning (the portion of the site along the north & west boundaries previously proposed to be zoned R-15 is now proposed to be zoned R-8); and a change to the conceptual building elevations.

Staff has updated the subject staff report based on the revised plans – original text that is no longer applicable is shown in strike-out and new text is shown in underline format. The conditions of approval in Section VIII are not in strike-out/underline format as there were no conditions that went forward to Council because the Commission recommended denial of the project; new conditions are included in accord with the revised plans based on those originally recommended by Staff to the Commission for the May 2, 2019 hearing.

A summary of the Commission hearing on April 16, 2020 is included on page 18.

I. PROJECT DESCRIPTION

~~Comprehensive Plan map amendment to include 4.10 acres of land currently in Boise’s Area of City Impact and planning area in Meridian’s planning area with a Mixed Use—Regional Future Land Use Map designation; Note: The Comprehensive Plan Map amendment application is no longer needed as~~

the Future Land Use Map (FLUM) was amended with the new Comprehensive Plan to include an MU-R FLUM designation for this property.

Annexation & zoning of 15.22 acres of land with R-8 (3.31 acres), R-15 (~~41.57~~ 8.12 acres) and R-40 (~~3.64~~ 3.79 acres) zoning districts; and,

Preliminary plat consisting of ~~85~~ 66 single-family residential building lots, 1 building lot for a 96-unit multi-family development, ~~and 12~~ 8 common lots and 2 other (common driveway) lots on 15.22 acres of land in the R-8, R-15 and R-40 zoning districts.

II. SUMMARY OF REPORT

1. Project Summary

Description	Details	Page
Acreage	15.22	
Future Land Use Designation	MDR (Medium Density Residential) in City of Meridian & Mixed Use – Regional (MU-R) in City of Boise	
Existing Land Use	2 existing homes & accessory structures	
Proposed Land Use(s)	Single-family residential (SFR), attached & detached <u>and conceptual multi-family residential (MFR)</u>	
Current Zoning	RUT in Ada County	
Proposed Zoning	<u>R-8, R-15 & R-40</u>	

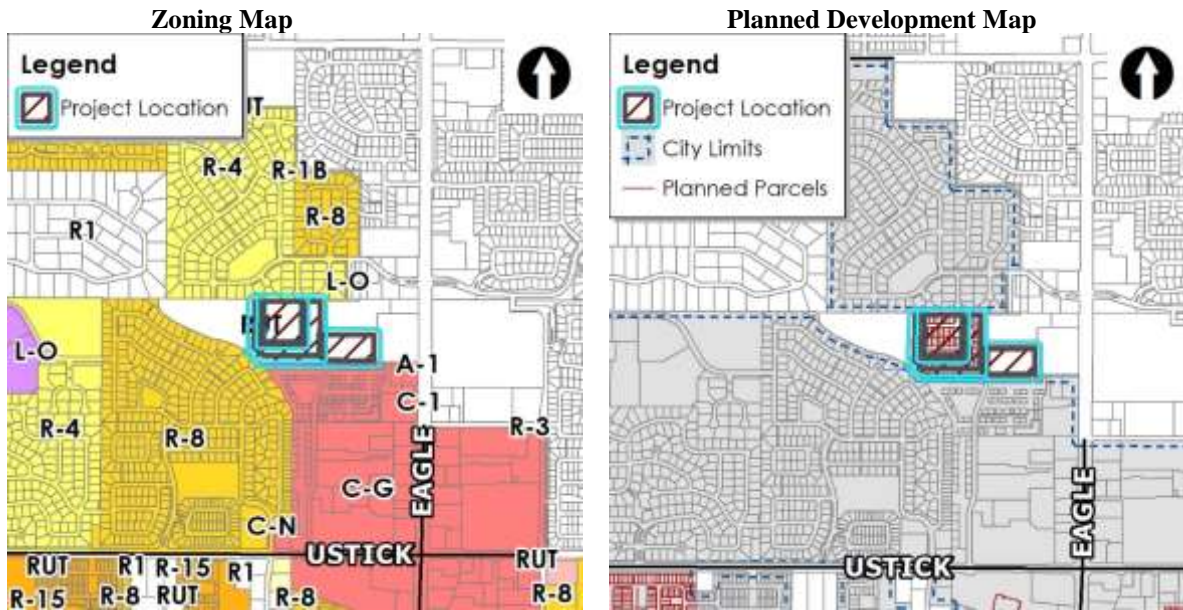
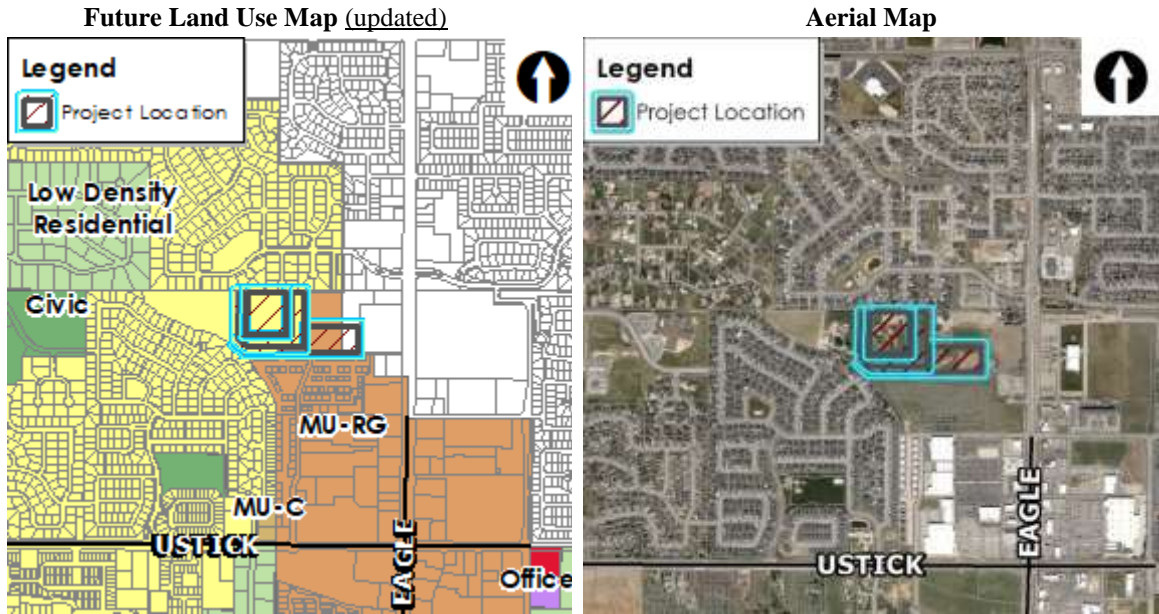
Lots (# and type; bldg/common)	428 <u>66</u> SFR building/ 428 common/1 MFR building <u>and 2 other</u>	
Phasing plan (# of phases)	Yes; 23 <u>3</u> phases	
Number of Residential Units (type of units)	184 <u>66</u> SFR <u>detached</u> units (18 attached/67 detached SFR, and 96 MFR apartments)	
Density (gross & net)	7.35 <u>5.7</u> (SFR, R-8 & R-15) & 27 (MFR, R-40) gross <u>units/acre; 11.8 (SFR, R-15) & 27 (MFR, R-40) net 8.12 units/acre (SFR) (net)</u>	
Open Space (acres, total [%] / buffer / qualified)	See Analysis, Section V.3	
Amenities	Shade structure, (2) play structures, benches, pedestrian walkways See Analysis, Section V.3	
Physical Features (waterways, hazards, flood plain, hillside)	None	
Neighborhood meeting date; # of attendees:	February 25, 2019; 92 attendees Applicant met with the Alpine Pointe HOA Board on December 16 th and 23 rd , 2019; the revised plan was presented to the HOA Board on February 18 th , 2020 – 30+/- people attended (an official neighborhood meeting was not held as it wasn't required).	
History (previous approvals)	None	

2. Community Metrics

Description	Details	Page
Ada County Highway District		
• Staff report (yes/no)	No <u>Yes</u>	
• Requires ACHD Commission Action (yes/no)	Yes (tentatively scheduled to be heard on May 22, 2019) <i>This project is being heard by the ACHD Commission because of objections from neighbors pertaining to the extension of Dashwood Pl. and connectivity to Centrepointe Way</i>	
Fire Service		
• Distance to Fire Station	1. 34 miles from Fire Station #3 (can meet the response time requirements)	
• Fire Response Time	3 minutes under ideal conditions	
• Resource Reliability	82% from Fire Station #3 – does not meet the target goal of 85 <u>80</u> % or greater	
• Risk Identification	21 (SFR residential) and 4 (MFR) – current resources would not be adequate to supply service to the proposed project; (see comments in Section VIII.C)	
• Accessibility	Meets requirements; FD is concerned as there is no visitor parking in the development resulting in people parking in areas that may block access to residences. See additional comments in Section VIII.C.	
• Special/resource needs	Doesn't The MFR portion of the project will require an aerial device (see comments in Section VIII.C)	
• Water Supply	Requires 1,000 gallons per minute for 1 hour (may be less if building is sprinklered)	
• Other Resources	NA	
Police Service		
• Distance to Police Station	5 miles	
• Police Response Time	4:30 minutes	
• Calls for Service	0 904 in RD 'M724'	
• Accessibility	PD has no issues with proposed access	
• Specialty/resource needs	No additional resources are needed; MPD already services this area.	
• Crimes	0 <u>119</u>	
• Crashes	0 <u>26</u>	
West Ada School District		
• Distance (elem, ms, hs)	Discovery Elementary – 2.83 miles; Heritage Middle School – 3.46 miles; Rocky Mountain High School – 5.56 <u>2</u> miles	
• Capacity of Schools	Discovery Elementary 650; Heritage Middle School 1,000; Rocky Mountain High School 1,800	
• # of Students Enrolled	Discovery Elementary 515 <u>511</u> ; Heritage Middle School 1,254 <u>1,246</u> ; Rocky Mountain High School 2,448 <u>2,469</u>	
• Anticipated school aged children generated by this development	68	

Wastewater		
• Distance to Sewer Services	0-feet	
• Sewer Shed	Five Mile Trunkshed	
• Estimated Project Sewer ERU's	181	
• WRRF Declining Balance	13.66 MGD	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts & Concerns	The following proposed manholes have less than 3' of cover: A-3, A-4, A-5, C-1 and D-5. Public Works has previously discussed with the applicant the possibility of using grinder pumps in these shallow areas, but the plans do not note the use of them. If the parcel to the north of the multi-family is to be served by Meridian, applicant must stub sewer at minimum slope in N. Centrepointe Way to the north boundary line.	
Water		
• Distance to Water Services	0-feet	
• Pressure Zone	3	
• Estimated Project Water ERU's	See application information	
• Water Quality	None	
• Project Consistent with Water Master Plan	Yes	
• Impacts & Concerns	Public Works has met with SUEZ Water and agreed that water service to the north for the multi-family portion of the development will be provided according to how annexation proceeds. Meridian will provide water in Meridian, and SUEZ will provide water in Boise.	

3. Project Area Maps



III. APPLICANT INFORMATION

A. Applicant:

Deveco Development, LLC — 4824 E. Fairview Ave., Boise, ID 83706

Boll Cook Investments, LLC – 251 E. Front St., Boise, ID 83701

B. Owner:

Norm Cook – 14120 W. Jasmine Ln., Boise, ID 83713
 Eddy Bollinger – 2800 E. Jasmine Ln., Meridian, ID 83646

C. Representative:

~~Laren Bailey, Devco Development, LLC – 4824 E. Fairview Ave., Boise, ID 83706~~
Hethe Clark, Clark Wardle – 251 E. Front St., Boise, ID 83701

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Newspaper Notification	4/12/2019; 6/28/2019; 2/25/2020; 3/27/2020	8/2/2019; 8/30/2019; 4/24/2020
Radius notification mailed to properties within 300 feet	4/9/2019; 6/25/2019; 2/25/2020; 3/27/2020	7/30/2019; 8/27/2019; 4/21/2020
Public hearing notice sign posted on site	4/22/2019; 7/8/2019; 3/4/20; 4/4/20	9/6/2019; 11/01/2019; 4/29/2020
Nextdoor posting	4/9/2019; 6/25/2019; 2/25/2020; 3/27/2020	7/30/2019; 8/27/2019; 4/22/2020

V. STAFF ANALYSIS

~~1. COMPREHENSIVE PLAN MAP AMENDMENT~~

Since the hearing at City Council on November 12, 2019, the City adopted a new Comprehensive Plan, which included an amendment to the Future Land Use Map (FLUM) that assigned an MU-R designation to the majority of the property that lies east of Centrepointe Way. Therefore, the application for an amendment to the Comprehensive Plan is no longer required; Staff has deleted this section from the report.

2. ANNEXATION & ZONING

The applicant requests annexation and zoning of the ~~41.57~~ 11.43 acres west of N. Centrepointe Way with ~~an~~ the R-8 (3.31 acres) and R-15 (~~41.57~~ 8.12 acres) zoning districts; and the 5 acres east of N. Centrepointe Way with an R-40 zoning district (~~3.64~~ 3.79 acres) consistent with the MDR and ~~proposed~~ MU-R FLUM designations. *Note: There is a small portion of the Cook parcel (east side of Centrepointe Way) that on the FLUM does not have a designation. This was a mapping error and the entire Cook parcel is effectively designated MU-R.*

Note: The parcel to the north (Parcel #R4582530100) recommended by Staff to be included in the amendment to the FLUM is not part of the annexation request. Annexation of that parcel would take place upon future redevelopment of that parcel at the property owner's request.

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

The Future Land Use Map (FLUM) designation for the portion of this site west of the extension of N. Centrepointe Way is Medium Density Residential (MDR) ~~in the City of Meridian~~; the portion of the site east of the extension of N. Centrepointe Way is ~~currently~~ was previously located in the City of Boise's Area of City Impact boundary and ~~is~~ was designated General Mixed

Use. On October 29, 2019, the Boise City Council approved and adopted the resolution (RES-521-19) to amend the land use map of *Blueprint Boise* to transfer this area from the City of Boise Area of City Impact (AOCI) to the City of Meridian AOCI. The recent amendment to the City of Meridian's FLUM included this property with a Mixed-Regional (MU-R) future land use designation. As noted in the previous section, the Applicant proposes to amend the FLUM to include the eastern parcel in the City of Meridian's planning area with a MU R FLUM designation.

The MDR designation allows smaller lots for residential purposes within City limits. Uses may include single-family homes at gross densities of 3 to 8 units per acre.

The MU-R designation allows high density multi-family developments as supporting uses for higher intense commercial uses such as those to the south and east of this site along a major transportation corridor (i.e. Eagle Rd./SH-55) and near arterial intersections (i.e. McMillan/Eagle Rds. & Ustick/Eagle Rds.).

Land Use:

The proposed land use for this site is single-family residential (SFR) and a future multi-family residential (MFR) development (i.e. apartments). A total of 8566 (~~18 attached and 67 detached~~) SFR units at a gross density of 7.365.7 units per acre, and a net density of 41.8 8.12 units per acre are proposed; and 96 apartment units are planned to develop in the future at a gross and net density of 27 units per acre. The proposed density is consistent with that desired in the MDR and MU-R designations respectively.

Proposed Use Analysis:

The proposed single-family dwellings (~~attached & detached~~) are listed as a principal permitted use in the R-8 and R-15 zoning districts; and the multi-family development is listed as a conditional use in the R-40 zoning district per UDC Table 11-2A-2. Multi-family developments are subject to the specific use standards listed in UDC 11-4-3-27; compliance with these standards will be evaluated in the future through the conditional use permit process.

Concept Plan:

The Applicant submitted a concept development plan for the property to the north (Parcel # R4582530100) at Staff's request to demonstrate how the property could possibly redevelop with the extension of N. Centrepointe Way to the north as planned on the MSM (see Section VII.E).

Transportation:

The Master Street Map (MSM) depicts a planned north/south commercial collector street through this site from the south boundary to the north boundary eventually connecting to E. Wainwright Dr. for access via N. Eagle Rd./SH-55. The portion of Centrepointe Way proposed to be constructed with this development is consistent with the MSM.

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

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

- “Provide for a wide diversity of housing types (single-family, modular, mobile homes and multi-family arrangements) and choices between ownership and rental dwelling units for all income groups in a variety of locations suitable for residential development.” (3.07.03B) *A mix of SFR ~~attached and detached~~ homes and MFR apartment units are proposed within this development which will provide ownership and rental options for various income groups in this area.*

- “Provide housing options close to employment and shopping centers.” (3.07.02D)
The proposed development will provide housing options in close proximity to the employment and shopping center uses along the Eagle Rd. corridor.
- “Locate high-density development, where possible, near open space corridors or other permanent major open space and park facilities, Old Town, and near major access thoroughfares.” (3.07.02L)
The density proposed in the multi-family portion of the development falls within the high density category. The site is located ~~within~~ approximately a mile ~~of~~ from Kleiner Memorial Park, a 60-acre City Park, and is in close proximity to N. Eagle Rd./SH-55, a major access thoroughfare.
- “Consider ACHD’s Master Street Map (MSM) in all land use decisions.” (3.03.04K)
The MSM depicts a north/south collector street through this site; the proposed plan depicts a collector street in accord with the MSM.
- “Require open space areas within all development.” (6.01.01A)
Qualified open space in accord with the minimum standards listed in UDC 11-3G-3 is required.
- “Permit new development only where urban services can be reasonably provided at the time of final approval and development is contiguous to the City.” (3.01.01F)
The proposed development is contiguous to the City and urban services can be provided to this development.
- “Restrict private curb cuts and access points on collectors and arterial streets.” (3.06.02D)
One (1) access is proposed on the west side of N. Centrepointe Way, a collector street, to the SFR portion of the development; and one (1) access is proposed on the east side of N. Centrepointe Way for the MFR portion of the development. Staff recommends local street access (or a driveway with a cross-access easement) is provided to the property (#R4582530202) abutting the R-40 zoned portion of the site as set forth in UDC 11-3A-3A.3, as the property currently only has access via Eagle Rd./SH-55.
- “Coordinate with transportation agencies to ensure provision of services and transit development.” (6.02.02H)
This site is not currently served by public transportation. However, ValleyConnect 2.0 proposes bus service on Eagle Rd. from the Boise Research Center to downtown Kuna with 20 minute frequencies in the peak hour. The Closest bus stop would be less than ½ mile from this site when that route is operational.
- “Require pedestrian access connectors in all new development to link subdivisions together to promote neighborhood connectivity as part of a community pathway system.” (3.03.03B)
*There are no pathway connections to this development from adjacent developments to the north and south other than sidewalks adjacent to public streets. **Staff recommends the Applicant coordinate with the Developer of the property to the south (Brickyard Apartments) to incorporate pedestrian connections between the two developments (i.e. the single-family and the multi-family developments) on each side of N. Centrepointe Way.***

In reviewing development applications, the following items will be considered in all Mixed Use areas, per the Comprehensive Plan (pgs. 23-24): *(Staff’s analysis in italics)*

- “Residential densities should be a minimum of six dwellings/acre.”
The gross density of the proposed MFR development is 27 units per acre which falls within the range desired in mixed use designated areas.

- “Where feasible, higher density and/or multi-family residential development will be encouraged, especially for projects with the potential to serve as employment destination centers and when the project is adjacent to US 20/26, SH-55, SH-16 or SH-69.”
The proposed development incorporates a MFR component along with the SFR development and is in close proximity (i.e. 460’) to N. Eagle Rd./SH-55. The proposed development will provide housing options for nearby employment centers.
- “A conceptual site plan for the entire mixed-use area should be included in the application.”
A concept plan was included on the landscape plan for the future MFR development in conjunction with the SFR development currently proposed.
- “In developments where multiple commercial and/or office buildings are proposed (not residential), the buildings should be arranged to create some form of common, usable area, such as a plaza or green space.”
This development does not include commercial/office buildings.
- “The site plan should depict a transitional use and/or landscaped buffering between commercial and existing low- or medium-density residential development.”
The proposed single-family ~~attached and~~ detached units with varying lot sizes and setbacks will provide a transition in density and lot sizes between larger single-family residential lots to the north and the townhomes/multi-family lots to the south. This development does not include any commercial uses; however, the proposed multi-family development on the eastern portion of the site will provide a transition between the proposed single-family attached and detached units and future commercial/mixed uses along Eagle Rd.
- “A mixed-use project should include at least three types of land uses [i.e. commercial (includes retail, restaurants, etc.), office, residential, civic (includes public open space, parks, entertainment venues, etc.), and industrial]. Exceptions may be granted for smaller sites on a case-by-case basis.”
The proposed development plan only includes one land use type (i.e. residential); however, ~~three~~ two different types of residential units are proposed (i.e. single-family detached, ~~attached~~ and multi-family apartment units). Within the overall mixed use designated area, which incorporates land on both sides of Eagle Rd./SH55 to the south to Fairview Ave., there are a mix of uses as desired consisting of commercial (retail, restaurants, etc.), office and residential uses.
- “Community-serving facilities such as hospitals, churches, schools, parks, daycares, civic buildings, or public safety facilities are expected in larger mixed-use developments.”
This is a relatively small portion of the overall mixed use designated area; none of these types of uses are proposed on this site nor have they been developed on the adjacent mixed use designated area to the south.
- “Supportive and proportional public and/or quasi-public spaces and places including but not limited to parks, plazas, outdoor gathering areas, open space, libraries, and schools are expected; outdoor seating areas at restaurants do not count.”
The proposed plan does not incorporate public and/or quasi-public spaces and places; the common area proposed in the residential development is owned by the Homeowner’s Association and does not satisfy this requirement. These types of public spaces have been provided in the adjacent mixed use designated area to the south.
- “All mixed-use projects should be directly accessible to neighborhoods within the section by both vehicles and pedestrians.”

The proposed development plan shows interconnectivity with the residential neighborhood to the north providing accessibility to the commercial development to the south via N. Centrepointe Way.

- “Street sections consistent with the Ada County Highway District Master Street Map are required within the Unified Development Code.”
The proposed development plan includes a north/south collector street (i.e. N. Centrepointe Way) consistent with the Master Street Map.
- “Because of the existing small lots within Old Town, development is not subject to the Mixed-Use standards listed herein.”
The proposed development is not within Old Town; therefore, this provision is not applicable.

In reviewing development applications, the following items will be considered in MU-R areas, per the Comprehensive Plan (pg. 30):

- “Development should comply with the general guidelines for development in all Mixed-Use areas.”
See analysis above.
- “Residential uses should comprise a minimum of 10% of the development area at densities ranging from 6 to 40 units/acre.”
The proposed residential uses comprise 100% of the site. Densities of the SFR and MFR developments are in accord with this guideline.
- “Retail commercial uses should comprise a maximum of 50% of the development area.”
No retail commercial uses are proposed with this development; however, the MU-R designated land to the south incorporates a large amount of retail commercial uses.
- “There is neither a minimum nor a maximum imposed on non-retail commercial uses such as office, clean industry, or entertainment uses.”
No commercial uses are proposed with this development.

Zoning:

Based on the analysis above, Staff is of the opinion the requested annexation with the R-8, R-15 and R-40 zoning districts and proposed development is generally consistent with the MDR and ~~proposed~~ MU-R FLUM designations and is appropriate for this site.

The proposed annexation area is contiguous to City annexed property to the north and south; the R-8 and R-15 area is within the Area of City Impact Boundary (AOCI) and the R-40 area is outside of the AOCI boundary. A legal description for the annexation area is included in Section VII.A.

The City may require a development agreement (DA) in conjunction with an annexation pursuant to Idaho Code section 67-6511A. **In order to ensure the site develops as proposed with this application, staff recommends a DA as a provision of annexation with the provisions included in Section VIII.**

3. PRELIMINARY PLAT

Existing Structures/Site Improvements:

There are two (2) existing homes and accessory structures on this site. **These structures are required to be removed prior to signature on the final plat by the City Engineer for the phase in which they are located.**

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

The proposed plat and subsequent development is required to comply with the minimum dimensional standards listed in UDC Tables [11-2A-6](#) for the R-8, [11-2A-7](#) for the R-15 and [11-2A-8](#) for the R-40 zoning districts (see below). The proposed plat complies with these standards.

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

The proposed subdivision is required to be designed and improved per the standards listed in UDC [11-6C-3](#) which include but are not limited to streets, driveways, common driveways, easements, and block face. The proposed plan complies with these standards.

Phasing Plan:

The subdivision is proposed to develop in 23 phases as shown on the phasing plan in Section [VIII.C](#). The first phase will include the extension of N. Dashwood Pl. from the north through the site to N. Centrepointe Way. **Staff recommends the phasing plan is revised to include construction of the street buffer on the east side of N. Centrepointe Way in the first phase so that the street buffer and detached sidewalk is constructed and the buffer landscaped with the first phase of development.**

Access (UDC [11-3A-3](#), [11-3H-4](#))/Streets:

Jasmine Lane, a 50-foot wide private street, currently provides access to the lots in Jasmine Acres Subdivision, including the subject properties. The private street is depicted on the Jasmine Acres subdivision plat. Staff is unaware if a separate recorded easement exists for the private street. Where the easement crosses the subject property it should be relinquished; proof of relinquishment shall be submitted to the Planning Division prior to City Engineer signature on the final plat.

One access is proposed on either side of N. Centrepointe Way, a collector street; and an emergency only/pedestrian access is proposed from the extension of N. Dashwood Pl. at the north boundary of the site. A stub street (E. Jasmine St.) is proposed to the parcel to the west for access and future extension. Public streets are proposed within the SFR portion of the development with 27-foot wide street sections; private drive aisles will be provided within the MFR portion of the development. **In accord with UDC [11-3A-3](#), which limits access points to collector streets to improve safety and requires access to be taken from a local street if available, Staff recommends N. Dashwood Pl. is extended as a full access street into the site with the first phase of development.** *Note: ACHD approved the connection of Dashwood Ave. to the existing stub street to the north (Dashwood Pl.) as a temporary emergency access/pedestrian connection until Centrepointe Way is extended to Wainwright Dr., or within 10 years, whichever occurs first. When Centrepointe Way is extended to Wainwright Dr., Dashwood Pl. will be reconstructed as a public street for vehicular connectivity to Wainwright Dr.*

UDC [11-3A-3A.3](#) requires all subdivisions to provide local street access to any use that currently takes direct access from an arterial or collector street. The parcel to the east of the property proposed to be zoned R-40 on the east side of Centrepointe Way (Parcel #R4582530202), currently takes direct access via N. Eagle Rd./SH-69, an arterial street and a State Highway; therefore, Staff recommends local street access (or a driveway with a cross-access easement) is provided to the property to the east as set forth in UDC [11-3A-3A.3](#). The Applicant should coordinate with the developer of that property on a location for the access street/driveway.

Staff recommends N. Centrepointe Way is extended/constructed with the first phase of development from the southern to the northern boundary of the site so that if re-development of the property to the north ([Wong](#)) occurs before the multi-family portion of

this site, the connection to Wainwright Dr. can be made and services can be extended as soon as possible.

Traffic: A Traffic Impact Study was not required by ACHD for the proposed development; however, the Applicant did include an informal traffic analysis in their application narrative based on ACHD's Policy Manual that takes into consideration existing traffic volumes in relation to anticipated traffic volumes from the proposed development and the resulting impacts to Wainwright Dr. & Dashwood Pl. The analysis shows the total trips per day on Wainwright at 41% of total capacity; and on Dashwood at 44% of total capacity resulting in 56-59% *under* total capacity for these streets, which should not overburden existing roadways systems if these calculations are correct. *See application narrative for more information.*

Many letters of testimony have been received from adjacent residential property owners to the north regarding the amount of traffic that will be generated from the proposed development and routed through their neighborhood. For this reason, it's imperative that the Centrepointe Way connection to Wainwright occur as soon as possible; thus, the reason for Staff's recommendation for the property to the north to be included in the amendment to the FLUM and for the construction of Centrepointe to the northern boundary of the annexation area to occur with the first phase of development.

Common Driveways (UDC [11-6C-3](#))

All common driveways are required to comply with the standards listed in UDC 11-6C-3D. ~~Three~~Two (32) common driveways are proposed that comply with UDC standards. Common driveways should be a maximum of 150' in length or less, unless otherwise approved by the Fire Dept.

An exhibit is required to be submitted with the final plat application that depicts the setbacks, fencing, building envelope and orientation of the lots and structures. Driveways for abutting properties that aren't taking access from the common driveway(s) should be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.

A perpetual ingress/egress easement for the common driveway(s) is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. A copy of the easement should be submitted to the Planning Division prior to signature on the final plat.

Signage should be provided at the ends of the common driveways on Lot ~~125~~, Block 1; ~~Lot 7, Block 2~~; and Lot 19, Block 24 for emergency wayfinding purposes as requested by the Fire Department.

Transition: There are ~~68~~ single-story structures with ~~108~~ 8 dwelling units/properties proposed along the west boundary of this site adjacent to the 8.2 acre rural residential property to the west, which is currently in Ada County and designated as MDR (3-8 units/acre) on the FLUM.

There are ~~55~~ 6 existing single-story residential properties to the north that abut this site that are 0.31-0.38 of an acre in size; ~~40~~ 12 single-family structures with ~~1512~~ 12 dwelling units/properties are proposed along the north boundary of the site. ~~The Applicant submitted an exhibit (I) in the narrative of the application that demonstrates the proposed structures and lots in relation to existing homes, shops, parking areas and yards.~~ *See aerial map below.*

Because the homes proposed along the north and west boundaries will all be a single-story in height, Staff believes they will have a lesser impact on adjacent neighbors than 2-story homes would have; therefore, Staff is not recommending a greater transition in lot sizes

isthan proposed. However, the Commission and City Council should consider any public testimony provided in determining if fewer lots/structures should be provided along these boundaries as a better transition to existing residential properties.



Parking (UDC 11-3C):

Parking for single-family dwellings is required based on the number of bedrooms per unit. For 1-bedroom units, a minimum of 2 spaces per unit are required with at least one of those spaces in an enclosed garage, other space may be enclosed or a minimum 10' x 20' parking pad. For 2-3 bedroom units, a minimum of 4 spaces per unit are required with at least 2 of those spaces in an enclosed garage, other spaces may be enclosed or a minimum 10' x 20' parking pads.

Because of the proposed reduced 27-foot wide street sections, parking is restricted to one side of the street only resulting in fewer available on-street parking spaces for guests and households with cars that can't be parked on private property than is typical with a full street section which allows parking on both sides of the street. Off-street parking is required to be provided on each lot in accord with the aforementioned UDC standards. Because of the narrow lots (i.e. 32'+) for detached homes and associated driveways, there is not adequate room for on-street parking in front of those lots for guest parking and in some areas parking is a ways away. Where attached homes are proposed, there is room for approximately one space per every 2 lots for on-street parking. On-street parking (5658 spaces) is also available adjacent to common lots and along one side of the street within 200' from any home within the development (see Exhibit H in Section VII).

Pathways (UDC 11-3A-8):

Pathways are required to be constructed in accord with the standards listed in UDC 11-3A-8 with landscaping on either side of the pathway(s) in accord with the standards listed in UDC 11-3B-12C.

~~Because interconnectivity is important and especially so in mixed-use developments, Staff recommends the Applicant coordinate with the Developer of the property to the south (Brickyard Apartments) to incorporate pedestrian connections between the two developments on each side of N. Centrepointe Way.~~

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

Sidewalks are required to be constructed adjacent to public streets as set forth in UDC 11-3A-17. Minimum 5-foot wide detached sidewalks are required along all collector ~~and arterial~~ streets; and minimum 5-foot wide attached (or detached) sidewalks are required along local streets as proposed.

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

Parkways are required to be constructed and landscaped per the standards listed in UDC 11-3A-17E. Eight-foot wide parkways are proposed along the collector streets and along internal local street abutting common areas in accord with UDC standards.

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

Per UDC Tables 11-2A-7 and 11-2A-8, a 20-foot wide buffer is required adjacent to N. Centrepointe Way, a collector street. Street buffer landscaping is required to be provided within common lots in accord with the standards listed in UDC 11-3B-7C; **trees and shrubs should be depicted within the street buffers on either side of N. Centrepointe Way in accord with these standards. The Landscape Calculations table should include the linear feet of street buffers and the required vs. proposed number of trees demonstrating compliance with the aforementioned standard.**

Landscaping is required to be provided in common open space areas in accord with the standards listed in UDC 11-G-3E; the proposed landscaping exceeds the minimum standards.

Landscaping is required within parkways as set forth in UDC 11-3A-17E and 11-3B-7C; the Landscape Calculations table should include the linear feet of parkways and the required vs. proposed number of trees demonstrating compliance with the aforementioned standard.

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

Based on the overall development area which consists of 15.21 acres of land, a minimum of 10% (1.52 acres) qualified open space is required to be provided within the development per the standards listed in UDC 11-3G-3B. Because the site is bisected by a collector street and the portion of the site proposed to develop with apartments is not being developed at this time, Staff recommends the 10% open space is provided on each property; the R-8 and R-15 property totaling 11.3+/- acres should provide a minimum of 1.13 acres and the R-40 property totaling 3.6+/- acres should provide a minimum of 0.36 of an acre (in addition to the open space required in UDC 11-4-3-27C for multi-family developments).

A revised qualified open space exhibit was submitted as shown in Section VII.F that depicts ~~4.33~~1.23 acres (or ~~41.5~~10.8%) of open space for the SFR portion of the development consisting of a ~~half~~0.69 of an acre park with amenities, parkways, ~~a micro-path lot,~~ and linear open space that is at least 20' wide and has an access at each end and is landscaped, and a collector street buffer ~~and a local street buffer.~~ The linear open space on Lot 17, Block 4 doesn't qualify as it's not accessible at the west end as required by UDC 11-3G-3B. I.e., however the rest of the area meets the minimum standard at 1.17 acres. Alternative Compliance is requested to count the local street/land use buffer along the southern boundary of the site toward the qualified open space requirements (see Section 4 below for more information). The open space on the R-40 property will be evaluated for compliance with UDC 11-3G-3B at the time of submittal of a conditional use permit.

The qualified open space on the MFR portion of the site east side of Centrepointe Way includes area that does not qualify (i.e. the perimeter buffer along the east boundary) and is below the 10% required of the total land area (i.e. 5 acres). Because that portion of the site is not planned to develop at this time and is conceptual in nature and likely to change, Staff recommends a DA provision is added requiring a minimum 10% qualified open space is provided at the time of development that meets the standards in UDC 11-3G-3B. This requirement is in *addition* to that required in UDC 11-4-3-27C for MFR developments.

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

A minimum of one (1) qualified site amenity is required to be provided for this development based on the size of the overall development (i.e. 15.21 acres).

The Applicant proposes a shade structure, children’s play structure, children’s climbing dome, children’s climbing boulders, seating benches, public art micro-pathways and possibly a swing set and a pathway as amenities, which *exceed* UDC standards. The pathway does not count as a qualified amenity as it doesn’t meet the standards in UDC 11-3G-3C.3; however, the other amenities proposed *do* qualify and *exceed* the minimum standards.

Existing Trees: There are many existing trees on this site the Applicant states are being removed by the residential property owner for firewood. Include mitigation information on the plan for any existing trees that are *not* removed by the property owner in accord with the standards listed in UDC 11-3B-10C.5.

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

The Nourse Lateral runs along the northern boundary of this site and is piped. **An easement should be depicted on the plat for the waterway. If the easement is 10 feet or greater, it should be located within a common lot that is a minimum 20-foot wide and outside of a fenced area unless modified by City Council as set forth in UDC 11-3A-6D.**

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-7.

The existing fencing along the north and southwest boundaries of the site is proposed to remain. A 6-foot tall solid vinyl privacy fence is proposed along the west, south and east boundaries of the SFR portion of the site ~~as well as along the north, east and south boundaries of the MFR portion of the site~~ in accord with UDC standards. A 4-foot tall wrought iron fence is proposed around the perimeter of the children’s play area on Lot 1, Block ~~32~~.

Utilities (UDC [11-3A-21](#)):

Connection to City water and sewer services is proposed. 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 system is required to be provided for each lot within the development.

Storm Drainage (UDC [11-3A-18](#)):

An adequate storm drainage system is required in all developments in accord with the City's adopted standards, specifications and ordinances. Design and construction shall follow best management practice as adopted by the City as set forth in UDC 11-3A-18.

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

Conceptual building elevations were submitted for the proposed single-family ~~attached and~~ detached units and multi-family apartment structures as shown in Section VII.F. Building materials for the single-family homes consist of a mix of siding (horizontal and vertical lap siding and board & batten) and stucco with stone veneer accents.

The ~~single family attached and~~ multi-family structures are required to comply with the design standards in the Architectural Standards Manual; single-family detached structures are exempt from this requirement.

All SFR homes along the west and north perimeter boundaries of the development will be restricted to a single-story in height as proposed by the Applicant.

Because the rear and/or side of 2-story structures on Lots 14-18, 12-8, Block 1 and 51, Lot 2, Block 25 that face N. Centrepointe Way will be highly visible, Staff recommends those elevations incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines. Single-story structures are exempt from this requirement.

Public Testimony: *Many letters of testimony have been received on the original plan submitted with this application, primarily from residential neighbors to the north in Alpine Pointe Subdivision (aka Zebulon Heights). The primary concerns are the intensity of the development (i.e. density is too high); not enough transition in lot sizes to lower larger lots to the north; extension of N. Dashwood Pl. and Centrepointe Way and resulting traffic generated from this development and from the developments to the south that will be routed through their subdivision until Centrepointe can be extended to the north to Wainwright in a more direct fashion; and safety concerns for children pertaining to traffic. The neighbors have suggested several alternate development plans that would result in less traffic through their neighborhood. See *public testimony in the project file for more information.**

Additional public testimony has been received on the revised plan that can be accessed at: <https://weblink.meridiancity.org/WebLink/browse.aspx?id=166928&&dbid=0&&repo=MeridianCity>.

~~4. ALTERNATIVE COMPLIANCE A local street buffer is no longer proposed; Staff has removed this section as it is no longer applicable.~~

~~The applicant requests alternative compliance to UDC 11-3G-3B, as allowed in UDC Table 11-5B-5, to be allowed to count the area of a local street buffer toward the minimum qualified open space for the development.~~

~~The qualified open space pertaining to street buffers listed in UDC 11-3G-3B allows the full area of collector street buffers and 50% of arterial street buffers to count toward the minimum required common open space; local street buffers do not count toward the minimum requirements.~~

~~The Applicant proposes to construct a 29-foot wide landscape buffer along the southern boundary of the SFR portion of the site with dense landscaping along E. Jasmine St., a local street, to buffer the abutting 3-story apartment structures in Brickyard Subdivision.~~

In order to grant a request for Alternative Compliance, the Director must determine if the alternative provides an equal or superior means of meeting the intent and purpose of the regulation (see Findings in Section IX.D).

The Director has reviewed the request and finds the proposed alternative means for meeting the intended purpose of UDC 11-3G-3 has been met.

VI. DECISION

A. Staff:

Staff recommends approval of the proposed ~~Comprehensive Plan Map Amendment~~ *if the parcel to the north (R4582530100) is also included*, the Annexation & Zoning and Preliminary Plat applications with the conditions included in Section VIII.A per the Findings in Section IX.

~~If the parcel to the north (R4582530100) is not included in the map amendment~~, Staff recommends denial of annexation and zoning request for the eastern parcel (i.e. R-40 zone).

B. Commission:

The Meridian Planning & Zoning Commission heard these items on May 2 and July 18, 2019. At the public hearing on July 18th, the Commission moved to recommend *denial* of the subject CPAM, AZ and PP requests to City Council.

1. Summary of Commission public hearing:

- a. In favor: Jim Conger;
 - b. In opposition: Malissa Bernard (representing many neighbors on Dashwood Place to the north in Alpoint Point Sub.); Frank Marcos (Alpine Point Sub. HOA President); Kenneth Clifford; Sherry Garey; Greg Walker; Patricia Pitzer; Joy Cameron; Sandi King; Laura Trairatnobhas
 - c. Commenting: Connie Thompson;
 - d. Written testimony: Many (47+/-) letters of testimony were received (see public record).
 - e. Staff presenting application: Bill Parsons
 - f. Other Staff commenting on application: None
- #### 2. Key issue(s) of public testimony:
- a. Consensus that proposed density of development is too high;
 - b. Not enough transition in lot sizes is proposed to larger lots to the north;
 - c. Concern pertaining to the extension of Dashwood Pl. and Centrepointe Way and resulting traffic generated from the proposed development and from the commercial and multi-family residential developments to the south that will be routed through the subdivision to the north if Jasmine is connected to Centrepointe before Centrepointe can be extended to the north to Wainwright;
 - d. Safety concerns for children pertaining to traffic;
 - e. The proposed development is premature and that infrastructure (i.e. the extension of Centrepointe to Wainwright) should be in place prior to the development going in, not after the fact;
 - f. There has been no negotiation with neighbors by the Developer as directed by the Commission;
- #### 3. Key issue(s) of discussion by Commission:
- a. The desire for the City of Boise to take action on a request to exclude the eastern portion of the site from their Area of City Impact boundary *prior* to the City making a decision on this application;
 - b. The possibility of only an emergency access via Dashwood Pl.;

- c. Concern pertaining to adequacy of parking for the development;
 - d. Preference for R-8 vs. R-15 zoning for the single-family portion and R-15 vs. R-40 zoning for the multi-family portion of the site as a transition to adjacent zoning;
 - e. Density should be reduced due to Heritage Middle School and Rock Mountain High School already being over capacity;
 - f. Desire for the Applicant to work with neighbors to address issues that were brought up at the hearing.
4. Commission change(s) to Staff recommendation:
- a. The Commission recommended *denial* of the proposed CPAM, AZ and PP applications to the City Council based on their desire for the Applicant to obtain approval from the City of Boise for the adjustment to the Area of City Impact boundary; and opinion the applicant did not sufficiently work with the neighbors on their concerns pertaining to the proposed development.
5. Outstanding issue(s) for City Council:
- a. None

C. City Council:

The City Council heard this project on November 12, 2019 and moved to remand the project back to the Commission to address the density issue of the proposed development and for their review of a revised site plan with changes to lots proposed along the northern boundary of the subdivision that front on E. Della Street.

D. The Meridian Planning & Zoning Commission heard these items on March 19 and April 16, 2020. At the public hearing on April 16th, the Commission moved to recommend approval of the subject AZ and PP requests.

1. Summary of Commission public hearing:
- a. In favor: Hethe Clark
 - b. In opposition:
 - c. Commenting: Malissa Bernard; Laura Trairatnobhas; Michael Bernard; Sandi King; Kenneth Clifford; Allie Crane
 - d. Written testimony: Many letters of public testimony were received (see public record); Hethe Clark (response to the revised staff report – in agreement except for two items: 1) requests DA provision #1D be revised to not restrict homes along the west boundary to a single-story in height as previously proposed, to allow 2-story homes to be constructed; and 2) requests deletion of condition #2B, which requires construction of the 20' wide street buffer & detached sidewalk along the east side of Centrepoinde to be constructed with the first phase of development to be deferred until the multi-family portion of the site develops.;
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Bill Parsons
2. Key issue(s) of public testimony:
- a. The HOA to the north (Alpine Point) requests the Dashwood stub street at the north boundary be vacated and sole vehicular access be provided to the site from the south via Centrepoinde Way to keep traffic from cutting through their neighborhood – this could also be accomplished with a gate for emergency access only; feeling that the subdivision to the north is “overconnected” and more connections aren’t necessary to Wainwright Dr. from the south, especially with Centrepoinde planned to extend to Wainwright in the future; requests larger lots and single-story homes along north boundary for a better transition; belief that funds should be provided by all development for improvement of the Eagle Rd. & Wainwright intersection;

- b. Concern pertaining to the impact the proposed development will have on the capacity of area schools;
 - c. Frustration from the neighbors that they weren't aware that Dashwood was planned to be extended in the future as there were no signs erected at the end of the stub street;
 - d. Concern pertaining to the removal of all of the existing evergreen trees (40+/-) along the southern boundary of the site and request for mitigation to be required (the owner planned to cut the trees down for firewood);
3. Key issue(s) of discussion by Commission:
- a. The Commission asked the Applicant to clarify the status of the Nourse Lateral easement along the northern boundary of the site – the Applicant stated the Alpine Pointe Subdivision plat depicts a 15' wide easement for the piped lateral that exists on the adjacent property to the north within the easement; the Applicant also proposes to depict an additional easement on the subject plat in case it's needed for maintenance of the lateral;
 - b. The transportation plan for this area and existing and planned connections to Wainwright Dr.;
 - c. Whether or not Dashwood should be extended to Centrepointe with the first phase of development as recommended by Staff; or extended as a temporary emergency access/pedestrian connection until Centrepointe is extended to Wainwright, or within 10 years, whichever occurs first – when Centrepointe is extended to Wainwright, Dashwood would be reconstructed as a public street for vehicular connectivity to Wainwright as required by ACHD.
 - d. The Applicant's request for homes along the west boundary to *not* be restricted to single-story in height and for the buffer and sidewalk along the east side of Centrepointe to not be constructed until development of the multi-family portion of the site;
 - e. Support for retaining the existing trees or requiring mitigation for them if removed;
 - f. In support of fewer lots and lower density proposed;
 - g. The timing for construction of the street buffer and sidewalk along the east side of Centrepointe Way (with the first phase as recommended by Staff or with the 3rd phase as proposed by the Applicant).
4. Commission change(s) to Staff recommendation:
- a. Modify condition #A.1f to add language consistent with ACHD's decision pertaining to the extension of Dashwood to Centrepoint Way; and strike condition #A.5 in Section VIII.
 - b. Modify DA provision #A.1d in Section VIII to allow bonus rooms on single-story homes along the west boundary with no rear facing windows for the bonus rooms;
 - c. Strike condition #A.2b in Section VIII, which requires the street buffer and sidewalk along the east side of Centrepointe Way to be constructed with the first phase of development to allow it to be constructed with the third phase as proposed;
 - d. Include a condition requiring the Developer to retain as many trees as possible along the southern boundary (see modification to condition #A.3a).
5. Outstanding issue(s) for City Council:
- a. If Council determines that *all* existing trees on the site being removed should require mitigation in accord with UDC standards, even those removed by the property owner for firewood, condition #A.3a in Section VIII should be modified accordingly.

- E. The Meridian City Council heard these items on May 12, 2020. At the public hearing, the Council moved to deny the subject AZ and PP requests.
1. Summary of the City Council public hearing:
 - a. In favor: Hethe Clark
 - b. In opposition:
 - c. Commenting: Frank Marcos; Malissa Bernard; Sandi King; Ken Clifford; Laura Trairatnobhas; Mike Bernard; Doreen Mills; Allie Crane; Tim Fritzley; Sherry Garey; Randy Spiwak; Patty Pitzer; Thomas Hunt; Justin Lucas, ACHD
 - d. Written testimony: Many letters of testimony were submitted (see public record).
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Joe Bongiorno; Warren Stewart
 2. Key issue(s) of public testimony:
 - a. Neighbors in Alpine Pointe Subdivision to the north request the following: Dashwood Pl. to be closed permanently as it was never meant to be extended and is designed as a cul-de-sac; single-level homes along north boundary; the identity of the Developer to be disclosed; not in favor of intensity of proposed R-40 zoning district; information on whether the proposed units will be owner occupied or rental units;
 - b. Would like the existing trees along the southern boundary of the site to be retained and the height of homes on Lots 16 and 17, Block 5 to be restricted to a single-story in height;
 - c. Request for the Developer to perform a utility survey for existing facilities, specifically the Nourse Lateral;
 - d. Request for a reduction in the number of lots along north boundary to six (6).
 - e. Applicant requests restriction for single-story homes to be removed along west boundary (condition #1c);
 - f. Applicant requests condition #1f is modified to only require an emergency access via Dashwood Pl.
 3. Key issue(s) of discussion by City Council:
 - a. Transition in lot sizes/configuration along north boundary;
 - b. Retention of existing trees in the triangle common area at the southwest corner of the site and along the south boundary if possible;
 - c. Enrollment of area schools and impact on such by the proposed development;
 - d. Discussion as to where jurisdiction of the City and land use and ACHD and transportation begins and ends;
 - e. Removal of any connection to Dashwood Pl. except for emergency access or leave it open for interconnectivity;
 - f. Requirement for mitigation of existing trees that are removed from the site.
 4. City Council change(s) to Commission recommendation:
 - a. City Council voted to deny the project due to their belief it is not in the best interest of the City to approve the project at this time due to connectivity reasons – they felt in order to solve the connectivity issues in this area, Centrepointe Way needs to be extended to Wainwright Dr. They determined there was no conditions of approval that could be placed on this project that would enable them to approve the project at this time.
- E. The Meridian City Council heard these items on July 28, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.
1. Summary of the City Council public hearing:
 - a. In favor: Hethe Clark

- b. In opposition: Susan Mimura representing Mike & Malissa Bernard, Frank Marcos, Malissa Bernard, Laura Trairatnobhas, Patty Pitzer, Kenneth Clifford, Mike Bernard, Sandy King, Dave Martin
- c. Commenting: None
- d. Written testimony: Many letters of testimony were submitted – see public record
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None
- 2. Key issue(s) of public testimony:
 - a. Request for Dashwood Pl. to *not* be extended as a public street and serve as emergency and pedestrian access only;
 - b. Concern pertaining to the safety of residents on Dashwood Pl. and in Alpine Point Subdivision due to high traffic volume if Dashwood is extended into the development as a public street;
 - c. Transition in lot sizes and density along the northern boundary of the subdivision isn't adequate – request for larger lots;
 - d. Desire of the assisted living facility to the east to not have traffic going through their site from this development with an access driveway stubbed to their property.
- 3. Key issue(s) of discussion by City Council:
 - a. The extension of Dashwood Pl. as a public street with this development or allowing it to be an emergency and pedestrian access only and not be extended;
 - b. If Dashwood isn't required to be extended, the fourth phase of development isn't necessary and the phasing plan should be amended.
- 4. City Council change(s) to Commission recommendation:
 - a. Council approved the project with the revised phasing plan presented by the Applicant but didn't require the extension of Dashwood Pl. as a public street (now or in the future) – Dashwood will only provide emergency and pedestrian access to the proposed development. The emergency access shall be constructed with the first phase of development (see DA provisions #A.1f-g and condition #A.5 in Section VIII).

VII. EXHIBITS

- A. ~~Applicant Proposed & Staff Recommended Future Land Use Maps~~ *Removed as an amendment to the FLUM is no longer necessary.*

B. Annexation & Zoning Legal Description and Exhibit Map **REVISED**



Sawtooth Land Surveying, LLC

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

Delano Zoning R-8 Description

BASIS OF BEARING for this description is South 89°39'12" West, between the illegible brass cap marking the E1/4 Corner of Section 32 and the 5/8" rebar PLS 4431 marking the C1/4 Corner of Section 32, both in T. 4 N., R. 1 E., B.M., Ada County, Idaho.

A parcel of land being a portion of Lot 3, Block 1 of Jasmine Acres, as shown in Book 59 of Plats, at Page 5829, Ada County Records, and a portion of the SE1/4 of Section 32, T. 4 N., R. 1 E., B.M., Ada County, Idaho, more particularly described as follows:

COMMENCING at the illegible brass cap marking the E1/4 Corner of said Section 32;

Thence South 89°39'12" West, coincident with the north line of said SE1/4 of Section 32, a distance of 1026.20 feet to the northwest corner of Lot 1, Block 1 of said Jasmine Acres and the **POINT OF BEGINNING**;

Thence South 0°20'48" East, coincident with the west line of said Lot 1, a distance of 125.59 feet;

Thence South 89°42'00" West, parallel with the south line of said Lot 3, a distance of 121.45 feet;

Thence South 49°30'18" West, 20.50 feet to the beginning of a non-tangent curve to the left;

Thence 43.46 feet along the arc of said curve, with a radius of 50.00 feet, a central angle of 49°48'18", subtended by a chord bearing North 65°23'51" West, 42.11 feet;

Thence South 89°42'00" West, parallel with said south line of Lot 3, a distance of 382.00 feet to the beginning of a tangent curve to the left;

Thence 78.54 feet along the arc of said curve, with a radius of 50.00 feet, a central angle of 90°00'00", subtended by a chord bearing South 44°42'00" West, 70.71 feet;

Thence South 00°18'00" East, 372.09 feet;

Thence South 89°42'00" West, parallel with said south line of Lot 3, a distance of 109.27 feet to the beginning of a tangent curve to the right;

Thence 14.35 feet along the arc of said curve, with a radius of 50.00 feet, a central angle of 16°26'24", subtended by a chord bearing North 82°04'48" West, 14.30 feet;

Thence North 73°51'36" West, 18.22 feet to the westerly line of said Lot 3;

Thence North 16°08'24" East, coincident with the common line of said Lots 3 and 4, Block 1, Jasmine Acres, 25.45 feet to the northernmost common corner of said Lots 3 and 4;

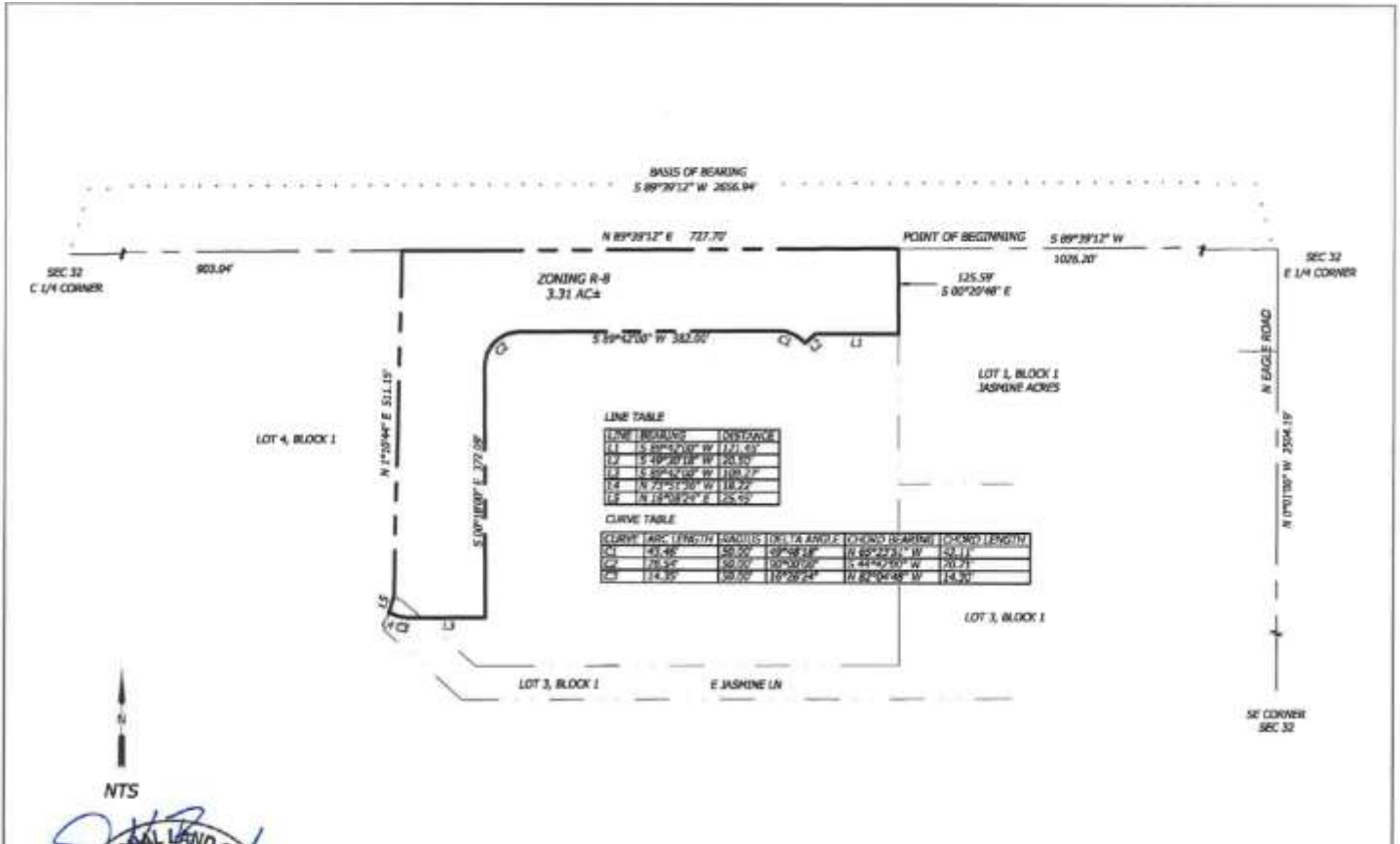
Thence North 1°10'44" East, coincident with the east boundary line of said Lot 4, a distance of 511.15 to the northeast corner of said Lot 4, which is on said north line of the SE1/4;

Thence North 89°39'12" East, coincident with said north line of the SE1/4, a distance of 727.70 feet to the **POINT OF BEGINNING**.

The above described parcel contains 3.31 acres, more or less.



Item #5.



LINE TABLE

LINE	BEARING	DISTANCE
L1	S 89°29'12" W	1121.02'
L2	S 00°20'48" W	253.85'
L3	S 00°20'48" W	110.97'
L4	N 72°54'28" W	118.22'
L5	N 02°52'20" E	125.59'

CURVE TABLE

CHORD	ARC LENGTH	CHORD BEARING	CHORD DISTANCE	CHORD BEARING	CHORD LENGTH
C1	40.48'	S 89°29'12" W	1121.02'	N 89°29'12" E	1121.02'
C2	174.35'	S 00°20'48" W	253.85'	N 00°20'48" E	253.85'
C3	174.35'	S 00°20'48" W	110.97'	N 00°20'48" E	110.97'



PROJECT:
**DELANO ZONING R-8
 BOUNDARY**
 T. 4 N., R. 1 E., B.M.,
 ADA COUNTY, IDAHO

OWNER/DEVELOPER:
**BOLL COOK
 INVESTMENTS, LLC**

DATE: 3/2020


SAWTOOTH
 Land Surveying, LLC

2030 S. WASHINGTON AVE.
 EMMETT, ID 83617
 P: (208) 398-8104
 F: (208) 398-8105

WWW.SAWTOOTHLS.COM

DWG # 18094-EX
 PROJECT # 18094
 SHEET 1 OF 1



Sawtooth Land Surveying, LLC

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

1044 Northwest Blvd., Ste. G
Coeur d'Alene, ID 83814
P: (208) 714-4544
F: (208) 292-4453

141 1st Avenue East
Jerome, ID 83338
P: (208) 329-5303
F: (208) 324-3821

R-15 Re-Zone Description

BASIS OF BEARING for this description is South 89°39'12" West, from the illegible brass cap marking the E1/4 Corner of Section 32 and the 5/8" rebar PLS 4431 marking the C1/4 Corner of Section 32, both in T. 4 N., R. 1 E., B.M., Ada County, Idaho.

A parcel of land being a portion of Lot 3, Block 1 of Jasmine Acres, as shown in Book 59 of Plats, at Page 5829, Ada County Records, and a portion of the N1/2 of the S1/2 of Section 32, T. 4 N., R. 1 E., B.M., Ada County, Idaho, more particularly described as follows:

COMMENCING at the illegible brass cap marking the E1/4 Corner of said Section 32;

Thence South 89°39'12" West, coincident with the center of Section line of said Section 32, a distance of 1026.20 feet to the northwest corner of Lot 1, Block 1 of said Jasmine Acres;

Thence South 0°20'48" East, coincident with the west boundary line of said Lot 1, a distance of 125.59 feet to the **POINT OF BEGINNING**;

Thence continuing South 0°20'48" East, coincident with the west boundary line of said Lot 1, a distance of 221.24 feet to the northwest corner of said Lot 3;

North 89°42'00" East, coincident with the north boundary line of said Lot 3, a distance of 43.10 feet;

Thence South 0°18'00" East, 316.85 feet to the south boundary line of said Lot 3;

Thence South 89°42'00" West, coincident with the south boundary line of said Lot 3, a distance of 684.43 feet;

Thence North 48°11'00" West, coincident with the south boundary line of said Lot 3, a distance of 154.02 feet to the southernmost common corner of Lots 3 and 4 of said Jasmine Acres;

Thence North 16°08'24" East, coincident with the common boundary line of Lots 3 and 4, Block 1, Jasmine Acres, 25.45 feet;

Thence South 73°51'36" East, 18.21 feet to the beginning of a tangent curve to the left;

Thence 14.35 feet along the arc of said curve, with a radius of 50.00 feet, a central angle of 16°26'24", subtended by a chord bearing South 82°04'48" East, 14.30 feet;

Thence North 89°42'00" East, parallel with said south boundary line, 109.27 feet;

Thence North 0°18'00" West, 372.09 feet to the beginning of a tangent curve to the right;

Thence 78.54 feet along the arc of said curve, with a radius of 50.00 feet, a central angle of 90°00'00", subtended by a chord bearing North 44°42'00" East, 70.71 feet;

Thence North 89°42'00" East, parallel with said south boundary line, 382.00 feet to the beginning of a tangent curve to the right;

Thence 43.46 feet along the arc of said curve, with a radius of 50.00 feet, a central angle of 49°48'18", subtended by a chord bearing South 65°23'51" East, 42.11 feet;

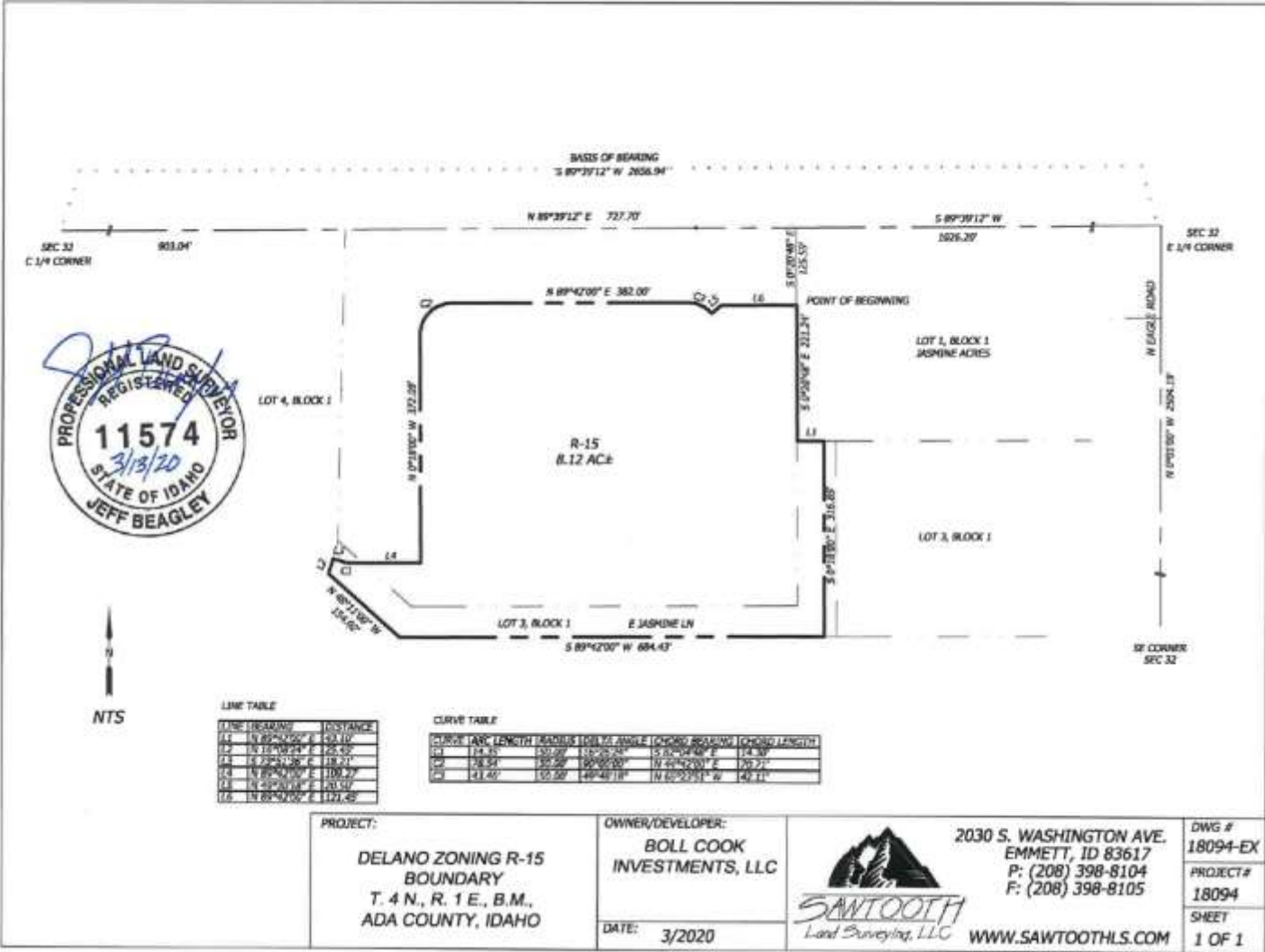
Thence North 49°30'18" East, 20.50 feet;

Thence North 89°42'00" East, parallel with said south boundary line, 121.45 feet to the **POINT OF BEGINNING.**

The above described parcel contains 8.12 acres, more or less.



Item #5.





Sawtooth Land Surveying, LLC

2030 S. Washington Ave. Emmett, ID 83617 P: (208) 398-8104 F: (208) 398-8105	1044 Northwest Blvd., Ste. G Coeur d'Alene, ID 83814 P: (208) 714-4544 F: (208) 292-4453	141 1 st Avenue East Jerome, ID 83338 P: (208) 329-5303 F: (208) 324-3821
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R-40 Re-Zone Description

BASIS OF BEARING for this description is South 89°39'12" West, from the illegible brass cap marking the E1/4 Corner of Section 32 and the 5/8" rebar PLS 4431 marking the C1/4 Corner of Section 32, both in T. 4 N., R. 1 E., B.M., Ada County, Idaho.

A parcel of land being a portion of Lot 3, Block 1 of Jasmine Acres, as shown in Book 59 of Plats, at Page 5829, Ada County Records, located in the NE1/4 of the SE1/4 of Section 32, T. 4 N., R. 1 E., B.M., Ada County, Idaho, more particularly described as follows:

COMMENCING at the illegible brass cap marking the E1/4 Corner of said Section 32;

Thence South 89°39'12" West, coincident with the north line of said SE1/4 of Section 32, a distance of 1026.20 feet to the northwest corner of Lot 1, Block 1 of said Jasmine Acres;

Thence South 0°20'48" East, coincident with the west boundary line of said Lot 1, a distance of 346.83 feet to the northwest corner of said Lot 3;

Thence North 89°42'00" East, coincident with the north boundary line of said Lot 3, a distance of 43.10 feet to the **POINT OF BEGINNING**;

Thence continuing, North 89°42'00" East, coincident with said north boundary line of Lot 3, a distance of 521.16 feet to the northeast corner of said Lot 3;

Thence South 0°01'00" East, coincident with the east boundary line of said Lot 3, a distance of 316.85 feet to the southeast corner of said Lot 3;

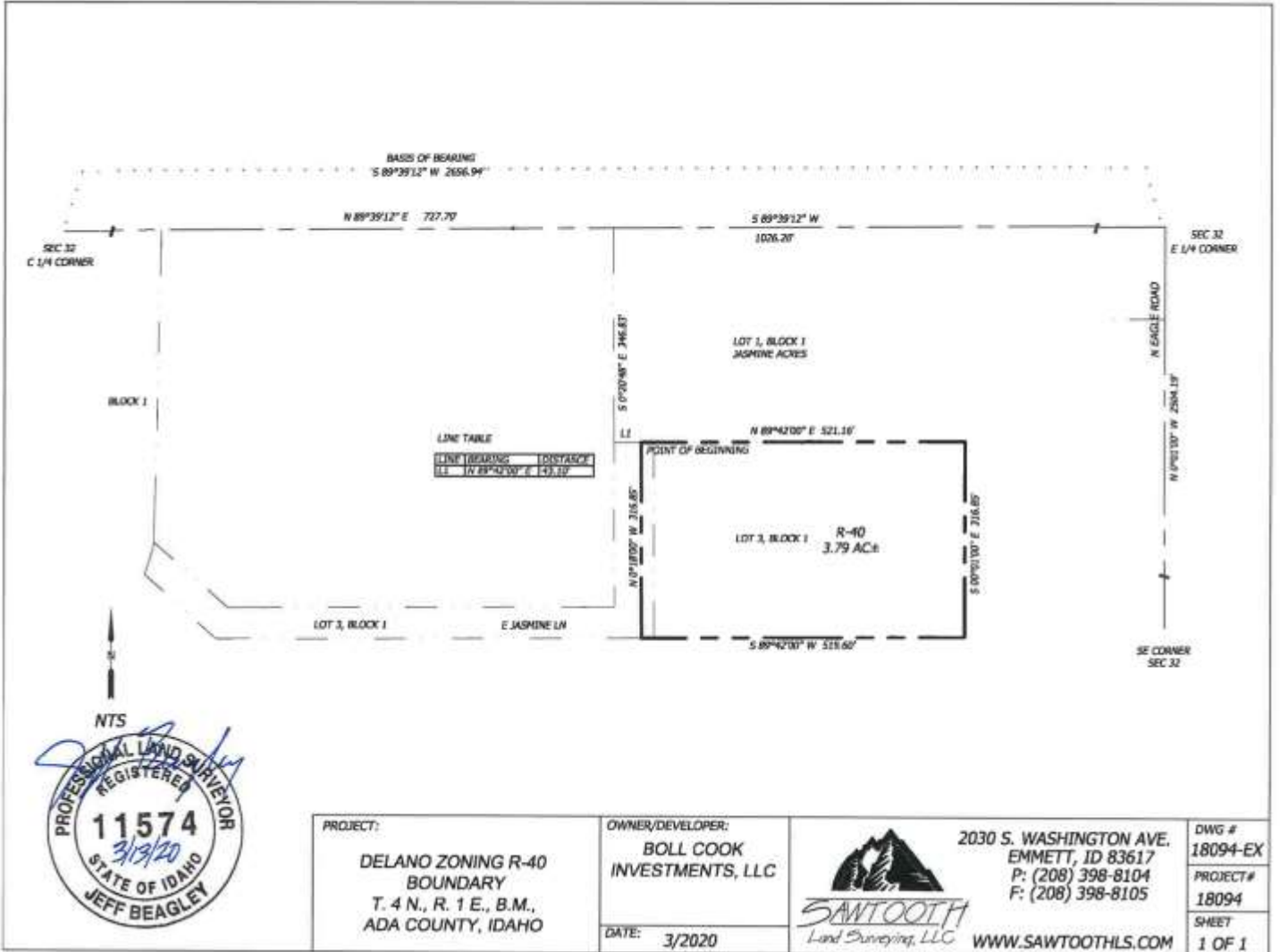
Thence South 89°42'00" West, coincident with the south boundary line of said Lot 3, a distance of 519.60 feet;

Thence North 00°18'00" West, 316.85 feet to the **POINT OF BEGINNING**.

The above described parcel contains 3.79 acres, more or less.



Item #5.



PROJECT:
 DELANO ZONING R-40
 BOUNDARY
 T. 4 N., R. 1 E., B.M.,
 ADA COUNTY, IDAHO

OWNER/DEVELOPER:
 BOLL COOK
 INVESTMENTS, LLC

DATE: 3/2020


SAWTOOTH
 Land Surveying, LLC

2030 S. WASHINGTON AVE.
 EMMETT, ID 83617
 P: (208) 398-8104
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WWW.SAWTOOTHLS.COM

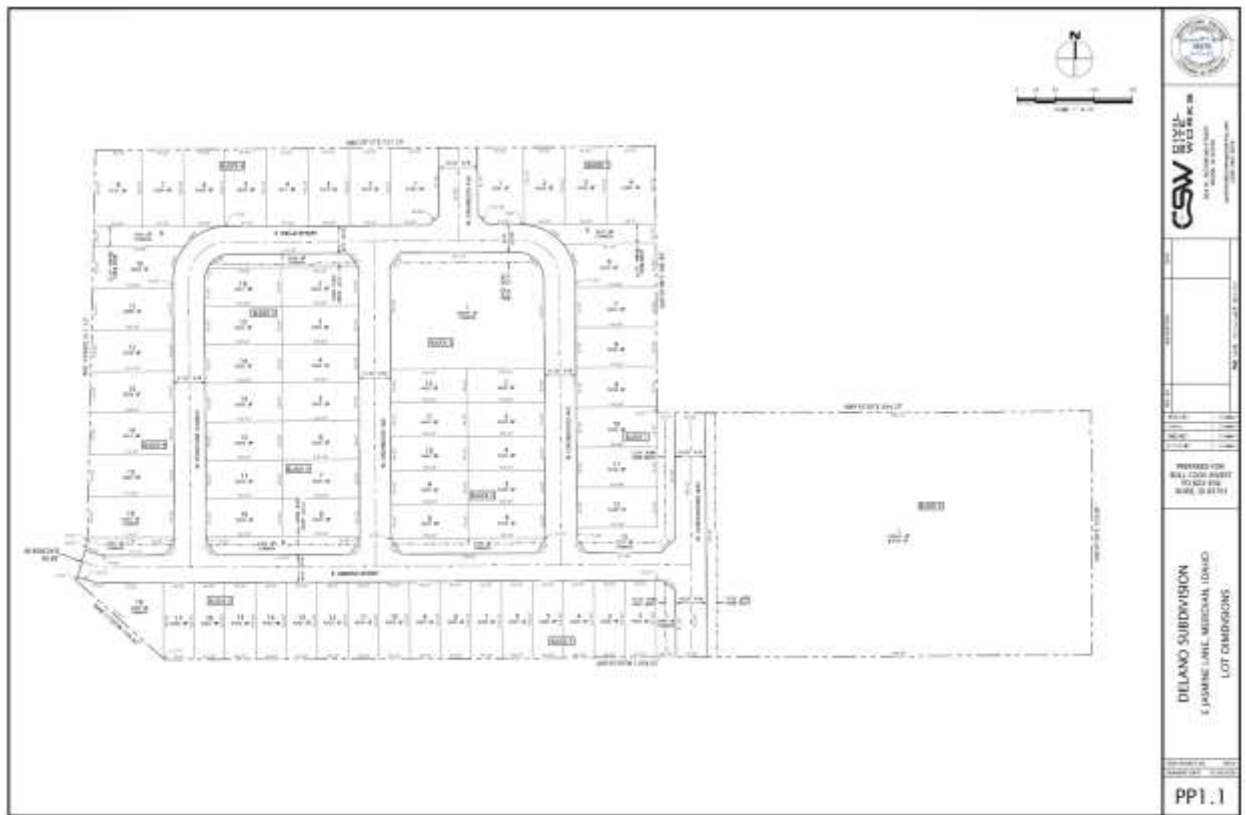
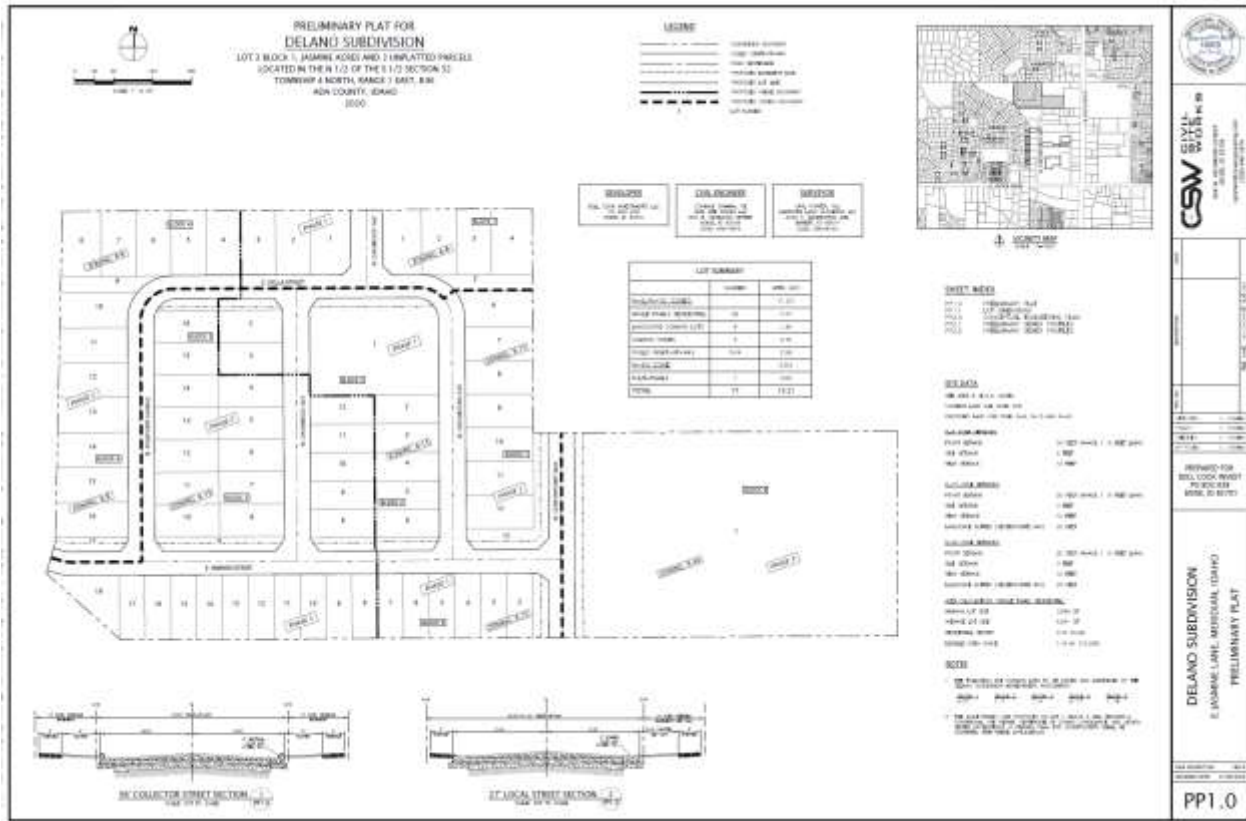
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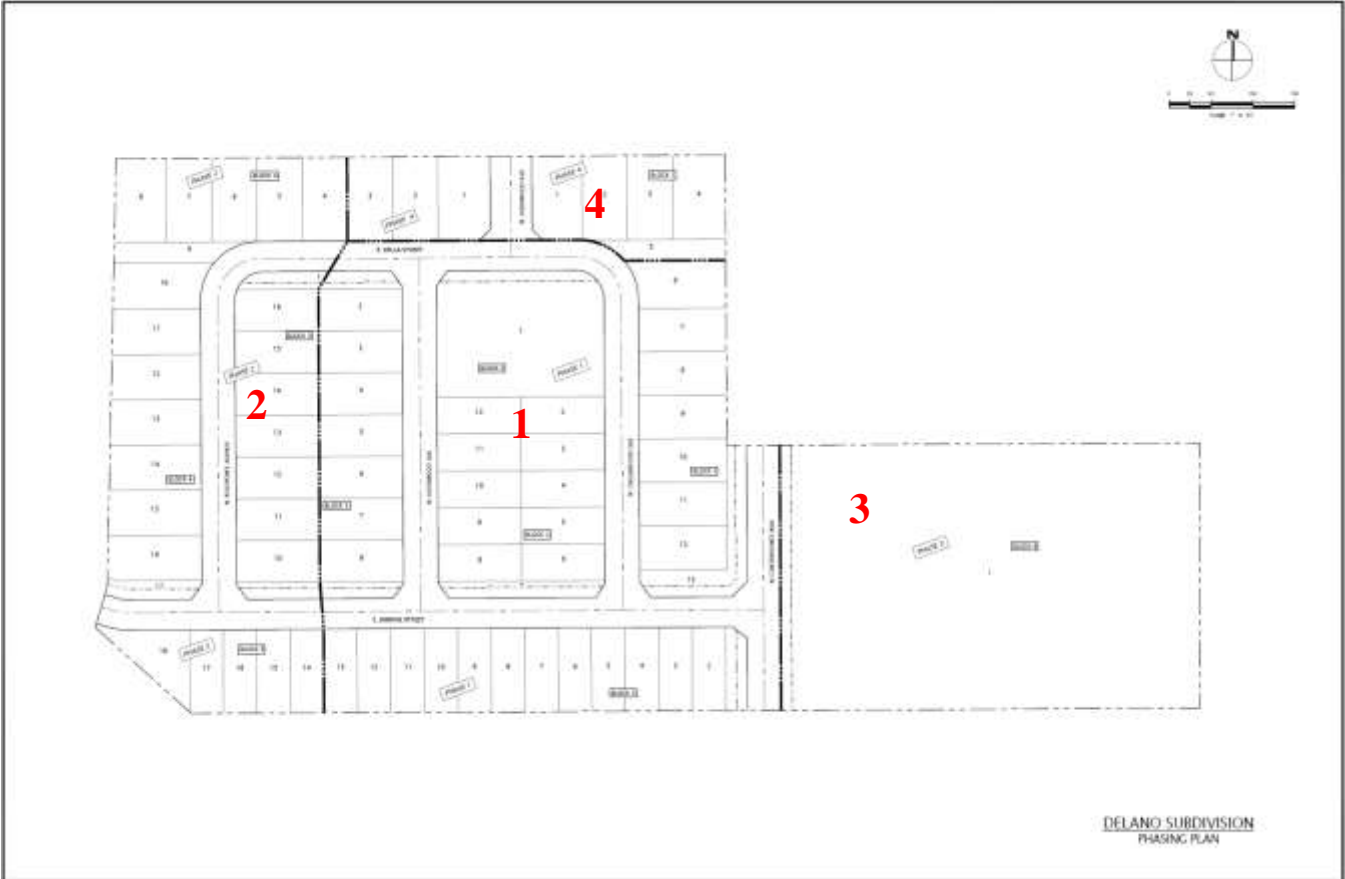
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 1 OF 1

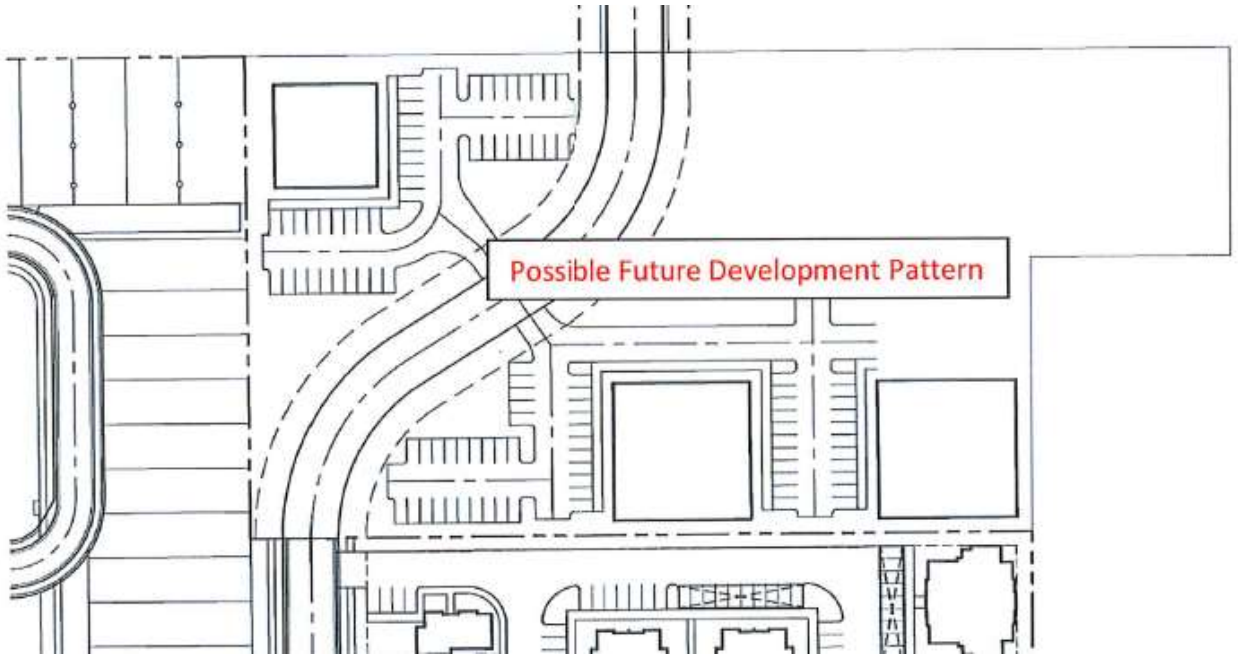
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C. Preliminary Plat (date: ~~2/18/2019~~ 3/12/2020) & Phasing Plan **REVISED**



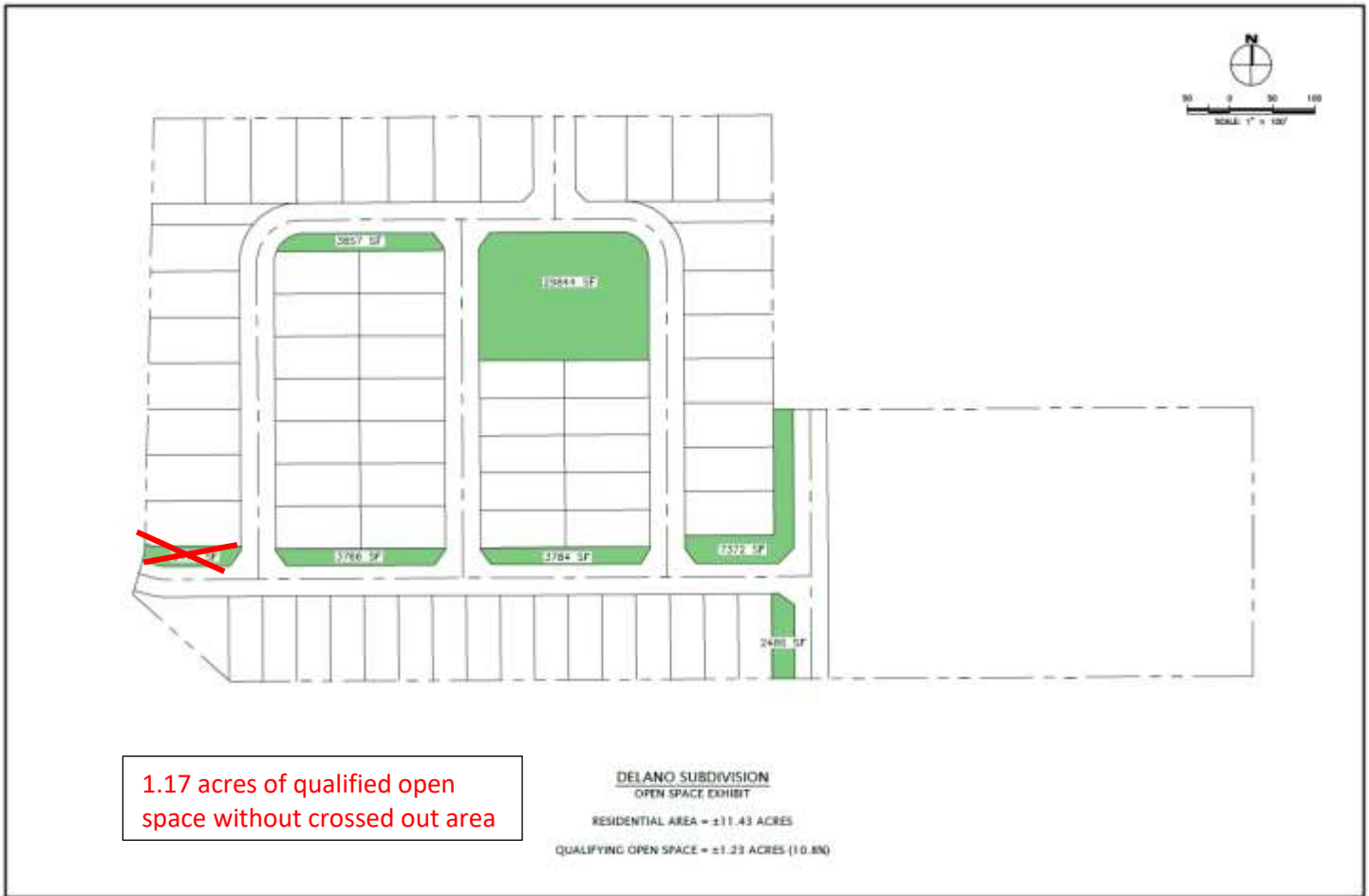


E. Possible Conceptual Development Plan for Parcel to the North



F. Qualified Open Space Exhibit & Site Amenities

REVISED



Note: The crossed out area does not count toward the minimum qualified open space standards because it isn't accessible at the west end, per UDC 11-3G-3B.1e.

PROJECT AMENITIES

As the *developer* we have researched and interviewed potential homeowners and followed the city ordinance to plan the most productive amenities for this area and this development. The amenity package exceeds the requirement of Meridian City Code. Meridian City Code requires that the application provide one amenity for projects up to 20 acres. We are proposing **five additional** amenities for a total of **six**, including a neighborhood park with a shade structure, a play structure, seating area, climbing boulders, climbing dome and a pedestrian pathway. We are proposing a second open space lot on the southwest corner of the development. This lot will help to buffer the existing home in the Champion Park Subdivision and will include several amenities including public art and a seating area.

Proposed Amenities:

- **Large 2/3-Acre Neighborhood Park** - The large park will contain the following recreation facilities:
 - **Shade Structure**
 - **Play structure**
 - **Seating areas with benches**
 - **Climbing Dome**
 - **Climbing Boulders**
 - **Public Art**



G. Conceptual Building Elevations (Single-Family Attached/Detached and Multi-Family Apartments) **REVISED**

PROPOSED HOME ELEVATIONS AND HOUSING STYLES



Item #5.



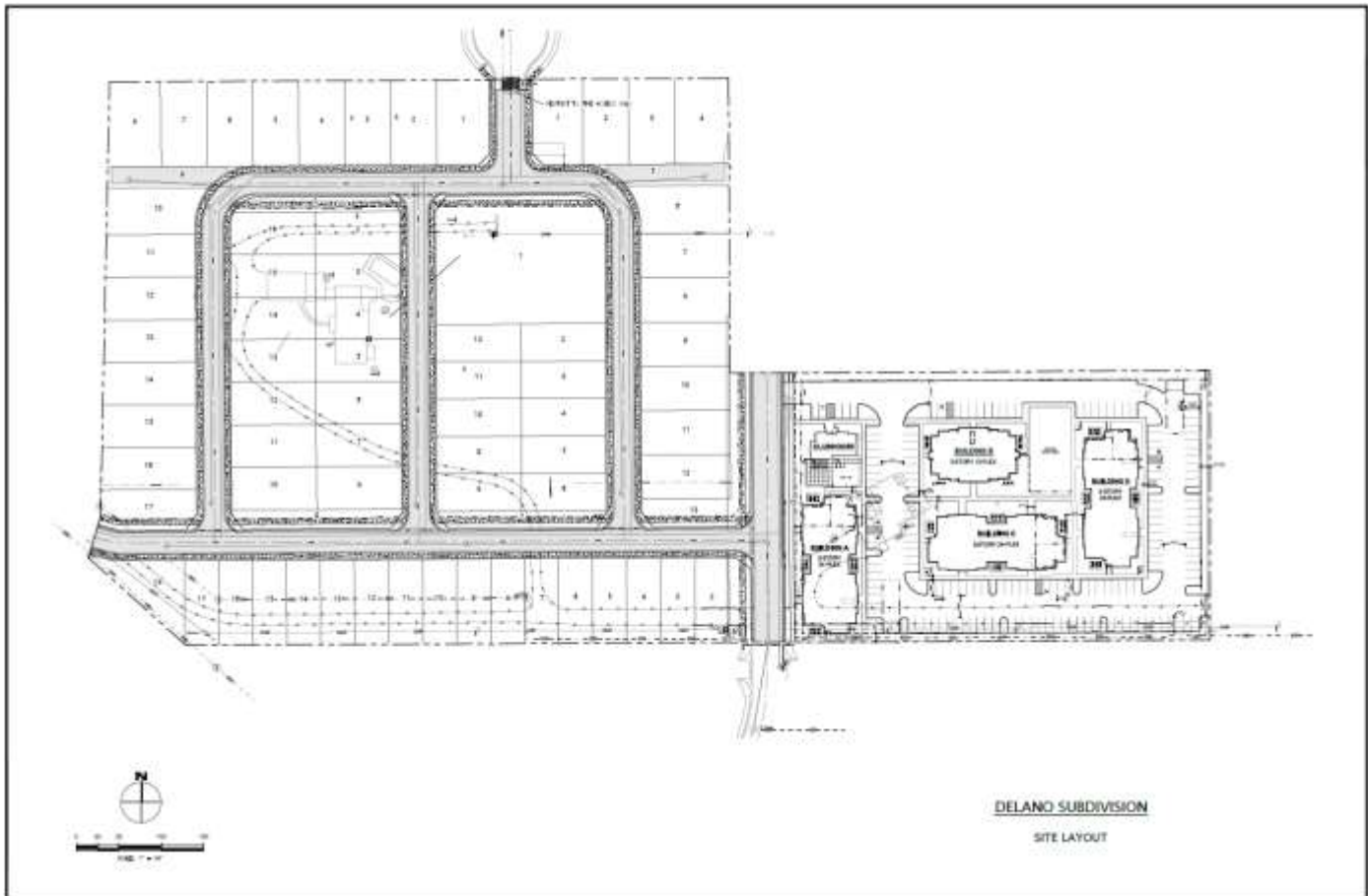


H. Parking Exhibit

REVISED



I. Site Plan



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, phasing plan, landscape plan and conceptual building elevations included in Section VII and the provisions contained herein.

- b. A Conditional Use Permit is required to be submitted and approved for the multi-family development prior to application for Certificate of Zoning Compliance and Design Review.
 - c. All multi-family structures shall comply with the design standards listed in the Architectural Standards Manual. An application for Design Review and Certificate of Zoning Compliance shall be submitted and approved for all multi-family structures prior to submittal of building permit applications.
 - d. Single-family homes along the west and north perimeter boundaries of the development shall be restricted to a single-story in height as proposed by the Developer. Homes along the west boundary are allowed to have a bonus room but no rear facing windows shall be allowed for the bonus room.
 - e. The rear and/or side of 2-story structures on Lots 8-12, Block 1 and Lot 2, Block 5 that face N. Centrepointe Way 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.*
 - f. The construction of N. Centrepointe Way from the southern boundary to the northern boundary of the annexation area (stub to Wong parcel #R4582530100) shall occur with the first phase of development. ~~The connection of Dashwood Ave. to the existing stub street to the north (Dashwood Pl.) is approved as a temporary emergency access and pedestrian connection until Centrepointe Way is extended to Wainwright Dr., or within ten (10) years, whichever occurs first. When Centrepointe Way is extended to Wainwright Dr., Dashwood Pl. will be reconstructed as a public street for vehicular connectivity to Wainwright Dr. as required by ACHD.~~
 - g. Emergency access via Dashwood Pl. at the north boundary of the development shall be provided with the first phase of development. Dashwood Pl. is not required to be extended as a public street (now or in the future) and will serve as an emergency and pedestrian access only.
 - h. The R-8 and R-15 zoned property totaling 11.3+/- acres shall provide a minimum of 1.13 acres and the R-40 zoned property totaling 3.6+/- acres shall provide a minimum of 0.36 of an acre of qualified open space in addition to the open space required in UDC 11-4-3-27C for multi-family developments.
 - i. Provide vehicular connection to the property to the east (Parcel #R4582530202) through the R-40 zoned property via a local street or a driveway as set forth in UDC 11-3A-3A.3. If a driveway is provided, provide a cross-access/ingress-egress easement to that property; submit a recorded copy of the easement to the Planning Division prior to signature on the final plat by the City Engineer.
 - j. No building permits shall be issued on this site until the underlying property is recorded in a final plat.
2. The preliminary plat included in Section VII.B, shall be revised ~~at least 10 days prior to the City Council hearing~~ as follows:
- a. ~~Depict an easement for the Nourse Lateral along the north boundary of the site. If the easement is 10 feet or greater, it shall be located within a common lot that is a minimum 20 feet wide and outside of a fenced area unless modified by City Council as set forth in~~

~~UDC 11-3A-6D. If the lateral is located completely off site and an easement does not encroach on this site, submit written confirmation of such from the Irrigation District.~~

- ~~b. The street buffer and minimum 5-foot wide detached sidewalk on the east side of N. Centrepointe Way shall be included in the first phase (instead of the third phase) of development; the phase boundary shall be adjusted accordingly.~~
3. The landscape plan included in Section VII.C shall be revised *at least 10 days prior to the City Council hearing* as follows:
 - a. Include mitigation information on the plan for any existing trees on the site that are not removed by the residential property owner for fire wood in accord with the standards listed in UDC 11-3B-10C.5. As many existing trees as possible along the southern boundary of the site shall be retained on the site.
 - b. Include the linear feet of parkways and the required vs. proposed number of trees in the Landscape Calculations table demonstrating compliance with the standards in UDC 11-3A-17 and 11-3B-7C.
 - c. Include the linear feet of street buffers and the required vs. proposed number of trees in the Landscape Calculations table demonstrating compliance with the standards in UDC 11-3B-7C.
 - d. Depict trees *and* shrubs in the minimum 20-foot wide street buffers along N. Centrepointe Way in accord with the standards listed in UDC 11-3B-7C.
4. The 50-foot wide private street easement (i.e. Jasmine Lane) shall be relinquished where it crosses the subject property. Proof of relinquishment shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.
- ~~5. North Dashwood Pl. shall be extended as a full access street into the site with the first phase of development in accord with UDC 11-3A-3.~~
6. Local street access (or a driveway with a cross-access easement) shall be provided to the property to the east of the R-40 zoned property (Parcel #R4582530202) as set forth in UDC 11-3A-3A.3. The Applicant should coordinate with the developer of that property on a location for the access. If a driveway is provided, a recorded copy of the cross-access easement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer for the phase in which it is located (third phase).
7. For lots accessed by common driveways, an exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope and orientation of the lots and structures. Driveways for abutting properties that aren't taking access from the common driveway(s) shall be depicted on the opposite side of the shared property line away from the common driveway. Solid fencing adjacent to common driveways is prohibited unless separated by a minimum 5-foot wide landscaped buffer.
8. Provide address signage for homes accessed by the common driveways on Lot 5, Block 1 and 9, Block 4 for emergency wayfinding purposes.
9. A perpetual ingress/egress easement is required to be filed with the Ada County Recorder for all common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. **A copy of the recorded easement shall be submitted to the Planning Division prior to signature on the final plat by the City Engineer.**

10. All existing structures on the site shall be removed prior to City Engineer signature on the final plat phase in which they are located.
11. Parking is restricted to only one side of the 27-foot wide street sections; signage shall be installed prohibiting parking on one side of the street to ensure emergency access can be provided.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 A street light plan will need to be included in the final plat application. Street light plan requirements are listed in section 6-7 of the City's Design Standards. A copy of the standards can be found at http://www.meridiancity.org/public_works.aspx?id=272
- 1.2 The following proposed manholes have less than 3' of cover: A-3, A-4, A-5, C-1 and D-5. Public Works has previously discussed with the applicant the possibility of using grinder pumps in these shallow areas, but the plans do not note the use of them. If the parcel to the north of the multi-family is to be served by Meridian, applicant must stub sewer at minimum slope in N. Centrepointe Way to the north boundary line.
- 1.3 Each phase must be modeled to ensure adequate fire flow.
- 1.4 Public Works has met with SUEZ Water and agreed that water service to the north for the multi-family portion of the development will be provided according to how annexation proceeds. Meridian will provide water in Meridian, and SUEZ will provide water in Boise. If the area being considered for inclusion is to be served by the City of Meridian, the Public Works Department would like to have a completed water main loop north to the existing water main in E. Wainwright Drive. The purpose of this loop is not for flow and pressure reasons, it is to create redundancy and for mitigation of water quality concerns created by dead end mainlines.

2. General Conditions of Approval

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

note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.

- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.
- 2.9 Street signs are to be in place, sanitary sewer and water system shall be approved and activated, road base approved by the Ada County Highway District and the Final Plat for this subdivision shall be recorded, prior to applying for building permits.
- 2.10 A letter of credit or cash surety in the amount of 110% will be required for all uncompleted fencing, landscaping, amenities, etc., prior to signature on the final plat.
- 2.11 All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set forth in UDC 11-5C-3B.
- 2.12 Applicant shall be required to pay Public Works development plan review, and construction inspection fees, as determined during the plan review process, prior to the issuance of a plan approval letter.
- 2.13 It shall be the responsibility of the applicant to ensure that all development features comply with the Americans with Disabilities Act and the Fair Housing Act.
- 2.14 Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
- 2.15 Developer shall coordinate mailbox locations with the Meridian Post Office.
- 2.16 All grading of the site shall be performed in conformance with MCC 11-12-3H.
- 2.17 Compaction test results shall be submitted to the Meridian Building Department for all building pads receiving engineered backfill, where footing would sit atop fill material.

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

C. FIRE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=184561&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/Browse.aspx?id=184570&dbid=0&repo=MeridianCity>

E. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

<http://weblink.meridiancity.org/weblink8/0/doc/165379/Page1.aspx>

F. NAMPA & MERIDIAN IRRIGATION DISTRICT

<http://weblink.meridiancity.org/weblink8/0/doc/165231/Page1.aspx>

G. SETTLER'S IRRIGATION DISTRICT

<http://weblink.meridiancity.org/weblink8/0/doc/164812/Page1.aspx>

H. CENTRAL DISTRICT HEALTH DEPARTMENT

<http://weblink.meridiancity.org/WebLink8/DocView.aspx?id=165010&dbid=0>

I. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

<http://weblink.meridiancity.org/weblink8/0/doc/164959/Page1.aspx>

J. WEST ADA SCHOOL DISTRICT (WASD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=179144&dbid=0&repo=MeridianCity>

K. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=183358&dbid=0&repo=MeridianCity>

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=169441&dbid=0&repo=MeridianCity>

L. CITY OF BOISE

<https://weblink.meridiancity.org/WebLink/browse.aspx?id=184571&&dbid=0&&repo=MeridianCity>

IX. FINDINGS

A. Comprehensive Plan Map Amendment

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 amendment to the Comprehensive Plan, the Council shall make the following findings:

1. ~~The proposed amendment is consistent with the other elements of the Comprehensive Plan.
— The Commission finds the proposed map amendment and FLUM designation of MU-R is consistent with the Comprehensive Plan if the property to the north (Parcel #R4582530100) is also included in the map amendment as detailed in Section V.1 of this report.~~
2. ~~The proposed amendment provides an improved guide to future growth and development of the city.
— The Commission finds that the proposal to modify the Future Land Use Map to include a parcel of land that is currently in the City of Boise's planning area for development in the City, along with the adjacent parcel to the north as recommended, will provide an improved guide to future growth and development of the City if the City of Boise approves an adjustment to their Area of Impact boundary.~~
3. ~~The proposed amendment is internally consistent with the Goals, Objectives and Policies of the Comprehensive Plan.
— The Commission finds that the proposed amendment is consistent with the Goals, Objectives, and Policies of the Comprehensive Plan as noted in Section V.~~
4. ~~The proposed amendment is consistent with the Unified Development Code.
— The Commission finds that the proposed amendment is consistent with the Unified Development Code.~~
5. ~~The amendment will be compatible with existing and planned surrounding land uses.
— The Commission finds the proposed amendment will be compatible with adjacent existing residential and future commercial uses.~~
6. ~~The proposed amendment will not burden existing and planned service capabilities.
— The Commission finds that the proposed amendment will not burden existing and planned service capabilities in this portion of the city. Sewer and water services are available to be extended to this site.~~
7. ~~The proposed map amendment (as applicable) provides a logical juxtaposition of uses that allows sufficient area to mitigate any anticipated impact associated with the development of the area.
— The Commission finds the proposed map amendment provides a logical juxtaposition of uses and sufficient area to mitigate any development impacts to adjacent properties.~~

~~8. The proposed amendment is in the best interest of the City of Meridian.~~

~~— For the reasons stated in Section V and the subject findings above, the Commission finds that the proposed amendment is in the best interest of the City if the parcel to the north is also included in the amendment as recommended by Staff in Section V.1.~~

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

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

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

The City Council finds the proposal to annex and develop the subject property with R-8, R-15 and R-40 zoning is consistent with the MDR and MU-R FLUM designations.

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

The City Council finds the proposed map amendment and development is consistent with the purpose statement of the residential districts in that it would contribute to the range of housing opportunities consistent with the Comprehensive Plan.

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

The City Council finds the proposed map amendment and subsequent development will not be detrimental to the public health, safety and welfare.

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

The City Council finds that City services are available to be provided to this development. The School District has submitted comments, included in Section VIII.J, that currently show student enrollment is below capacity for the elementary school and within the capacity for the middle school and high school once Owyhee High School is opened; the City Council finds the proposed map amendment would not result in an adverse impact on the school district.

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

The City Council finds the proposed annexation and development is in the best interest of the City.

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

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

The City Council finds the proposed plat is generally in conformance with the UDC and the Comprehensive Plan.

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

The City Council finds public services can be made available to the subject property and are adequate to accommodate the proposed development.

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

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

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

The City Council finds there is public financial capability of supporting services for the proposed development.

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

The City Council finds the proposed development will not be detrimental to the public safety and general welfare.

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

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

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

~~Required Findings: In order to grant approval for an Alternative Compliance application, the Director shall determine the following:~~

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

~~*Staff finds that strict adherence or application of the requirements of UDC 11-3G-3 are feasible.*~~

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

~~*Staff finds the proposed alternative means of compliance provides an equal means for meeting the requirements in UDC 11-3G-3.*~~

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

~~*Staff finds the alternative means of complying with UDC 11-3G-3 will not be materially detrimental to the public welfare or impair the intended uses and character of surrounding properties and will actually be a benefit to the public welfare by providing a buffer between the high density and medium density residential uses and 2 and 3 story structures.*~~



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Gyro Subdivision (H-2020-0061) by Tealey's Land Surveying, Located at 3030 E. Magic View Dr.

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



In the Matter of the Request for a Short Plat to create two buildable lots, by Tealey’s Land Surveying.

Case No(s). H-2020-0061

For the City Council Hearing Date of: July 28, 2020 (Findings on August 11, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 28, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)

B. Conclusions of Law

1. The City of Meridian shall exercise the powers conferred upon it by the “Local Land Use Planning Act of 1975,” codified at Chapter 65, Title 67, Idaho Code (I.C. §67-6503).
2. The Meridian City Council takes judicial notice of its Unified Development Code codified as Title 11 Meridian City Code, and all current zoning maps thereof. The City of Meridian has, by ordinance, established the Impact Area and the Comprehensive Plan of the City of Meridian, which was adopted December 17, 2019, Resolution No. 19-2179 and Maps.
3. The conditions shall be reviewable by the City Council pursuant to Meridian City Code § 11-5A.
4. Due consideration has been given to the comment(s) received from the governmental subdivisions providing services in the City of Meridian planning jurisdiction.
5. It is found public facilities and services required by the proposed development will not impose expense upon the public if the attached conditions of approval are imposed.
6. That the City has granted an order of approval in accordance with this Decision, which shall be signed by the Mayor and City Clerk and then a copy served by the Clerk upon the applicant, the Community Development Department, the Public Works Department and any affected party requesting notice.
7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 28, 2020, incorporated by reference. The conditions are concluded to be

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

C. Decision and Order

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

- 1. The applicant’s request for Short Plat is hereby approved per the conditions of approval in the Staff Report for the hearing date of July 28, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

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

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

F. Attached: Staff Report for the hearing date of July 28, 2020.

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

COUNCIL PRESIDENT TREG BERNT VOTED _____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED _____

COUNCIL MEMBER JESSICA PERREAULT VOTED _____

COUNCIL MEMBER LUKE CAVENER VOTED _____

COUNCIL MEMBER JOE BORTON VOTED _____

COUNCIL MEMBER LIZ STRADER VOTED _____

MAYOR ROBERT SIMISON VOTED _____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 7/28/2020
 TO: Mayor & City Council
 FROM: Alan Tiefenbach, Associate Planner
 208-498-0573
 SUBJECT: H-2020-0061
 Gyro Short Plat
 LOCATION: 3030 E. Magic View Drive



I. PROJECT DESCRIPTION

The Applicant proposes a Short Plat to create two (2) buildable lots on approximately 0.973 acres in the L-O zoning district.

II. APPLICANT INFORMATION

A. Applicant:

Pat Tealey – Tealey’s Land Surveying – 12594 W. Explorer Drive, Boise, ID 83713

B. Owner:

Douglas Miller - 412 E. Parkcenter Blvd, Tuite 205, Boise, ID 83706

C. Representative:

Jeff Hatch, Hatch Design Architecture – 200 W. 36th Street, Boise, ID 83714

III. NOTICING

	City Council Posting Date
Newspaper Notification	7/10/2020
Radius notification mailed to properties within 300 feet	7/8/2020

IV. STAFF ANALYSIS

The Applicant proposes to subdivide the subject property (Lot 3 Block 1 of the Boyd Subdivision) into a new plat consisting of 2 lots. The eastern 0.60 acres (Lot 1) will contain an existing restaurant (Gyro Shack). The western vacant 0.38 acres will be separated into Lot 2.

The subject property is approximately 0.97 acres, is located in the northwest quadrant of S. Eagle Road and E. Magic View Drive, and is zoned L-O. The property was annexed into the City in early 2000 and is regulated under Development Agreement No. 100021869. The Development Agreement restricts the land use to professional office uses only.

In 2002, the Development Agreement was amended (#102067379) to allow a drive through restaurant at the southeast portion of the property. Concurrently with the amended development agreement, a conditional use (CUP 01-045) was approved to allow a 1,700 square foot Subway Restaurant (with a drive through.) A Certificate of Zoning Compliance (CZC 02-060) for the Subway was approved in November of 2002 and the Subway was constructed. In 2019, the Subway was converted into a Gyro Shack. The western portion of the site (at the corner) has remained undeveloped. Five-foot wide sidewalks have already been installed along the entire lengths of E. Magic View Drive and S. Allen Street, but landscape buffers only exist along street frontages adjacent to the developed portions of the property.

Staff has reviewed the proposed short plat for substantial compliance with the criteria set forth in UDC 11-6B-5 and deems the short plat to be in substantial compliance with said requirements. Per UDC 11-2B-3, a 10' landscape buffer is required along E. Magic View Drive (a local road) and a 20' wide landscape buffer is required along S. Allen Street (a collector road). UDC 11-3B-7-2b requires all commercial, industrial and other nonresidential street buffers to be on a common lot or in a permanent dedicated buffer, maintained by the property owner or business owners' association. Also, UDC 11-3A-3 states "where access to a local road is available, the applicant shall reconfigure the site circulation plan to take access from such local street. Where access to a local street is not available, the property owner shall be required to grant cross access / ingress easements to adjoining properties." The developed portion of the site (proposed as Lot 1) presently takes access from E. Magic View Drive, a local road. There is no access to Lot 2 from S. Allen Street. The applicant should be required to dedicate cross access easements from Lot 1 to Lot 2 as a condition of approval of this short plat.

It is important to note the existing conditional use only allows restaurant uses on the southeastern portion of the property (Lot 1). If any future use is proposed for Lot 2 other than professional offices, another conditional use will be required.

Staff has reviewed the requested short plat proposal and has determined that it meets the criteria for approval per UDC 11-6B-5.

V. DECISION

A. Staff:

Staff recommends approval of the proposed short plat with the conditions noted in Section VII of this report.

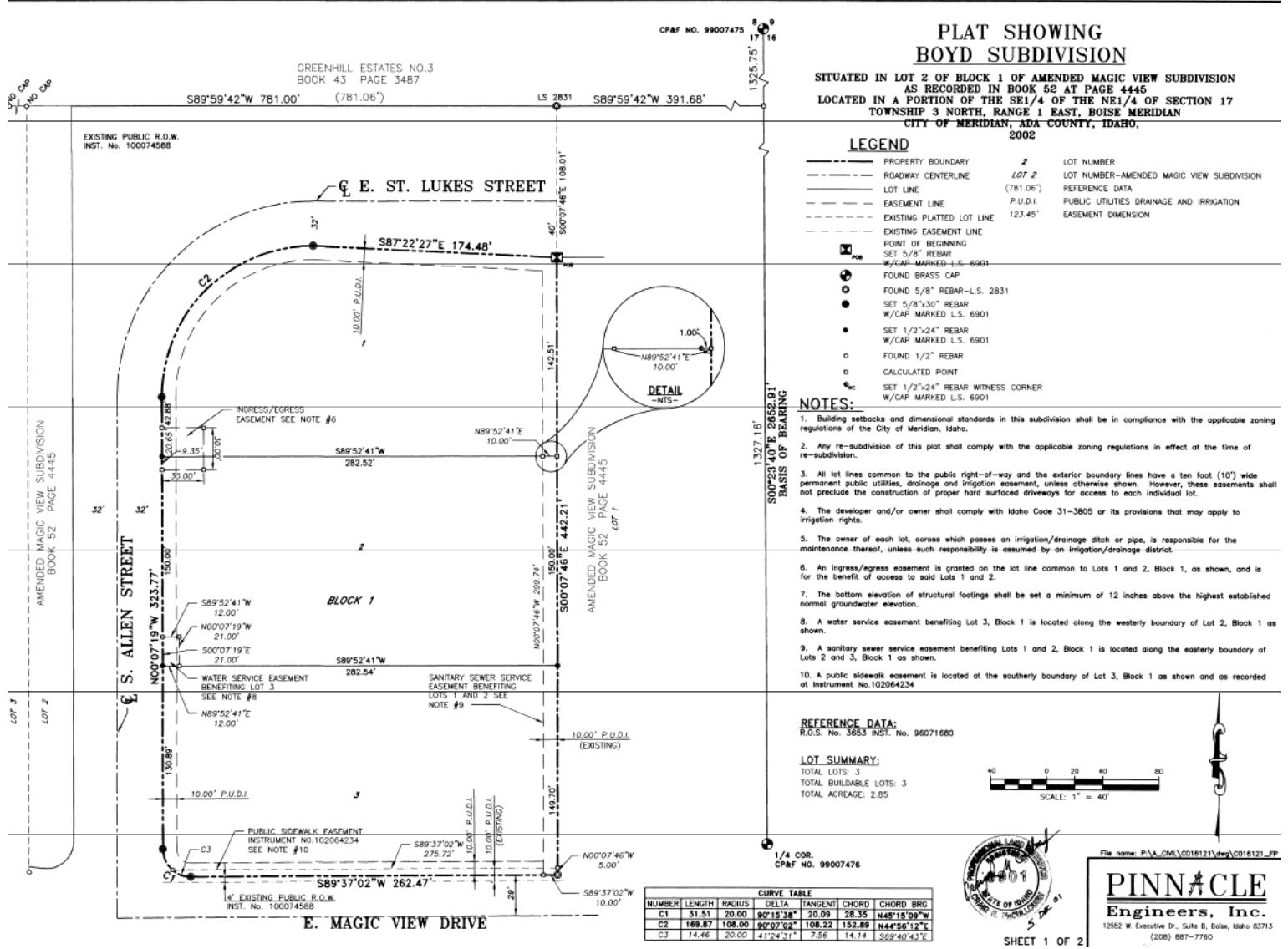
B. The Meridian City Council heard this item on July 28, 2020. At the public hearing, the Council moved to approve the subject short plat request.

1. Summary of the City Council public hearing:

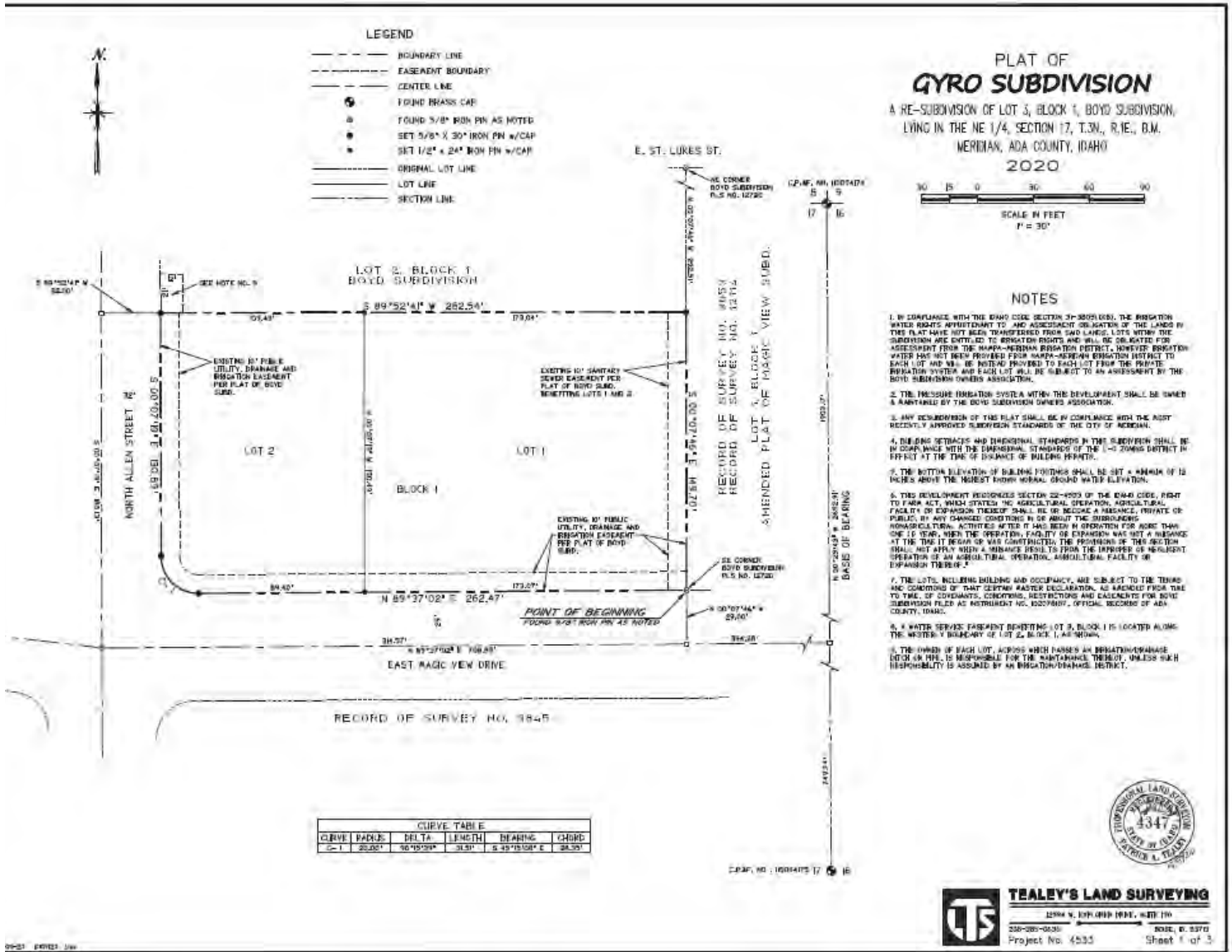
- a. In favor: Douglas Miller, Owner
 - b. In opposition: None
 - c. Commenting: Douglas Miller, Owner
 - d. Written testimony: None
 - e. Staff presenting application: Alan Tiefenbach
 - f. Other Staff commenting on application: None
2. Key issue(s) of public testimony:
- a. None
3. Key issue(s) of discussion by City Council:
- a. None
4. City Council change(s) to Commission recommendation:
- a. None

VI. EXHIBITS

A. Existing Boyd Subdivision



B. Proposed Short Plat



VII. CITY/AGENCY COMMENTS & CONDITIONS

A. Planning Division

Site Specific Conditions:

1. The short plat prepared by Patrick Tealey of Tealey's Land Surveying included in Section VI.B shall be revised as follows:
 - a) The plat shall be revised to reflect a common lot or permanent dedicated buffer easement sufficient to contain a 20' landscape buffer along S. Allen Road and 10' wide buffer along E. Magic View Drive.
 - b) Add a note to the plat that specifies the shared access between the two lots or graphically depict a cross-access/ingress-egress easement between Lot 1 and Lot 2 in accord with the provisions of UDC 11-3A-3A2.
 - c) Add a note to the plat that prohibits direct lot access to S. Allen Street.
 - d) N. Allen Street on the plat shall be replaced with S. Allen Street.
2. Prior to the City Engineer's signature on the plat, a landscape plan shall be submitted to the City for review and approval, which meets the street buffer requirements of UDC 11-3B-7. Required street buffers will be comprised of landscaping type and density consistent with what has already been installed along S. Allen Street to the north and E. Magic View Drive to the east.
3. Applicant shall comply with all previous conditions of approval associated with this development (AZ 99-022, DA 100021869, DA 102067379, CUP 01-045, CZC 02-060).
4. If the City Engineer's signature has not been obtained within two (2) years of the City Council's approval of the short plat, the short plat shall become null and void unless a time extension is obtained, per UDC 11-6B-7.
5. Development of any lot shall require submission of Certificate of Zoning Compliance and Design Review per UDC-11-5B-1 and shall meet all applicable requirements of City of Meridian code.
6. Staff's failure to cite specific ordinance provisions or conditions from the previous approvals as noted in condition 3. above, does not relieve the Applicant of responsibility for compliance.

B. Public Works

Site Specific Conditions:

1. Each lot shall be required to have independent water and sewer services. Any existing services that are not to be used, or happen to be outside of the standard locations shall be abandoned per the Public Works Department requirements.

General Conditions:

1. Sanitary sewer service to this development is available via existing mains adjacent to the development.
2. Water service to this site is available via existing mains adjacent to the development.
3. All improvements related to public life, safety and health shall be completed prior to occupancy of the structures. Where approved by the City Engineer, an owner may post a performance surety for such improvements in order to obtain City Engineer signature on the final plat as set

forth in UDC 11-5C-3B.

4. Upon installation of the landscaping and prior to inspection by Planning Department staff, the applicant shall provide a written certificate of completion as set forth in UDC 11-3B-14A.
5. A letter of credit or cash surety in the amount of 110% will be required for all incomplete fencing, landscaping, amenities, pressurized irrigation, prior to signature on the final plat.
6. The City of Meridian requires that the owner post with the City a performance surety in the amount of 125% of the total construction cost for all incomplete sewer, water infrastructure prior to final plat signature. This surety will be verified by a line item cost estimate provided by the owner to the City. The applicant shall be required to enter into a Development Surety Agreement with the City of Meridian. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
7. The City of Meridian requires that the owner post to the City a warranty surety in the amount of 20% of the total construction cost for all completed sewer, and water infrastructure for a duration of two years. This surety amount will be verified by a line item final cost invoicing provided by the owner to the City. The surety can be posted in the form of an irrevocable letter of credit, cash deposit or bond. Applicant must file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.
8. 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.
9. 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.
10. Applicant shall be responsible for application and compliance with any Section 404 Permitting that may be required by the Army Corps of Engineers.
11. Developer shall coordinate mailbox locations with the Meridian Post Office.
12. All grading of the site shall be performed in conformance with MCC 11-1-4B.
13. 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.
14. 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.
15. 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.
16. The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-foot wide

for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian’s standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2” x 11” map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. DO NOT RECORD. Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to signature of the final plat by the City Engineer.

- 17. Applicant shall be responsible for application and compliance with and NPDES permitting that may be required by the Environmental Protection Agency.
- 18. 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.

VIII. REQUIRED FINDINGS FROM THE UNIFIED DEVELOPMENT CODE

In consideration of a short plat, the decision-making body shall make the following findings:

A. The plat is in conformance with the Comprehensive Plan and is consistent with the Unified Development Code;

The Comprehensive Plan designates the future land use of this property as Commercial. The current zoning district of the site is L-O. The proposed short plat complies with the Comprehensive Plan and is developed in accord with UDC standards.

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

Staff finds that public services are adequate to serve the site.

C. The plat is in conformance with scheduled public improvements in accord with the City’s capital improvements program;

Staff finds that the development will not require the expenditure of capital improvement funds. All required utilities are being provided with the development of the property at the developer’s expense.

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

Staff finds that the development will not require major expenditures for providing supporting services. The developer and/or future lot owner(s) will finance improvements for sewer, water, utilities and pressurized irrigation to serve the project.

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

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

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

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



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Hill's Century Farm North (H-2020-0080) by Kody Daffer, Brighton Development, Inc., Generally Located South of E. Amity Rd. and East of S. Eagle Rd.

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



In the Matter of the Request for Modification to the Existing Development Agreement (Inst. #2020-059662 – provision #5.1g) to Allow Building Permits for the Commercial Portion of the Development to be Issued prior to Subdivision of the Property, by Brighton Development.

Case No(s). H-2020-0080

For the City Council Hearing Date of: July 28, 2020 (Findings on August 11, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)

B. Conclusions of Law

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

- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 28, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s request for a modification to the existing Development Agreement (Inst. No. 2020-059662) is hereby approved per the provisions in the Staff Report for the hearing date of July 28, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Development Agreement Duration

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

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

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

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

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

F. Attached: Staff Report for the hearing date of July 28, 2020

Item #7.

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

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



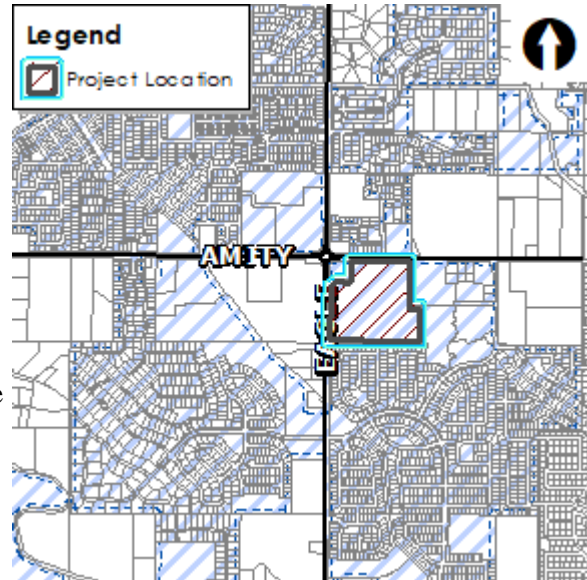
HEARING DATE: 7/28/2020

TO: Mayor & City Council

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

SUBJECT: H-2020-0080
Hill's Century Farm North - MDA

LOCATION: South of E. Amity Rd. & east of S. Eagle Rd., in the NW ¼ of Section 33, Township 3N., Range 1E.



I. PROJECT DESCRIPTION

Modification to the existing Development Agreement (Inst. #2020-059662 – provision #5.1g) to allow building permits for the commercial portion of the development to be issued prior to subdivision of the property.

II. SUMMARY OF REPORT

A. Applicant:

Kody Daffer, Brighton Development – 2929 W. Navigator Rd., ID 83642

B. Owner:

Martin L. Hill – 3675 E. Amity Rd., Meridian, ID 83642

C. Representative:

Kody Daffer, Brighton Development – 2929 W. Navigator Rd., ID 83642

III. STAFF ANALYSIS

The Applicant proposes to amend provision #5.1g in the existing Development Agreement (DA) (Inst. #2020-059662), to allow for building permits to be issued in the commercial portion of the development prior to subdivision of the property as currently required.

The existing provision reads, “The annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill’s Century Farm North community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

EXHIBIT A

The Applicant proposes the following change: “The residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of commercial uses, including but not limited to the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill’s Century Farm North self-service storage facility and the community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

Because commercial property is not typically required to be subdivided prior to issuance of building permits, Staff recommends the existing provision is stricken and alternate language is provided instead that would simplify the requirements for subdivision of the property, which Staff believes meets the Applicant’s intended purpose, as follows: “The R-8 and R-15 zoned residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the community center complex on Lot 101 as shown on the revised conceptual development plan dated October 30, 2019; building permit(s) for the community center complex may be issued prior to subdivision of the property. Subdivision of the C-N and C-C zoned commercial portions of the annexation area is not required prior to issuance of building permits.”

IV. DECISION

A. Staff:

Staff recommends approval of a modification to the DA as recommended by Staff in Section V.

B. The Meridian City Council heard these items on July 28, 2020. At the public hearing, the Council moved to approve the subject MDA request.

1. Summary of the City Council public hearing:

- a. In favor: Mike Wardle, Brighton Corporation
- b. In opposition: None
- c. Commenting: James Phillips
- d. Written testimony: None
- e. Staff presenting application: Sonya Allen
- f. Other Staff commenting on application: None

2. Key issue(s) of public testimony:

- a. Request for mixed use development to occur on this site consistent with the MU-N FLUM designation to provided needed services in this area.

3. Key issue(s) of discussion by City Council:

- a. None

4. City Council change(s) to Commission recommendation:

- a. None

V. EXHIBITS

A. Development Agreement Provision #5.1g:

Existing:

“The annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill’s Century Farm North community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

EXHIBIT A

Applicant's Proposed Change:

“The residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of commercial uses, including but not limited to the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill's Century Farm North self-service storage facility and the community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”

Staff's Recommended Change:

~~“The annexation area shall be subdivided prior to issuance of any building permits beyond those required for the development of the school, YMCA and park site, a wireless communication facility, the assisted living facility, medical clinic, and the Hill's Century Farm North community center complex on common lot 101 as shown on the revised conceptual development plan dated October 30, 2019.”~~

“The R-8 and R-15 zoned residential portions of the annexation area shall be subdivided prior to issuance of any building permits beyond those required for the community center complex on Lot 101 as shown on the revised conceptual development plan dated October 30, 2019; building permit(s) for the community center complex may be issued prior to subdivision of the property. Subdivision of the C-N and C-C zoned commercial portions of the annexation area is not required prior to issuance of building permits.”



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Quartet Northeast (H-2020-0017) by Brighton Development, Inc., Located at 4020 & 4340 N. Black Cat Rd.

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



In the Matter of the Request for Annexation of a Total of 68.73 acres of Land with R-8 (48.42 acres) and C-G (20.31 acres) Zoning Districts, and Preliminary Plat Consisting of 137 Buildable Lots (136 Residential and 1 Commercial), 19 Common Lots, and 2 Other Lots on 66.52 acres of Land in the R-8 and C-G Zoning Districts for Quartet Northeast; and Annexation of a Total of 22.26 Acres of Land with an R-8 Zoning District and Preliminary Plat Consisting of 50 Buildable Lots and 10 Common Lots on 19.92 Acres of Land in the R-8 Zoning District for Quartet Southeast by Brighton Development, Inc.

Case No(s). H-2020-0017 & H-2020-0018

For the City Council Hearing Date of: July 28, 2020 (Findings on August 11, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)

B. Conclusions of Law

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

Community Development Department, the Public Works Department and any affected party requesting notice.

- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 28, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s requests for annexation & zoning and preliminary plat for Quartet Northeast and Quartet Southeast is hereby approved with the requirement of a Development Agreement per the provisions in the Staff Report for the hearing date of July 28, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in

accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

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

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

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

F. Attached: Staff Report for the hearing date of July 28, 2020

Item #8.

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

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

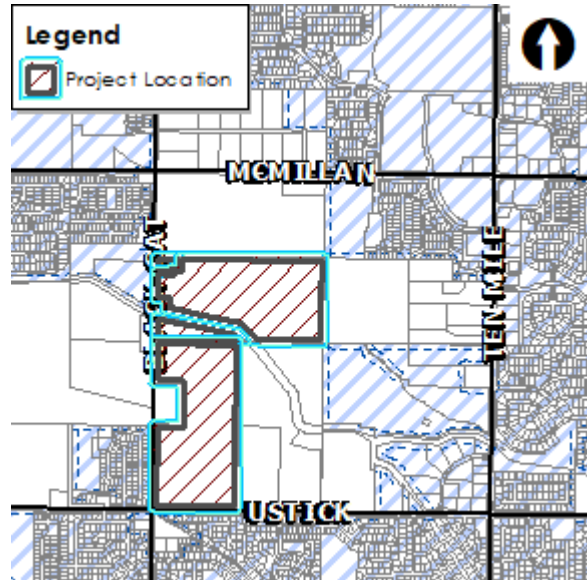
By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 7/28/2020
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0017 Quartet Northeast
 H-2020-0018 Quartet Southeast
 LOCATION: 4020 & 4340 N. Black Cat Rd. [Parcels:
 #S0434233652; S0434244210;
 S0434233920; S0434325860 (partial), in
 the west ¼ of Section 34, T.4N., R.1W.]



I. PROJECT DESCRIPTION

Quartet Northeast (NE): Annexation of a total of 68.73 acres of land with R-8 (48.42 acres) and C-G (20.31 acres) zoning districts; and Preliminary Plat consisting of 137 buildable lots (136 residential and 1 commercial), 19 common lots, and 2 other lots on 66.52 acres of land in the R-8 and C-G zoning districts.

Quartet Southeast (SE): Annexation of a total of 22.26 acres of land with an R-8 zoning district; and Preliminary plat consisting of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district. *Note: A property boundary adjustment application is currently in process with Ada County that will reconfigure the boundary of this property consistent with the Record of Survey (ROS) shown in Section VIII.A; the Applicant anticipates this application will be approved and the ROS recorded prior to the City Council hearing. Therefore, the annexation and plat boundaries are based on the boundary shown on the ROS and not the current parcel configuration shown on the maps included in this report.*

Because NMID owns the land where the Five Mile Creek is located which lies between the two properties proposed for development and does not wish for their land to be included in the subdivision, two (2) separate preliminary plat applications are required. Because the site is being developed as one overall property, one staff report has been prepared for both projects which includes analysis for each individual plat as well as for the overall development. The overall annexation area includes the Five Mile Creek as zoning goes to the centerline of waterways.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acres	66.52 (NE) + 19.92 (SE) = 86.44 acres (overall)	
Existing/Proposed Zoning	RUT in Ada County (existing); R-8 and C-G (proposed)	

Description	Details	Page
Future Land Use Designation	Medium Density Residential (MDR) (3-8 units/acre) (50+/- acres) & Mixed Use – Non-Residential (MU-NR) (41+/- acres)	
Existing Land Use(s)	Rural residential/agricultural	
Proposed Land Use(s)	Single-family residential (SFR), commercial	
Lots (# and type; bldg./common)	186 residential buildable lots; 1 commercial buildable lot; 29 common lots; and 2 other lots for shared driveways	
Phasing Plan (# of phases)	3 phases (overall between both subdivision)	
Number of Residential Units (type of units)	186 detached SFR homes	
Density (gross & net)	NE: 2.93 units/acre (gross); 4.73 units/acre (net) SE: 2.51 units/acre (gross); 4.86 units/acre (net) NE & SE (overall): 2.8 units/acre (gross); 4.76 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	NE: 7.6 acres SE: 3.4 acres NE & SE (overall): 11 acres (or 13%)	
Amenities	Swimming pool, multi-use pathways, an additional 2.36+ acres qualified open space beyond the minimum required and a tot lot with children’s play equipment.	
Physical Features (waterways, hazards, flood plain, hillside)	Land containing the Five Mile Creek bisects the two (2) preliminary plats; a portion of the site is within the floodplain in an approximate (A) zone. The Creason Lateral runs along the eastern portion of the north boundary of Quartet Northeast subdivision.	
Neighborhood meeting date; # of attendees:	1/21/20; 9 attendees	
History (previous approvals)	None	

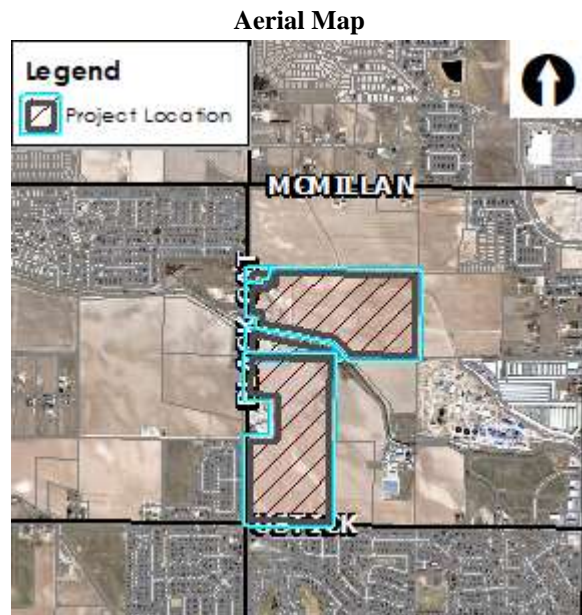
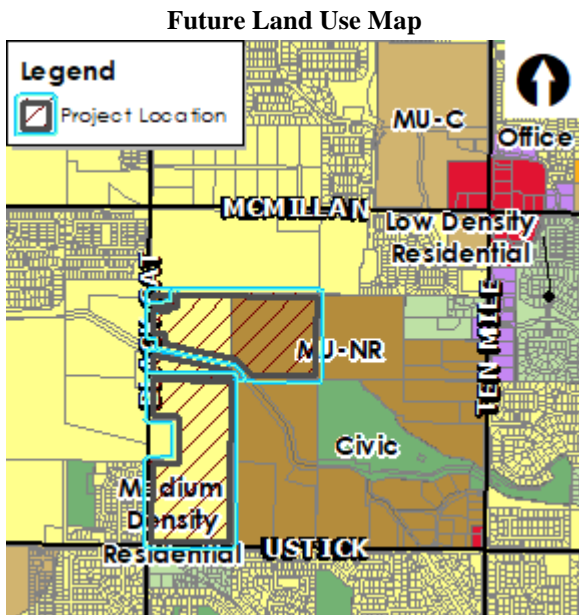
B. Community Metrics

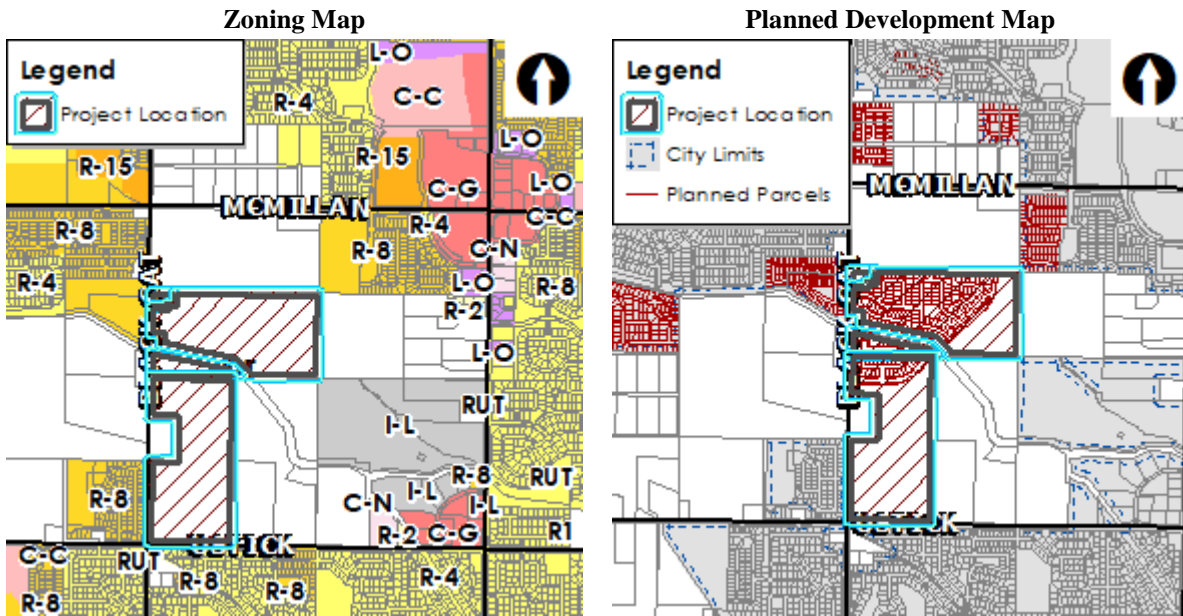
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses (Bell Tower Dr., a local street & San Remo St., a collector street) are proposed via N. Black Cat Rd., an arterial street. Black Cat Rd. is currently improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 50-70’ of ROW for Black Cat Rd. (17-20’ from centerline).	
Traffic Level of Service	Better than “D” (Acceptable level of service is “E”)	
Stub Street/Interconnectivity/Cross Access	(1) collector and (1) local stub street is proposed to the north and (1) local stub street is proposed to the south to adjacent properties for future extension as depicted on the plat.	
Existing Road Network	There are no existing streets within the site and no stub streets to the site; N. Black Cat Rd. exists along the west boundary of the site	
Existing Arterial Sidewalks / Buffers	There is no existing sidewalk or buffer along N. Black Cat Rd.	

Description	Details	Page																
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to Ustick Road between 2021 and 2025. The intersection of McMillan Road and Black Cat Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 2-lanes east, and 2-lanes on the west leg, and reconstructed between 2026 and 2030. The intersection of Ustick Road and Black Cat Road is listed in the CIP to be reconstructed as a dual-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 4-lanes east, and 4-lanes on the west leg, and reconstructed between 2021 and 2025. <p>A dedicated northbound right-turn lane & dedicated southbound left-turn lane is required to be constructed on Black Cat Rd. at Bell Tower Dr. & San Remo St. as recommended in the TIS.</p>																	
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 	<p>2 miles</p> <p>Falls within 5 minute response time goal</p> <p>76% - target goal is 80% or greater – does <i>not</i> meet the targeted goal</p> <p>2 – current resources would <i>not</i> be adequate to supply service to this project</p> <p>Project meets all required access, road widths and turnarounds.</p> <p>Project will require an aerial device; response time is 12 minutes travel time - <i>can't</i> meet this need in the required timeframe if a truck company is required.</p> <p>Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.</p>																	
Police Service																		
<ul style="list-style-type: none"> Distance to Police Station Police Response Time Calls for Service Accessibility Specialty/resource needs Crimes Crashes Other 	<p>6.5 miles</p> <p>Just under 5 minutes from Police Dept.; response time goal for emergencies is 3-5 minutes.</p> <p>283 (within a mile of site between 3/1/2019-2/29/2020)</p> <p>No concerns</p> <p>No additional resources are required at this time.</p> <p>28 (within a mile of site between 3/1/2019-2/29/2020)</p> <p>19 (within a mile of site between 3/1/2019-2/29/2020)</p> <p>The MPD can provide service if this development is approved as they already serve this area.</p>																	
West Ada School District																		
<ul style="list-style-type: none"> Distance (elem, ms, hs) Capacity of Schools # of Students Enrolled 	<table border="1" data-bbox="505 1320 1539 1530"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles Dev. to school</th> </tr> </thead> <tbody> <tr> <td>Pleasant View Elementary</td> <td>Opening 20/21 School Year</td> <td>675</td> <td>.9</td> </tr> <tr> <td>Star Middle School</td> <td>692</td> <td>1000</td> <td>6.3</td> </tr> <tr> <td>Meridian High School</td> <td>1961</td> <td>2400</td> <td>4.0</td> </tr> </tbody> </table> <p>Due to the abundant amount of growth in the area, West Ada is actively building new schools, and boundaries are always changing. These future students could potentially attend Owyhee High School.</p>		Enrollment	Capacity	Miles Dev. to school	Pleasant View Elementary	Opening 20/21 School Year	675	.9	Star Middle School	692	1000	6.3	Meridian High School	1961	2400	4.0	
	Enrollment	Capacity	Miles Dev. to school															
Pleasant View Elementary	Opening 20/21 School Year	675	.9															
Star Middle School	692	1000	6.3															
Meridian High School	1961	2400	4.0															
<ul style="list-style-type: none"> Estimated # of students from this development 	<p>110 (NE) + 40 (SE) = 150</p>																	
Wastewater																		
<ul style="list-style-type: none"> Distance to Sewer Services Sewer Shed Estimated Project Sewer ERU's 	<p>Directly adjacent</p> <p>North Black Cat Trunk Shed</p> <p>See application</p>																	

• WRRF Declining Balance	13.92	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	Applicant to ensure that the depths of the sanitary sewer allows for service of the property to the SE of Quartet Northeast per the Meridian Wastewater Master Plan.	
Water		
• Distance to Water Services	Directly adjacent	
• Pressure Zone	1	
• Estimated Project Water ERU's	See application	
• Water Quality	None	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	The water main in N. Joy Way (furthest east road) should be a 12-inch. In addition, the water main in N. Joy Way will need to continue south through Quartet Southeast to provide a second connection out to Black Cat Rd. with the second phase of the development.	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

Brighton Development, Inc. – 2929 W. Navigator #400, Meridian, ID 83642

B. Owner:

Quenzer Farms, LLLP – 3680 N. Black Cat Rd., Meridian, ID 83646

C. Representative:

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

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	5/29/2020	7/10/2020
Notification mailed to property owners within 300 feet	5/26/2020	7/8/2020
Applicant posted public hearing notice on site	4/22/2020	7/15/2020
Nextdoor posting	5/27/2020	7/8/2020

V. COMPREHENSIVE PLAN ANALYSIS (*Comprehensive Plan*)

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the western 50+/- acres of the property as Medium Density Residential (MDR) and the eastern 41+/- acres as Mixed Use – Non-Residential (MU-NR). A City Park is also conceptually designated on the FLUM in this general area.

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

The purpose of the MU-NR designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted in Figure 3E in the Comprehensive Plan (see page 3-18).

Transportation: The Master Street Map (MSM) depicts a collector street from W. McMillan Rd. to the project’s north boundary near the northeast corner of the site and a multi-lane roundabout at the mid-mile on Black Cat Rd. The Map depicts a future east/west collector street near the half mile on the west side of Black Cat.

A collector street (San Remo St./N. Joy Way) is proposed from N. Black Cat Rd. to the north boundary in accord with the MSM. ACHD is not requiring a roundabout be constructed at this time as they feel it’s not warranted based on the Traffic Impact Study (TIS) although additional right-of-way (ROW) is required to be dedicated to accommodate the future construction of the multi-lane roundabout.

Proposed Development: The Applicant proposes to develop 66.35 acres of the subject overall property with 186 single-family detached dwelling units at an overall gross density of 2.8 units per acre; and 20.09 acres with non-residential/commercial uses to be determined in the future consistent with the FLUM. **The eastern 18 acre residential portion of Quartet Northeast is located within the MU-NR designated area, which is a non-residential designated area that provides approximately a ¼ mile separation and buffer to the City’s wastewater facility. Because the FLUM is not parcel specific, the Applicant requests the MDR designation on the western portion of the property is extended to the collector street (N. Joy Way), which bisects the eastern portion of the property. The portion of the property east of the collector street is proposed to be zoned C-G and developed with non-residential/commercial uses.**

Because the collector street will provide a “break” to future non-residential/commercial uses similar to that shown on the concept diagram for MU-NR designated areas included in the Comprehensive Plan (see Figure 3E on pg. 3-18), Staff is amenable to this proposal if deemed appropriate by City Council. Staff does have concerns with residential uses in such close proximity to the Wastewater facility as foul odors are a concern in this area, thus the reason for the “non-residential” designation. For this reason, residential may not be a compatible use in this area. City Council should make this determination. Note: The Public Work’s Dept. anticipates doing a noise/odor study later this year to determine the current impacts of the facility on adjacent properties, which may change the boundary of the MU-NR designated area.

The Park’s Dept. is not pursuing a City park in this location at this time; however, the non-residential/commercial lot (Lot 1, Block 14) on the east side of the collector street adjacent to the wastewater facility may be considered for a potential park site with a future development application on that property.

Prior to any development occurring on this lot, the Applicant should coordinate with the Park’s Department to determine if a City park is needed in this area.

The following Comprehensive Plan Policies are applicable to this development:

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

Only one housing type is proposed in this development (i.e. single-family detached). The residential developments in this vicinity also contain standard single-family detached homes. Because this site is in close proximity to the City’s Wastewater Resource Recovery Facility, Staff does not recommend a mix of housing types is provided as it would likely increase the density in this area, which is not desired.

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

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

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

Only one housing type is proposed in this development (i.e. single-family detached); the minimum lot size proposed is 6,866 with an average lot size of 9,145 square feet, which will accommodate a variety of housing styles consisting of 1- and 2-story units.

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

The proposed single-family residential development is compatible with other residential and agricultural uses in the area; the future non-residential/commercial development should be compatible with the existing Wastewater facility to the southeast. The proposed residential uses in the MU-NR designated area may not be compatible with the Wastewater facility. The Public Work’s Dept. anticipates doing a noise/odor study later this year to determine the current impacts of the facility on adjacent properties, which may change the boundary of the MU-NR designated area.

- “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)

Segments of the City’s multi-use pathway system are proposed off-site along the north boundary of the Five Mile Creek and along the east side of the proposed collector street in accord with the Pathways Master Plan. Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

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

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

- “Discourage residential land uses in close proximity to the Wastewater Resource Recovery Facility, the Intermountain Gas Facility on Can-Ada Road, and other incompatible land uses.” (3.06.02E)

The eastern 18 acre portion of the site in Quartet Northeast is within the MU-NR designated area on the FLUM, which is in close proximity to the wastewater facility. The expansion of residential uses in this area may not be compatible with the wastewater facility due to odors associated with the facility.

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

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

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

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

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

The proposed development plan is generally consistent with the City’s vision in terms that medium density residential and non-residential uses are proposed; public services can be provided and infrastructure will be extended with development.

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

A collector street (San Remo St./N. Joy Way) is proposed from N. Black Cat Rd. that stubs to the north for future extension to McMillan Rd. in accord with the MSM, which depicts a collector street from McMillan Rd. to the northeast corner of the proposed residential development.

- “Plan for and allow land uses surrounding the Wastewater Resource Recovery Facility that reduce human exposure to odors.” (4.10.01A)

The residential uses proposed on 18 acres in Quartet Northeast in the MU-NR designated area may expose humans to odors associated with the wastewater facility.

- “Coordinate with developers, irrigation districts, and drainage entities to implement the proposed pathway network along canals, ditches, creeks, laterals and sloughs.” (3.08.02B)

A 10-foot wide multi-use pathway is proposed along the north side of the Five Mile Creek adjacent to the south boundary of the Quartet Northeast preliminary plat on NMID’s property.

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

The proposed project is in a larger enclave area around the City’s wastewater facility and is not on the fringe.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation if City Council determines an extension of the MDR designation on the abutting 18 acres of land to the east is appropriate for the area currently designated MU-NR.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Annexation & Zoning:

The Applicant proposes to annex a total of 90.99 acres of land between the two subdivisions with R-8 (70.68 acres) and C-G (20.31 acres) zoning consistent with the associated MDR and MU-NR FLUM designations in the Comprehensive Plan as discussed above in Section V. At the request of the City, the Applicant included the 0.97 acre out-parcel at the southwest corner of the Quartet Northeast subdivision where a sewer lift station is located in the annexation boundary.

The single-family residential and future non-residential/commercial uses planned to develop on this site are consistent with uses desired in this area as discussed above in Section V. A conceptual development plan was not submitted for the non-residential/commercial lot proposed to be zoned C-G; the Applicant states this lot will be the subject of future discussion with the City regarding a potential park site as depicted on the FLUM or consideration of other potential buffer uses determined by the results of the Public Work’s noise/odor study.

The annexation area is within the Area of City Impact Boundary (AOIB). Legal descriptions for the annexation area are included in Section VIII.B; separate descriptions were submitted for each of the preliminary plat applications.

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.** 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.

The Record of Survey depicted in Section VIII.A should be approved by Ada County and recorded prior to approval of the annexation ordinance and the Development Agreement for this project. Additionally, as a provision of the Development Agreement, Staff recommends the Applicant is required to coordinate with the Park's Dept. prior to development of the C-G zoned portion of the site on the east side of the collector street to determine if a City park is needed in that area.

B. Preliminary Plat:

Two separate preliminary plats, Quartet Northeast and Quartet Southeast, are proposed due to land owned by NMID containing the Five Mile Creek bisecting the two properties. Because both plats are proposed to develop and be marketed as one overall project, Staff's analysis is based on the overall project.

Quartet Northeast consists of 137 buildable lots (136 residential and 1 commercial), 19 common lots, and 2 other lots on 66.52 acres of land in the R-8 and C-G zoning districts; and Quartet Southeast consists of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district. Overall, a total of 186 residential buildable lots, 1 commercial buildable lot, 29 common lots and 2 other lots are proposed between the two subdivisions.

The minimum lot size proposed overall is 6,866 square feet (s.f.) with an average lot size of 9,145 s.f.; the gross density overall is 2.8 units/acre with a net density of 4.76 units/acre. The subdivision is proposed to develop in three (3) phases as depicted on the plat (see Section VIII.C). The first two phases are located along N. Black Cat Rd. with the third and final phase on the eastern portion of the site.

Existing Structures/Site Improvements:

There is one existing home and accessory structures within the boundary of each preliminary plat that are proposed to remain on Lot 11, Block 7, Quartet Southeast and Lot 2, Block 1, Quartet Northeast subdivision. All existing accessory structures that don't comply with the setback standards listed in UDC Table 11-2A-6 should be removed prior to the City Engineer's signature on the final plat on the phase in which they're located.

The existing homes are required to disconnect from private service and hook up to City water and sewer service within 60 days of such services becoming available as set forth in MCC 9-1-4 and 9-4-8 respectively. Existing wells may be used for irrigation purposes only. The addresses of these homes will also be subject to change with subdivision of the property.

Proposed Use Analysis:

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Allowed uses in the C-G district are listed in UDC Table 11-2B-2.

Although some residential uses are allowed in the C-G zoning district per UDC Table 11-2B-2, Staff recommends as a provision of the DA that no residential uses be developed on the non-residential/commercial C-G zoned lot on the east side of the collector street, including but not limited to, a multi-family development, a vertically integrated residential project, and/or a nursing/residential care facility *unless* a subsequent Noise and Odor Study conducted by the City determines residential uses are appropriate in that area.

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

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

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

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

There are two (2) common driveways proposed on common lots (i.e. Lots 10 and 16, Block 1); such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

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

One (1) collector street (San Remo St./N. Joy Way) access is proposed in Quartet Southeast and one (1) local street access is proposed in Quartet Northeast via N. Black Cat Rd. The collector street is proposed to stub to the north at the northeast corner of the site for future extension to W. McMillan Rd. Local stub streets are proposed to the north and south to adjacent properties for future extension as depicted on the preliminary plats in Section VIII.C. Direct lot access via the arterial (Black Cat Rd.) and collector (San Remo St./N. Joy Way) streets is prohibited; the existing access via Black Cat Rd. for the home proposed to remain on Lot 2, Block 1 Quartet Northeast subdivision shall be removed and access taken from Belltower Dr.

The bridge across the Five Mile Creek and the gravel fire access road from Black Cat Rd. in the location where the collector street is proposed is required to be constructed for emergency access for any development over 30 homes/lots as approved by the Fire Department.

Because N. Joy Way is proposed to stub at the north boundary and is longer than 150' without a Fire Department approved turn around, the Fire Dept. requests a Type III barricade is placed at the intersection of N. Joy Way and Grand Rapids Dr. to prevent access until the street is extended in the future. The construction drawings should be revised to include this change. As an alternative to a barricade, a Fire Dept. approved turnaround could be provided at the end of the collector street.

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

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

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

The Pathways Master Plan depicts a segment of the City's multi-use pathway system along the north side of the Five Mile Creek; and along the north and a short portion of the east side of the Quartet Northeast property.

The Applicant proposes to construct an off-site 10-foot wide multi-use pathway along the north side of the Five Mile Creek and a detached 10-foot wide sidewalk/multi-use pathway along the east side of the collector street (N. Joy Way), north of the creek, to the north boundary of Quartet Northeast per discussions with the Park's Department. **Legal descriptions for the pathway alignments (14-foot wide)**

should be submitted to the City in order for the pathways to be added to the City's Master Pathways Agreement.

The pathway proposed on NMID's property will require a license agreement with NMID for the pathway and associated landscaping required by UDC 11-3B-12C.

The UDC (11-3B-12C) requires a 5-foot wide landscape strip to be provided along each side of the pathway, landscaped with a mix of trees, shrubs, lawn, and/or other vegetative groundcover. A minimum of one trees is required per 100 linear feet of pathway; the calculations table included on the landscape plan does not include the linear feet of pathways or trees proposed to demonstrate compliance with this requirement – the revised plan submitted with the final plat application should include this information.

If NMID does *not* approve the pathway and associated landscaping to be located on their property, the pathway should be provided in a minimum 20-foot wide common lot within Quartet Northeast subdivision within a 14-foot wide public pedestrian easement.

Staff recommends pedestrian pathways are provided from the internal sidewalks along Miramente Ct. and Miramente Dr. through adjacent common areas to the multi-use pathway along the Five Mile Creek; and micro-pathways are provided through Lot 10, Block 4 and Lot 7, Block 3 for pedestrian interconnectivity within the subdivision.

All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan.

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

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

Detached sidewalks are proposed along all internal streets, except around the cul-de-sacs, and within the street buffer adjacent to N. Black Cat Rd. and San Remo St./N. Joy Way in accord with the standards listed in UDC 11-3A-17.

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

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

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

A 25-foot wide street buffer is required adjacent to N. Black Cat Rd., an arterial street; and a 20-foot wide street buffer is required adjacent to San Remo St./N. Joy Way, a collector street, landscaped per the standards listed in [UDC 11-3B-7C](#), as proposed.

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

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

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

There are existing trees on the site around the existing homes that are proposed to be retained that may require mitigation if removed. The Applicant should coordinate with Matt Perkins, the City Arborist, to determine mitigation requirements per the standards listed in UDC 11-3B-10C.5 if existing trees are *not* proposed to be retained on the site. Any mitigation information shall be included in the calculations table on the landscape plan.

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

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

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

Based on the area of the Quartet Northeast plat (66.52 acres), a minimum of 6.65 acres of qualified open space should be provided. A total of 7.6 acres (or 11.5%) is proposed in excess of UDC standards consisting of half the street buffer along the arterial street (N. Black Cat Rd.), all of the street buffer along the collector street (N. Joy Way), internal linear open space and common areas exceeding 50' x 100' in area.

Based on the area of the Quartet Southeast plat (19.92 acres), a minimum of 1.99 acres of qualified open space should be provided. A total of 3.4 acres (or 17%) is proposed in excess of UDC standards consisting of half the street buffer along the arterial street (N. Black Cat Rd.), all of the street buffer along the collector street (San Remo St./N. Joy Way), and internal linear open space.

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

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

Based on the area of the Quartet Northeast plat (66.52 acres), a minimum of three (3) qualified site amenities are required to be provided. A community swimming pool, a tot lot containing children's play equipment, one acre of extra qualified open space beyond the minimum standards and segments of the City's multi-use pathway system are proposed in excess of UDC standards.

Based on the area of the Quartet Southeast plat (19.92 acres), a minimum of one (1) qualified site amenity is required to be provided. An additional 1.41 acres of qualified open space beyond the minimum standards is proposed as a site amenity in accord with UDC standards.

Because Quartet Northeast and Southeast subdivisions will develop as one and be under the same Homeowner's Association, and common open space and site amenities will be shared, Staff believes the proposed open space and site amenities are adequate for the development with the inclusion of the micropath connections as recommended above.

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

The Creason Lateral runs across the eastern portion of the north boundary of Quartet Northeast subdivision in Lot 34, Block 4 within a 40-foot wide easement and is proposed to be left open. **Because this area is included in the qualified open space calculations for the site, it should be landscaped per the standards listed in UDC 11-3G-3E – no landscaping is depicted on the landscape plan for that area.**

The Five Mile Creek is contained within land owned by NMID that lies between the two proposed preliminary plats. **The creek should be protected during construction.**

A portion of the site is within the Five Mile Creek floodplain in an approximate (A) zone which will require a floodplain permit application, including hydraulic and hydrologic analysis to define base flood elevations and a floodway prior to any development occurring in the overlay district – contact Jason Korn, Public Work's, with any questions.

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

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

Six-foot tall solid wood fencing is proposed along the perimeter boundary of the site and along side yards adjacent to the street; and 5-foot tall clear vision fence is proposed adjacent to most internal common open space areas. **To provide more visibility of the common area on Lot 34, Block 4 where the Creason Lateral is located, Staff recommends fencing adjacent to the common lot complies with the standards listed in UDC 11-3A-7A.7.**

The Creason Lateral is required to be fenced with an open vision fence at least 6’ in height and having an 11-gauge, 2” mesh or other construction, equivalent in ability to deter access to the waterway. If the Applicant can demonstrate to the satisfaction of the Director that the waterway serves as or will be improved as a part of the development to be a water amenity as defined in UDC 11-1A-1, it is not required to be fenced per UDC 11-3A-6C. If it’s improved as a water amenity, construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.

Staff recommends a break in the fence is provided on the south side of Lot 8, Block 6 adjacent to the Five Mile Creek for pedestrian access to the multi-use pathway.

Storm Drainage:

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

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from the Nampa & Meridian Irrigation District.

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

The Applicant submitted several conceptual building elevations for the proposed single-family detached homes planned to be constructed in this development which are included in Section VIII.F. Homes depicted are a mix of 1- and 2-story units with building materials consisting of a variety of siding styles with stone/brick veneer accents. No elevations were submitted for the non-residential/commercial portion of the development as no development is proposed at this time.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face N. Black Cat Rd., an arterial street, and San Remo St./N. Joy Way, a collector street, incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and the non-residential/commercial portion of the development. Design of these structures is required to comply with the design standards listed in the Architectural Standards Manual. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

If the City Council determines extending the MDR FLUM designation further to the east as proposed is appropriate, Staff recommends approval of the requested annexation and zoning with the requirement of a

Development Agreement and approval of the requested preliminary plats with the conditions noted in Section IX.A per the Findings in Section X.

- B. The Meridian Planning & Zoning Commission heard these items on June 18, 2020. At the public hearing, the Commission moved to recommend approval of the subject AZ and PP requests.
1. Summary of Commission public hearing:
 - a. In favor: Mike Wardle, Brighton Corp. (Applicant's Representative); Jon Wardle, Brighton Corp.
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Carrie Hovey
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 2. Key issue(s) of public testimony:
 - a. Concern pertaining to traffic & safety of existing 2-lane roadways and the amount of development occurring in this area which is worsening the situation and impact of more development on area schools – would like these applications to be rejected or at least postponed until road infrastructure and schools can be prepared to handle the additional impacts.
 3. Key issue(s) of discussion by Commission:
 - a. Concerns pertaining to growth and traffic and the adequacy of existing infrastructure to handle more development until improvements are made in this area;
 - b. The option of requiring the noise/odor study to be complete prior to development of Phase 3 to determine if residential uses are appropriate in the area current MU-NR designated area.
 4. Commission change(s) to Staff recommendation:
 - a. Modification to condition #B1.2 to require the water main in N. Joy Way to continue south through Quartet SE to provide a 2nd connection out to Black Cat Rd. with the 2nd phase of development, instead of the 1st phase, as recommended by Staff.
 5. Outstanding issue(s) for City Council:
 - a. None
- C. The Meridian City Council heard these items on July 28, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.
1. Summary of the City Council public hearing:
 - a. In favor: Mike Wardle and Jon Wardle, Brighton Corp.
 - b. In opposition: None
 - c. Commenting: Denise LaFever
 - d. Written testimony: Mike Wardle, Brighton Corp. (in agreement with the Commission's recommendation)
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Dale Bolthouse, Clint Dolsby
 2. Key issue(s) of public testimony:
 - a. Opinion that it's not appropriate to approve C-G zoning without a development plan.
 - b. Testimony from Dale Bolthouse that only 4 complaints have been received in the last 5 years from downwind residents pertaining to an offensive odor generated from the wastewater treatment facility.
 3. Key issue(s) of discussion by City Council:
 - a. Council requested more information from Public Works in regard to the upcoming odor study;

- b. Concern pertaining to approval of residential uses in the MU-NR designated portion of Phase 3 prior to obtaining results from an updated odor study to determine if residential uses are appropriate in that area;
 - c. Possible condition on Phase 3 and the commercial portion of the development to ensure City has the ability to restrict residential uses and possibly other uses in the MU-NR designated area if the odor study reflects a significant impact on this area;
 - d. Concern of allowing C-G zoning without a conceptual development plan showing how the lot is to be developed.
4. City Council change(s) to Commission recommendation:
- a. An odor study is required to be conducted by the City prior to development of Phase 3 to determine if residential uses are appropriate in the MU-NR designated area; if determined to *not* be appropriate, a modification to the DA shall be required to amend the development plan for that area (see new DA provision A.1i);
 - a. Modify DA provision #A.1f to require the DA to be modified to include a conceptual development plan for the C-G zoned area/lot prior to development.

B. Annexation Legal Description & Exhibit Map

Quartet Northeast:



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

April 10, 2020
Project No. 19-010

**Exhibit A
Legal Description for
Annexation
Quartet Northeast**

A parcel of land situated in a portion of the South 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:

Commencing at a brass cap marking the Northwest corner of said Section 34, which bears N00°27'24"E a distance of 2,631.60 feet from an aluminum cap marking the West 1/4 corner of said Section 34, thence following the westerly line of said Northwest 1/4, S00°27'24"W a distance of 1,315.80 feet to the North 1/16 corner of said Section 34 and Section 33 and being the **POINT OF BEGINNING**.

Thence leaving said westerly line and following the northerly line of said South 1/2 of the Northwest 1/4, S89°26'06"E a distance of 2,647.62 feet to an aluminum cap marking the Northeast corner of said South 1/2 of the Northwest 1/4 (C-N 1/16 corner);
Thence leaving said northerly line and following the easterly line of said South 1/2 of the Northwest 1/4, S00°43'47"W a distance of 1,323.39 feet to a 5/8-inch rebar marking the center of said Section 34;
Thence leaving said easterly line and following the southerly line of said Northwest 1/4, N89°16'14"W a distance of 1,129.66 feet to the centerline of Five Mile Drain;

Thence leaving said southerly line and following said centerline the following eight (8) courses:

1. N38°17'55"W a distance of 133.84 feet;
2. N46°51'55"W a distance of 134.69 feet;
3. N73°28'41"W a distance of 107.81 feet;
4. N79°57'01"W a distance of 202.45 feet;
5. N77°05'23"W a distance of 112.20 feet;
6. N79°05'40"W a distance of 326.25 feet;
7. N78°22'23"W a distance of 307.52 feet;
8. N78°15'35"W a distance of 100.49 feet;

Thence leaving said centerline, N00°27'24"E a distance of 236.72 feet;
Thence N89°32'36"W a distance of 195.00 feet to the westerly line of said Northwest 1/4;
Thence following said westerly line, N00°27'24"E a distance of 664.43 feet to the **POINT OF BEGINNING**.

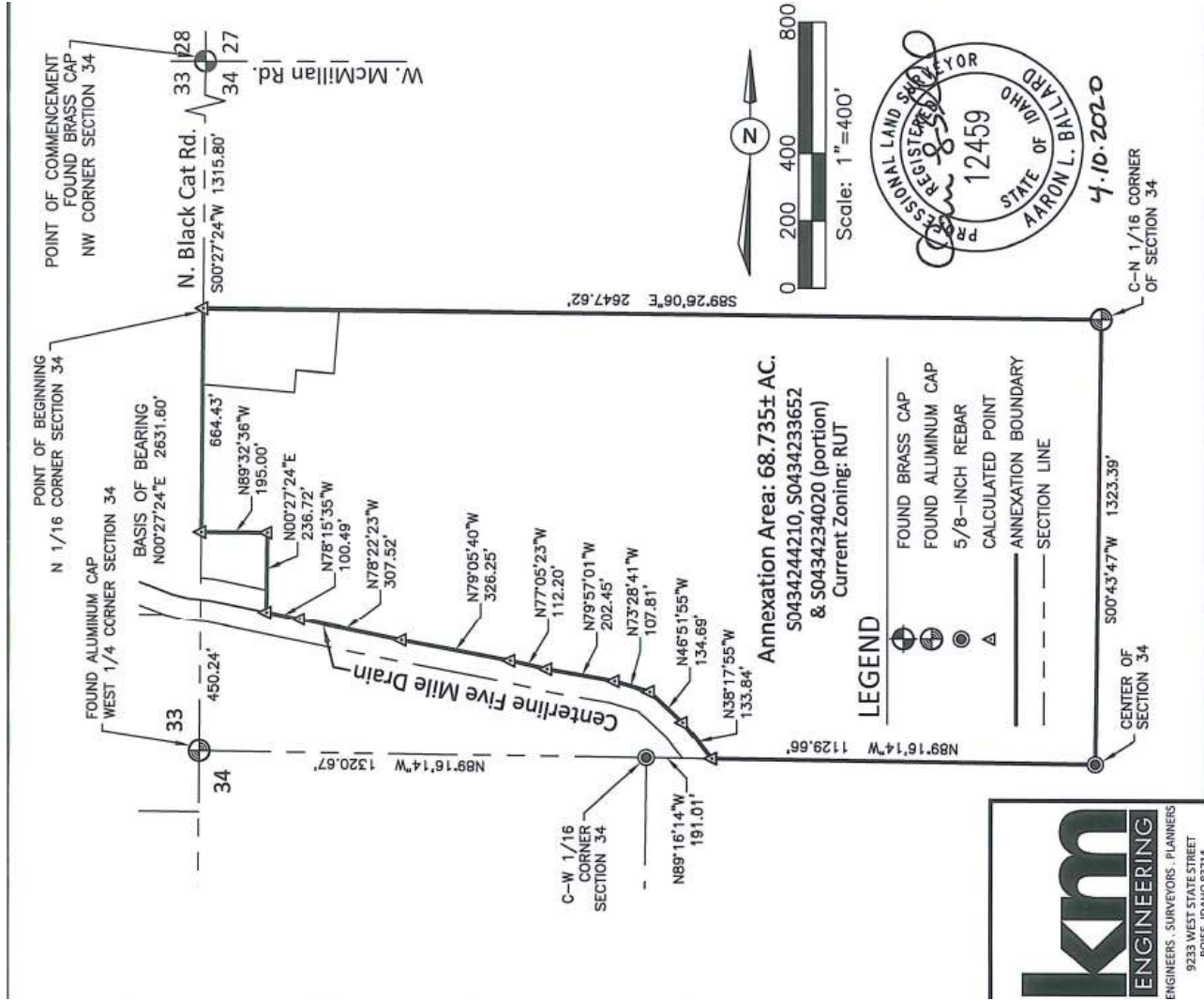
Said parcel contains a total of 68.735 acres, more or less.

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



ENGINEERS | SURVEYORS | PLANNERS

Item #8.



KMM ENGINEERING
 ENGINEERS - SURVEYORS, PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

Exhibit B
Annexation

Quartet Northeast Subdivision
 S 1/2 NW 1/4 Sec. 34, T4N., R1W., B.M., Ada County, Idaho

DATE: April 2020
 PROJECT: 19-010
 SHEET: 1 OF 1

Quartet Southeast:



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

April 10, 2020
Project No. 19-010

Exhibit A
Legal Description for
Annexation and Rezone to R-8
Quartet Southeast

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

BEGINNING at an aluminum cap marking the West 1/4 corner of said Section 34, which bears S00°27'24"W a distance of 2,631.60 feet from a brass cap marking the Northwest corner of said Section 34, thence following the westerly line of said Northwest 1/4, N00°27'24"E a distance of 450.24 feet to the centerline of Five Mile Drain;

Thence leaving said westerly line and following said centerline the following nine (9) courses:

1. S83°53'03"E a distance of 33.19 feet;
2. S78°15'35"E a distance of 265.65 feet;
3. S78°22'23"E a distance of 307.52 feet;
4. S79°05'40"E a distance of 326.25 feet;
5. S77°05'23"E a distance of 112.20 feet;
6. S79°57'01"E a distance of 202.45 feet;
7. S73°28'41"E a distance of 107.81 feet;
8. S46°51'55"E a distance of 134.69 feet;
9. S38°17'55"E a distance of 133.84 feet to the southerly line of said Northwest 1/4;

Thence leaving said centerline and following said southerly line, N89°16'14"W a distance of 191.01 feet to a 5/8-inch rebar marking the Northeast corner of said West 1/2 of the Southwest 1/4 (C-W 1/16 corner);

Thence leaving said southerly line and following the easterly line of said West 1/2 of the Southwest 1/4, S00°35'24"W a distance of 25.93 feet;

Thence leaving said easterly line, 60.97 feet along the arc of a circular curve to the left, said curve having a radius of 517.00 feet, a delta angle of 06°45'23", a chord bearing of S47°09'17"W and a chord distance of 60.93 feet;

Thence S43°46'36"W a distance of 306.45 feet;

Thence 423.64 feet along the arc of a circular curve to the right, said curve having a radius of 520.00 feet, a delta angle of 46°40'43", a chord bearing of S67°06'57"W and a chord distance of 412.02 feet;

Thence N89°32'41"W a distance of 589.03 feet;

Thence S45°27'19"W a distance of 29.19 feet;

Thence S00°27'12"W a distance of 79.36 feet;

Thence N89°32'48"W a distance of 78.00 feet to the westerly line of said Southwest 1/4;

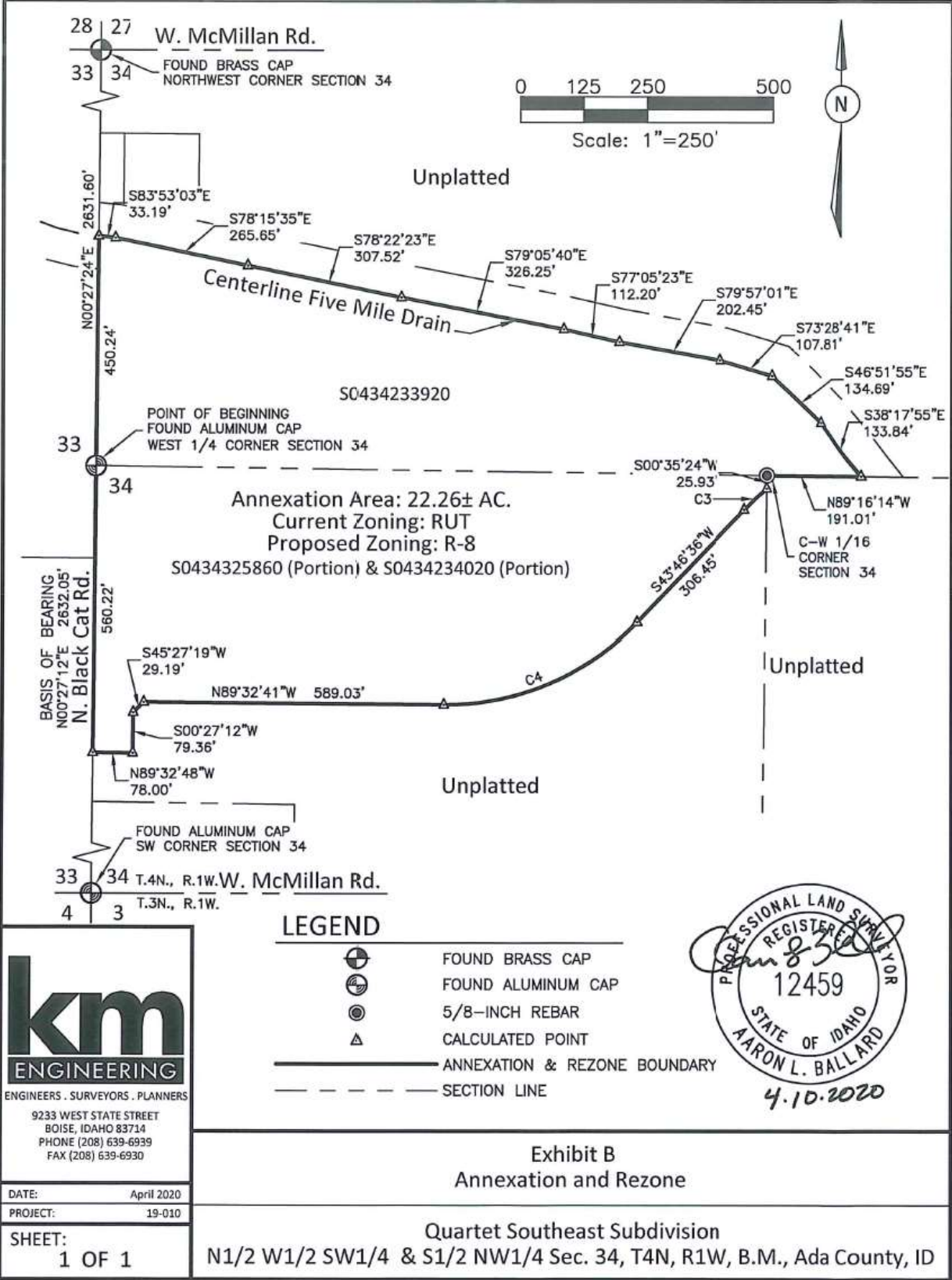
Thence following said westerly line, N00°27'12"E a distance of 560.22 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 22.26 acres, more or less.

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



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km ENGINEERING
 ENGINEERS . SURVEYORS . PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

DATE: April 2020
 PROJECT: 19-010
 SHEET: 1 OF 1

Exhibit B
Annexation and Rezone

Quartet Southeast Subdivision
 N1/2 W1/2 SW1/4 & S1/2 NW1/4 Sec. 34, T4N, R1W, B.M., Ada County, ID

City Lift Station Lot:



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

April 20, 2020
Project No. 19-010

Exhibit A
Legal Description for
Annexation and Rezone to R-8
City of Meridian Parcel

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

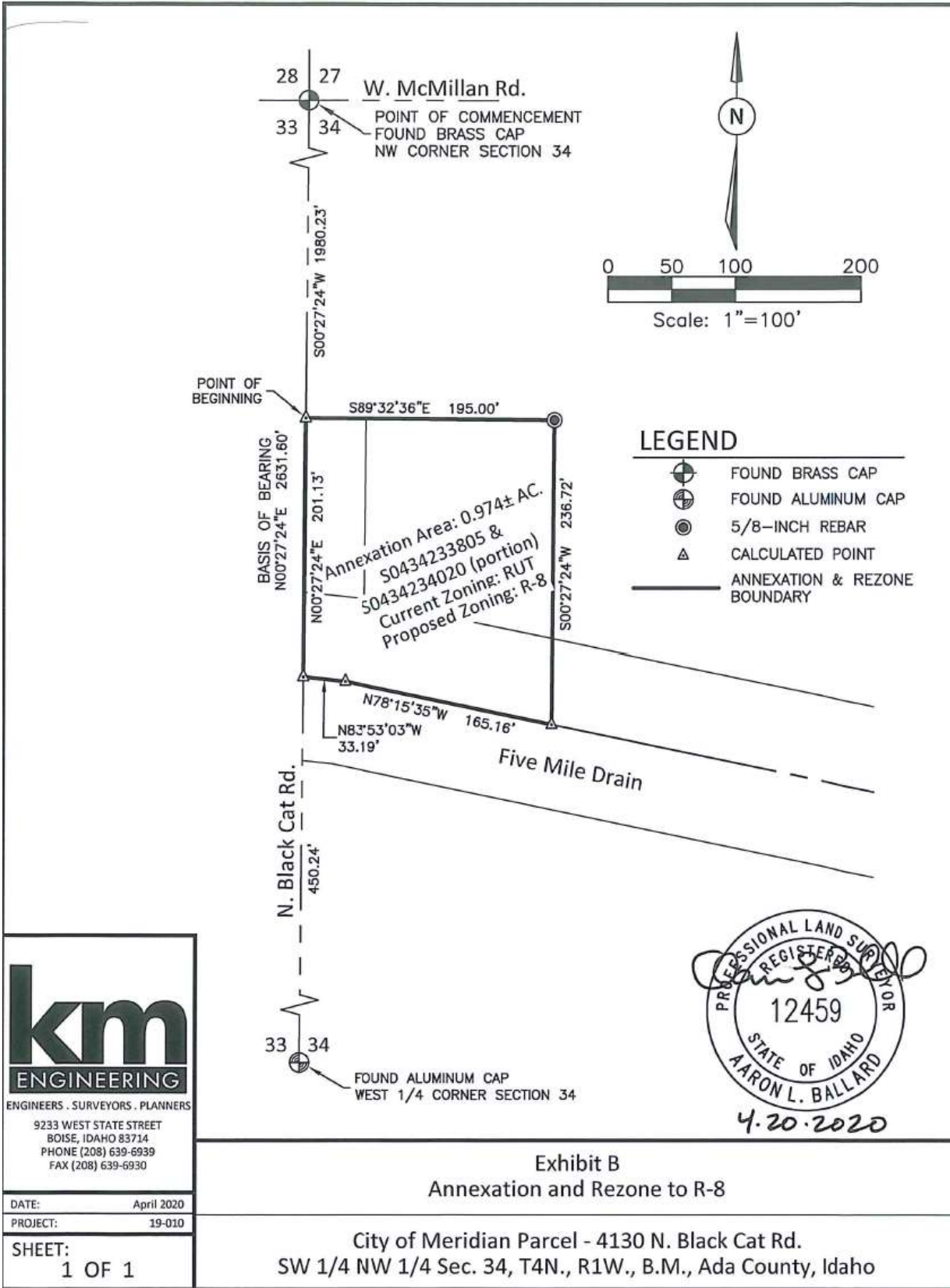
Commencing at a brass cap marking the northwest corner of said Section 34, which bears N00°27'24"E a distance of 2,631.60 feet from an aluminum cap marking the west 1/4 of said Section 34, thence following the westerly line of said Northwest 1/4, S00°27'24"W a distance of 1,980.23 feet to the **POINT OF BEGINNING.**

Thence leaving said westerly line, S89°32'36"E a distance of 195.00 feet to a 5/8-inch rebar;
Thence S00°27'24"W a distance of 236.72 feet to centerline of Five mile Drain;
Thence following said centerline, N78°15'35"W a distance of 165.16 feet;
Thence following said centerline, N83°53'03"W a distance of 33.19 feet to the westerly line of said Northwest 1/4;
Thence leaving said centerline and following said westerly line, N00°27'24"E a distance of 201.13 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 0.974 acres, more or less.

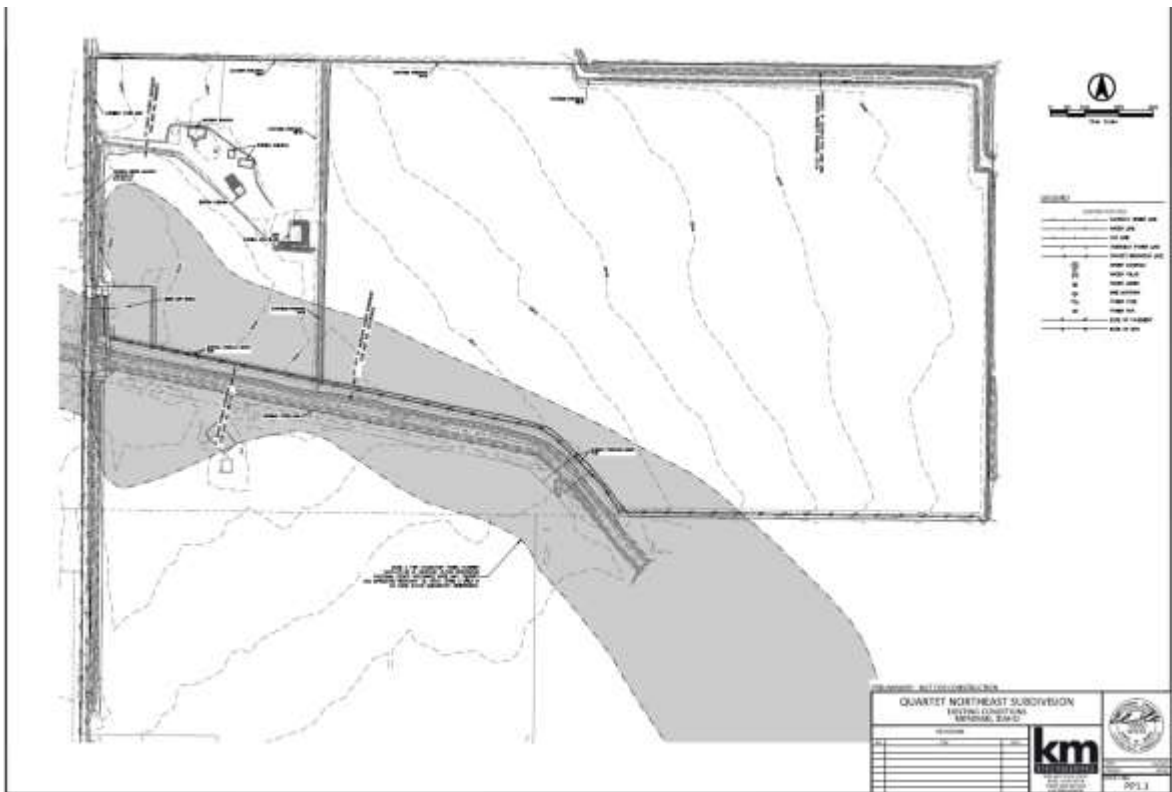
Attached hereto is Exhibit B and by this reference is hereby made a part of.

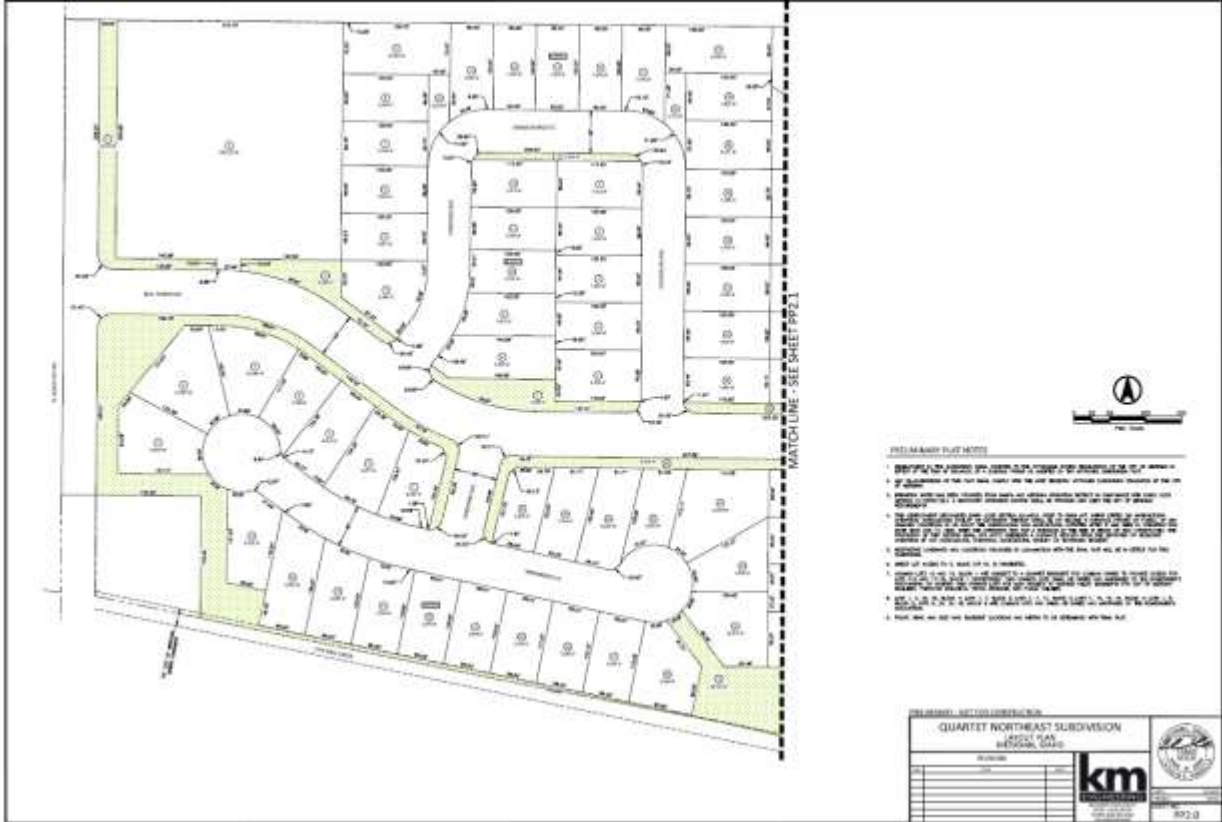




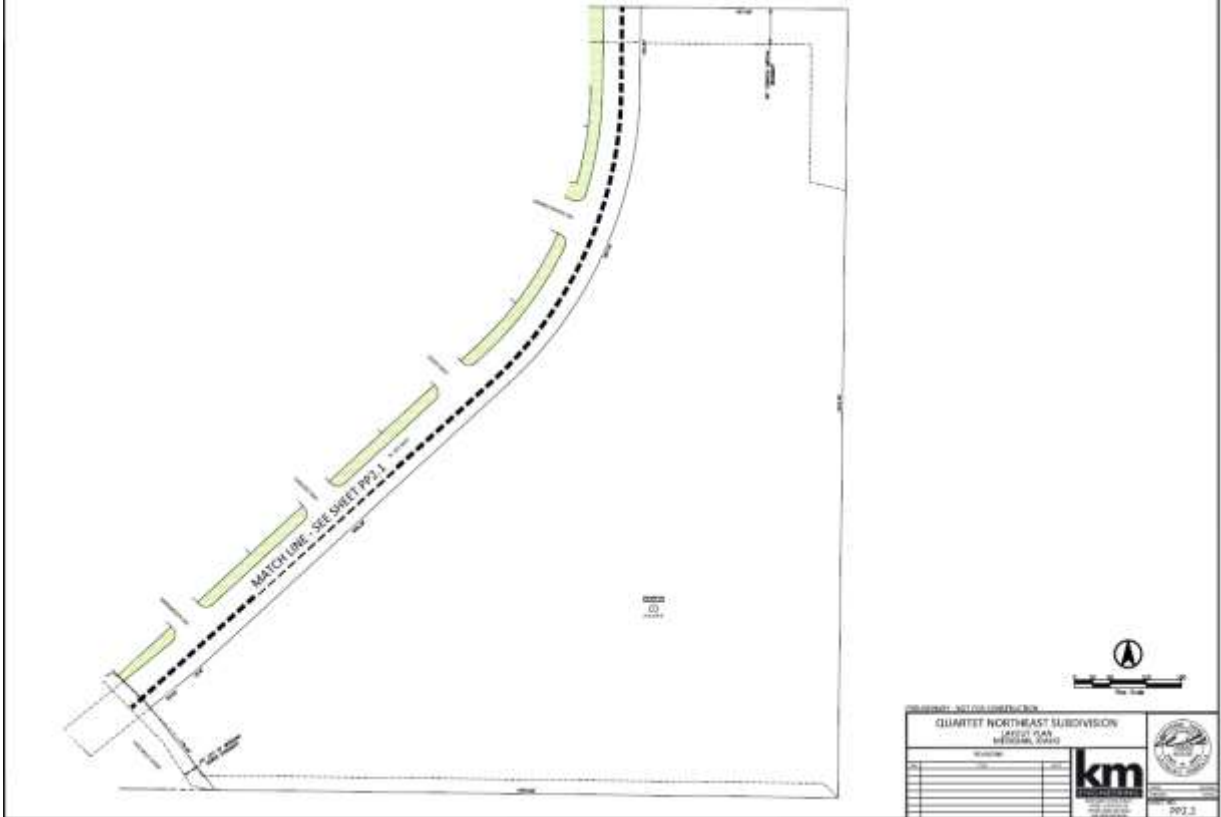
C. Preliminary Plat (date: 1/31/2020) & Phasing Plan

Quartet Northeast:



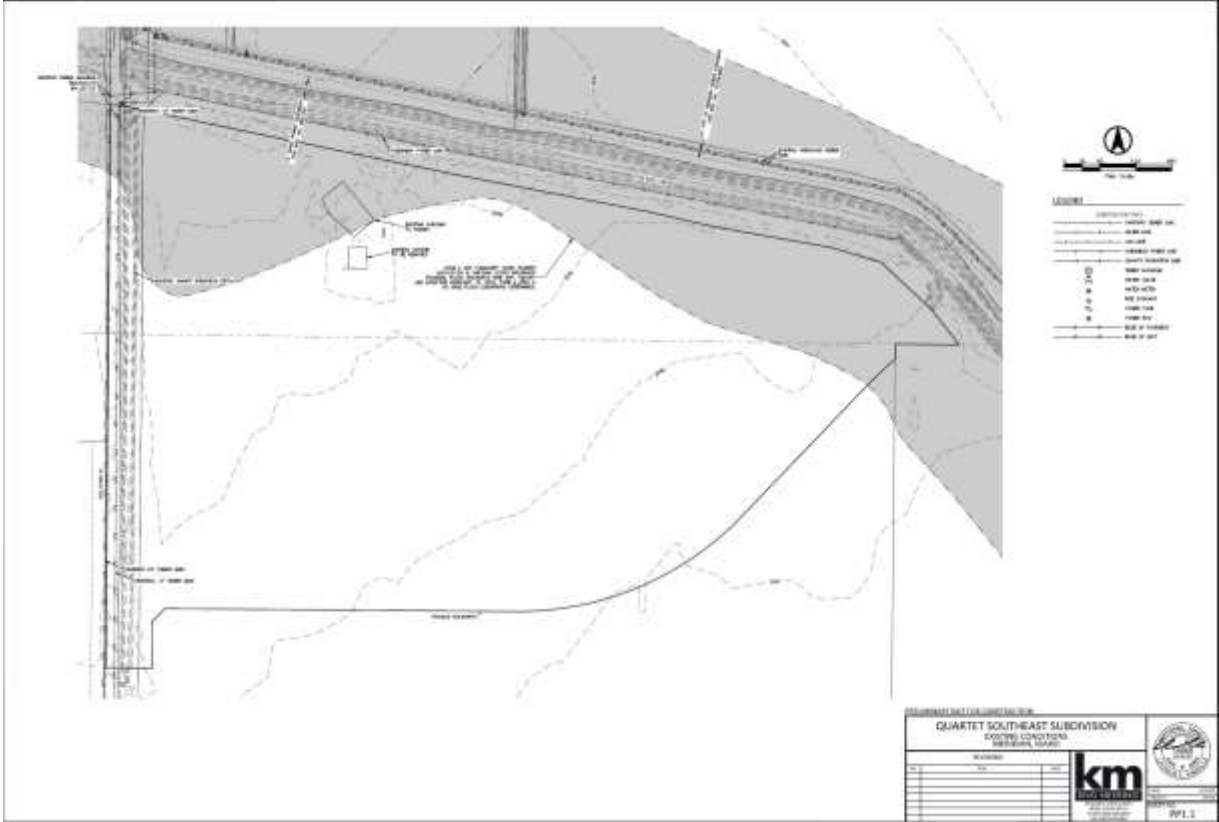


Item #8.



Quartet Southeast:

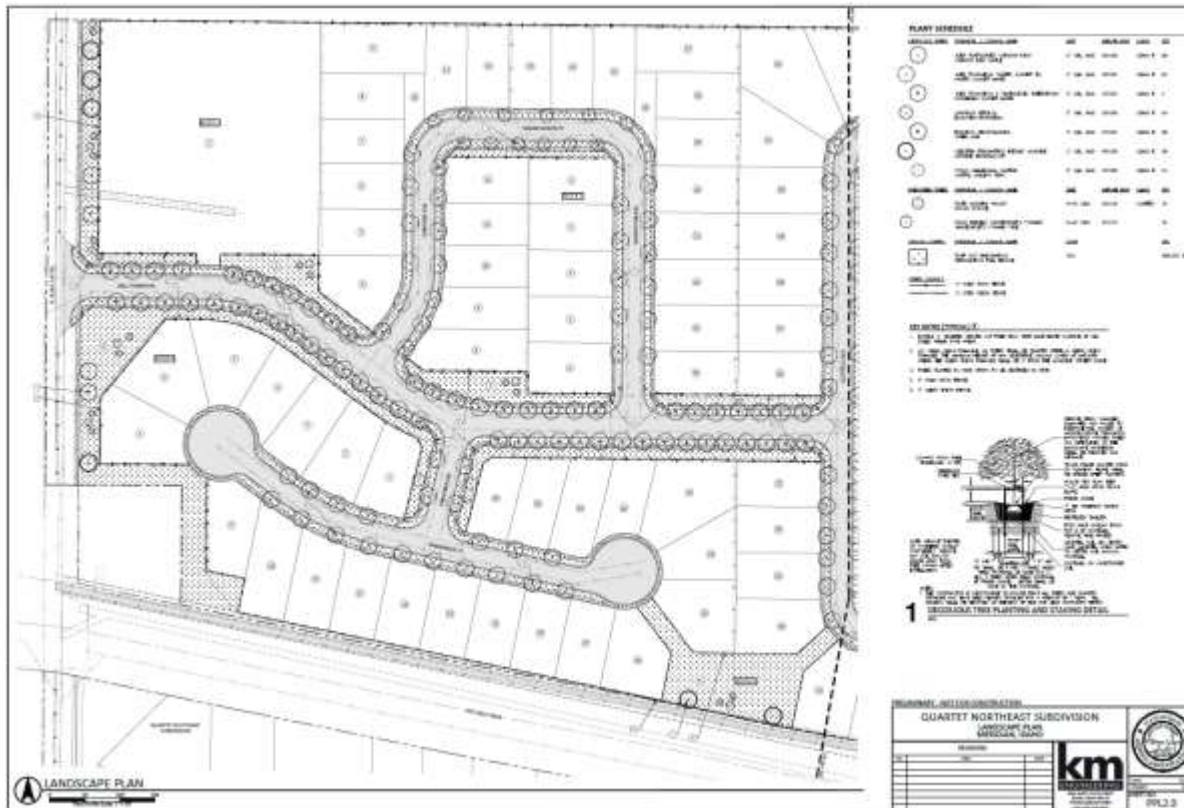




Phasing Plan:



D. Landscape Plan (date: 1/30/2020)
 Quartet Northeast:



F. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

~~The Record of Survey depicted in Section VIII.A shall be approved by Ada County and recorded prior to City Council approval of the Annexation Ordinance and Development Agreement for this project.~~ The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the preliminary plat, phasing plan, landscape plan, qualified open space exhibit and conceptual building elevations included in Section VIII and the provisions contained herein.
- b. The existing homes that are to be retained on lots in the proposed subdivision are required to disconnect from private systems and hook up to City water and sewer service within 60 days of such services becoming available as set forth in MCC 9-1-4 and 9-4-8 respectively. Existing wells may be used for irrigation purposes only.
- c. The existing homes to be retained on lots in the proposed subdivision will be assigned new addresses with subdivision of the property.
- d. The Five Mile Creek shall be protected during construction.
- e. No residential uses shall be developed on the non-residential/commercial C-G zoned lot on the east side of the collector street (depicted as Lot 1, Block 14 on the preliminary plat), including but not limited to, a multi-family development, a vertically integrated residential project, and/or a nursing/residential care facility *unless* a subsequent Noise and Odor Study conducted by the City determines residential uses are appropriate in that area.
- f. The Developer shall coordinate with the City Park's Department prior to development of the non-residential/commercial lot (depicted as Lot 1, Block 14 on the preliminary plat) on the east side of the collector street (N. Joy Way) to determine if a City Park is needed in this area as designated on the Comprehensive Plan. The Development Agreement shall be amended to include a conceptual development plan for that area prior to any development occurring on that lot.
- g. The rear and/or side of structures on lots that face N. Black Cat Rd., an arterial street, and San Remo St./N. Joy Way, a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
- h. Quartet Northeast and Southeast subdivisions shall develop and be phased as one project and shall be included in the same Homeowner's Association; all common open space and site amenities between the two subdivisions shall be shared.
- i. An odor study shall be conducted by the City prior to development of Phase 3 to determine if residential uses are appropriate in the MU-NR designated area; if determined to not be appropriate,

a modification to the Development Agreement shall be required to amend the development plan for that area.

2. The final plat(s) submitted for this development shall incorporate the following:
 - a. Include a note stating direct lot access via N. Black Cat Rd. and San Remo St./N. Joy Way is prohibited.
3. The landscape plan submitted with the final plat application shall be revised as follows:
 - a. Add pedestrian pathways from the internal sidewalks along Miramente Ct. and Miramente Dr. through adjacent common areas to the multi-use pathway along the Five Mile Creek; provide breaks in the fence where necessary to provide a connection. Also provide micro-path connections through Lot 10, Block 4 and Lot 7, Block 3 for pedestrian interconnectivity within the subdivision.
 - b. Landscaping shall be depicted on either side of all pathways as set forth in UDC 11-3B-12C. Calculations shall be included for the linear feet of pathway and the required vs. provided number of trees in the Calculations table.
 - c. If any existing trees are proposed to be removed from the site, the Applicant shall schedule an inspection with the City Arborist, Matt Perkins, prior to removal of any such trees to determine mitigation requirements in accord with the standards listed in UDC 11-3B-10C.5. Mitigation information shall be included in the calculations table on the plan if applicable.
 - d. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - e. Depict fencing adjacent to the Creason Lateral as set forth in UDC 11-3A-6C.3 in order to preserve public safety *unless* the waterway is proposed to be improved as part of the development to be a water amenity. In such case, documentation shall be submitted as set forth in UDC 11-1A-1 and 11-3A-6C.2 for approval by the Director.
 - f. The location of site amenities shall be depicted on the plan; a detail shall be submitted for the children's play equipment.
 - g. Depict landscaping in Lot 34, Block 4 in accord with the standards listed in UDC 11-3G-3E.
 - h. Depict fencing on Lot 34, Block 4 where the Creason Lateral is located per the standards listed in UDC 11-3A-7A.7 to provide more visibility of the common area.
 - i. Depict a 6-foot tall open vision fence having an 11-gauge, 2 inch mesh or other construction equivalent in ability to deter access to the Creason Lateral on Lot 34, Block 4 in accord with the standards listed in UDC 11-3A-6C.3 *unless* the waterway is proposed to be improved as part of the development to be a water amenity. In such case, construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6 and 11-2B-3 for the R-8 and C-G zoning districts respectively.
5. The bridge across the Five Mile Creek and the gravel fire access road from Black Cat Rd. in the location where the collector street is proposed shall be constructed for emergency access for any development over 30 homes/lots as approved by the Fire Department.
6. Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#)

based on the number of bedrooms per unit.

7. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
8. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
9. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included on the face of the plat.
10. A Type III barricade shall be placed at the intersection of N. Joy Way and Grand Rapids Dr. to prevent access until the street is extended in the future; the construction drawings shall be revised to include this change. As an alternative to a barricade, a Fire Dept. approved turnaround could be provided at the end of the collector street instead.
11. All existing structures that don't comply with the setback standards listed in UDC 11-2A-6 shall be removed from the site prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer.
13. The existing access via Black Cat Rd. for the home proposed to remain on Lot 2, Block 1, Quartet Northeast subdivision shall be removed.
14. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Applicant to ensure that the depths of the sanitary sewer allows for service of the property to the SE of Quartet Northeast per the Meridian Wastewater Master Plan.
- 1.2 The water main in N Joy Way (furthest east road) should be a 12-inch. Also, the water main in N Joy Way will need to continue south through Quartet Southeast to provide a second connection out to Black Cat Road with the ~~first~~ second phase of the development.
- 1.3 Consider eliminating the short dead-end water main in the cul-de-sac off of Exeter Avenue and Capriana Drive, instead install three services to the three cul-de-sac homes off the mainline in Capriana Drive.
- 1.4 From the preliminary investigation of groundwater elevation provided in the application, it appears that shallow groundwater may be a factor with the development of this subdivision. Additional monitoring and analysis shall be required to ensure that homes constructed within this development do not encounter groundwater within their crawl spaces. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

- 1.5 A portion of this project lies within the Meridian Floodplain Overlay District. Prior to any development occurring in the Overlay District, a floodplain permit application, including hydraulic and hydrologic analysis is required to be completed and submitted to the City and approved by the Floodplain Administrator per MCC 10-6.
- 2. General Conditions of Approval – Quartet Northeast & Quartet Southeast**
- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian’s standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2” x 11” map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.

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

file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187210&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187211&dbid=0&repo=MeridianCity>

Phasing:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187133&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187674&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190216&dbid=0&repo=MeridianCity>

Southeast: No comments were submitted

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188456&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188457&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189173&dbid=0&repo=MeridianCity>

H. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188676&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188675&dbid=0&repo=MeridianCity>

I. CENTRAL DISTRICT HEALTH DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187426&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187427&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189529&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189614&dbid=0&repo=MeridianCity>

K. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187575&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187574&dbid=0&repo=MeridianCity>

X. FINDINGS

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

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

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

The City Council finds the proposed zoning map amendment to R-8 & C-G and proposed development is generally consistent with the Comprehensive Plan and is appropriate with an extension of the MDR FLUM land use designation to the collector street as proposed if the Applicant complies with the provisions in Section IX.

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

The City Council finds the proposed single-family detached homes will contribute to the range of housing opportunities in the City.

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

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

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

The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

The City Council finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section IX.

B. Preliminary Plat Findings:

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

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

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

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

The City Council finds that public services will be provided to the subject property with development. (See Exhibit B of the Staff Report for more details from public service providers.)

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

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

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

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

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

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

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

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



AGENDA ITEM

ITEM TOPIC: Findings of Fact, Conclusions of Law for Quartet Southeast (H-2020-0018) by Brighton Development, Inc., Located at 4020 and 4340 N. Black Cat Rd.

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



In the Matter of the Request for Annexation of a Total of 68.73 acres of Land with R-8 (48.42 acres) and C-G (20.31 acres) Zoning Districts, and Preliminary Plat Consisting of 137 Buildable Lots (136 Residential and 1 Commercial), 19 Common Lots, and 2 Other Lots on 66.52 acres of Land in the R-8 and C-G Zoning Districts for Quartet Northeast; and Annexation of a Total of 22.26 Acres of Land with an R-8 Zoning District and Preliminary Plat Consisting of 50 Buildable Lots and 10 Common Lots on 19.92 Acres of Land in the R-8 Zoning District for Quartet Southeast by Brighton Development, Inc.

Case No(s). H-2020-0017 & H-2020-0018

For the City Council Hearing Date of: July 28, 2020 (Findings on August 11, 2020)

A. Findings of Fact

1. Hearing Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
2. Process Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
3. Application and Property Facts (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)
4. Required Findings per the Unified Development Code (see attached Staff Report for the hearing date of July 28, 2020, incorporated by reference)

B. Conclusions of Law

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

Community Development Department, the Public Works Department and any affected party requesting notice.

- 7. That this approval is subject to the Conditions of Approval all in the attached Staff Report for the hearing date of July 28, 2020, incorporated by reference. The conditions are concluded to be reasonable and the applicant shall meet such requirements as a condition of approval of the application.

C. Decision and Order

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

- 1. The applicant’s requests for annexation & zoning and preliminary plat for Quartet Northeast and Quartet Southeast is hereby approved with the requirement of a Development Agreement per the provisions in the Staff Report for the hearing date of July 28, 2020, attached as Exhibit A.

D. Notice of Applicable Time Limits

Notice of Preliminary Plat Duration

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

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

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

Notice of Development Agreement Duration

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

A development agreement may be modified by the city or an affected party of the development agreement. Decision on the development agreement modification is made by the city council in

accord with this chapter. When approved, said development agreement shall be signed by the property owner(s) and returned to the city within six (6) months of the city council granting the modification.

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

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

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

F. Attached: Staff Report for the hearing date of July 28, 2020

Item #9.

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

COUNCIL PRESIDENT TREG BERNT VOTED_____

COUNCIL VICE PRESIDENT BRAD HOAGLUN VOTED_____

COUNCIL MEMBER JESSICA PERREAULT VOTED_____

COUNCIL MEMBER LUKE CAVENER VOTED_____

COUNCIL MEMBER JOE BORTON VOTED_____

COUNCIL MEMBER LIZ STRADER VOTED_____

MAYOR ROBERT SIMISON VOTED_____
(TIE BREAKER)

Mayor Robert Simison

Attest:

Chris Johnson
City Clerk

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

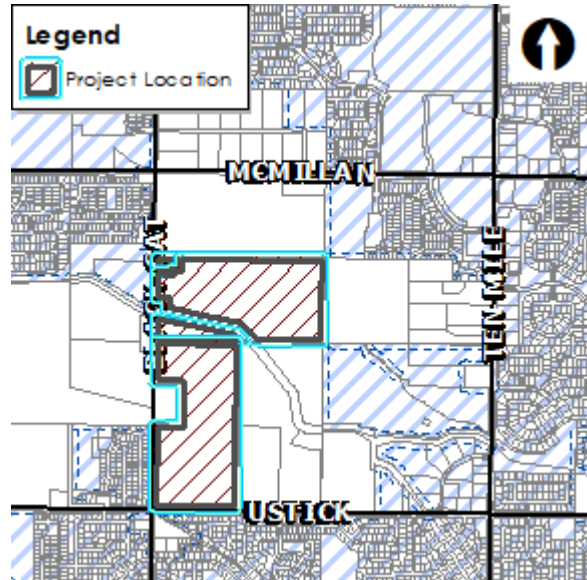
By: _____ Dated: _____
City Clerk's Office

EXHIBIT A

STAFF REPORT COMMUNITY DEVELOPMENT DEPARTMENT



HEARING DATE: 7/28/2020
 TO: Mayor & City Council
 FROM: Sonya Allen, Associate Planner
 208-884-5533
 SUBJECT: H-2020-0017 Quartet Northeast
 H-2020-0018 Quartet Southeast
 LOCATION: 4020 & 4340 N. Black Cat Rd. [Parcels:
 #S0434233652; S0434244210;
 S0434233920; S0434325860 (partial), in
 the west ¼ of Section 34, T.4N., R.1W.]



I. PROJECT DESCRIPTION

Quartet Northeast (NE): Annexation of a total of 68.73 acres of land with R-8 (48.42 acres) and C-G (20.31 acres) zoning districts; and Preliminary Plat consisting of 137 buildable lots (136 residential and 1 commercial), 19 common lots, and 2 other lots on 66.52 acres of land in the R-8 and C-G zoning districts.

Quartet Southeast (SE): Annexation of a total of 22.26 acres of land with an R-8 zoning district; and Preliminary plat consisting of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district. *Note: A property boundary adjustment application is currently in process with Ada County that will reconfigure the boundary of this property consistent with the Record of Survey (ROS) shown in Section VIII.A; the Applicant anticipates this application will be approved and the ROS recorded prior to the City Council hearing. Therefore, the annexation and plat boundaries are based on the boundary shown on the ROS and not the current parcel configuration shown on the maps included in this report.*

Because NMID owns the land where the Five Mile Creek is located which lies between the two properties proposed for development and does not wish for their land to be included in the subdivision, two (2) separate preliminary plat applications are required. Because the site is being developed as one overall property, one staff report has been prepared for both projects which includes analysis for each individual plat as well as for the overall development. The overall annexation area includes the Five Mile Creek as zoning goes to the centerline of waterways.

II. SUMMARY OF REPORT

A. Project Summary

Description	Details	Page
Acresage	66.52 (NE) + 19.92 (SE) = 86.44 acres (overall)	
Existing/Proposed Zoning	RUT in Ada County (existing); R-8 and C-G (proposed)	

Description	Details	Page
Future Land Use Designation	Medium Density Residential (MDR) (3-8 units/acre) (50+/- acres) & Mixed Use – Non-Residential (MU-NR) (41+/- acres)	
Existing Land Use(s)	Rural residential/agricultural	
Proposed Land Use(s)	Single-family residential (SFR), commercial	
Lots (# and type; bldg./common)	186 residential buildable lots; 1 commercial buildable lot; 29 common lots; and 2 other lots for shared driveways	
Phasing Plan (# of phases)	3 phases (overall between both subdivision)	
Number of Residential Units (type of units)	186 detached SFR homes	
Density (gross & net)	NE: 2.93 units/acre (gross); 4.73 units/acre (net) SE: 2.51 units/acre (gross); 4.86 units/acre (net) NE & SE (overall): 2.8 units/acre (gross); 4.76 units/acre (net)	
Open Space (acres, total [%]/buffer/qualified)	NE: 7.6 acres SE: 3.4 acres NE & SE (overall): 11 acres (or 13%)	
Amenities	Swimming pool, multi-use pathways, an additional 2.36+ acres qualified open space beyond the minimum required and a tot lot with children’s play equipment.	
Physical Features (waterways, hazards, flood plain, hillside)	Land containing the Five Mile Creek bisects the two (2) preliminary plats; a portion of the site is within the floodplain in an approximate (A) zone. The Creason Lateral runs along the eastern portion of the north boundary of Quartet Northeast subdivision.	
Neighborhood meeting date; # of attendees:	1/21/20; 9 attendees	
History (previous approvals)	None	

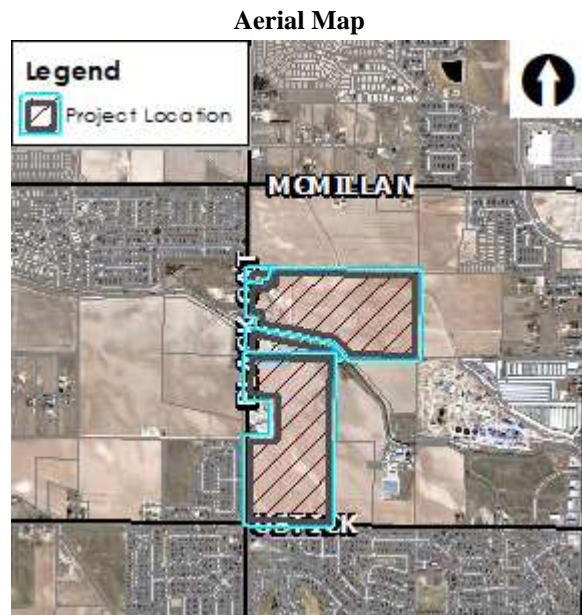
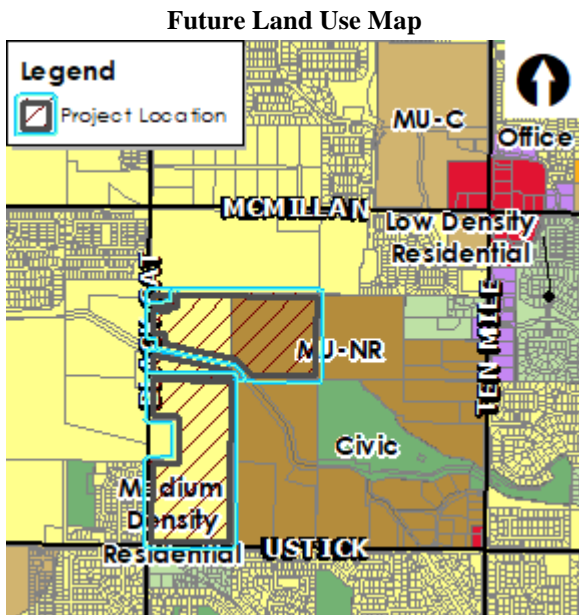
B. Community Metrics

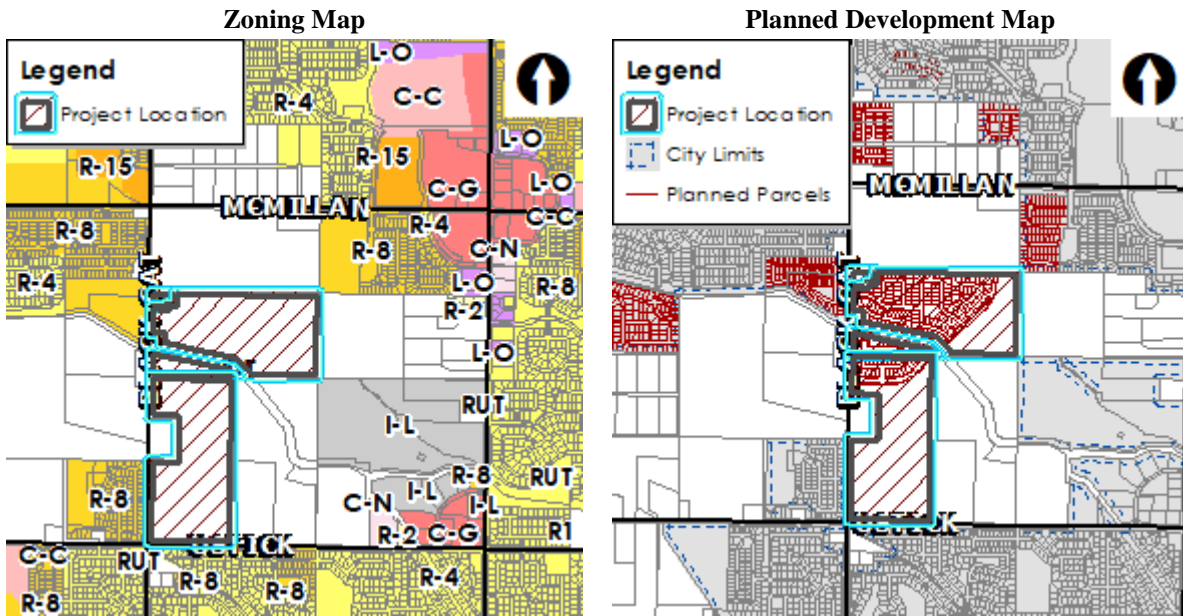
Description	Details	Page
Ada County Highway District		
<ul style="list-style-type: none"> • Staff report (yes/no) • Requires ACHD Commission Action (yes/no) 	<p>Yes</p> <p>No</p>	
Traffic Impact Study (yes/no)	Yes	
Access (Arterial/Collectors/State Hwy/Local)(Existing and Proposed)	Two (2) accesses (Bell Tower Dr., a local street & San Remo St., a collector street) are proposed via N. Black Cat Rd., an arterial street. Black Cat Rd. is currently improved with 2-travel lanes and no curb, gutter or sidewalk abutting the site. There is 50-70’ of ROW for Black Cat Rd. (17-20’ from centerline).	
Traffic Level of Service	Better than “D” (Acceptable level of service is “E”)	
Stub Street/Interconnectivity/Cross Access	(1) collector and (1) local stub street is proposed to the north and (1) local stub street is proposed to the south to adjacent properties for future extension as depicted on the plat.	
Existing Road Network	There are no existing streets within the site and no stub streets to the site; N. Black Cat Rd. exists along the west boundary of the site	
Existing Arterial Sidewalks / Buffers	There is no existing sidewalk or buffer along N. Black Cat Rd.	

Description	Details	Page																
Proposed Road Improvements	<p>Capital Improvements Plan (CIP)/ Integrated Five Year Work Plan (IFYWP):</p> <ul style="list-style-type: none"> Black Cat Road is listed in the CIP to be widened to 5-lanes from McMillan Road to Ustick Road between 2021 and 2025. The intersection of McMillan Road and Black Cat Road is listed in the CIP to be reconstructed as a multi-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 2-lanes east, and 2-lanes on the west leg, and reconstructed between 2026 and 2030. The intersection of Ustick Road and Black Cat Road is listed in the CIP to be reconstructed as a dual-lane roundabout with 4-lanes on the north leg, 4-lanes on the south, 4-lanes east, and 4-lanes on the west leg, and reconstructed between 2021 and 2025. <p>A dedicated northbound right-turn lane & dedicated southbound left-turn lane is required to be constructed on Black Cat Rd. at Bell Tower Dr. & San Remo St. as recommended in the TIS.</p>																	
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 	<p>2 miles</p> <p>Falls within 5 minute response time goal</p> <p>76% - target goal is 80% or greater – does <i>not</i> meet the targeted goal</p> <p>2 – current resources would <i>not</i> be adequate to supply service to this project</p> <p>Project meets all required access, road widths and turnarounds.</p> <p>Project will require an aerial device; response time is 12 minutes travel time - <i>can't</i> meet this need in the required timeframe if a truck company is required.</p> <p>Requires 1,000 gallons per minute for one hour, may be less if buildings are fully sprinklered.</p>																	
Police Service																		
<ul style="list-style-type: none"> Distance to Police Station Police Response Time Calls for Service Accessibility Specialty/resource needs Crimes Crashes Other 	<p>6.5 miles</p> <p>Just under 5 minutes from Police Dept.; response time goal for emergencies is 3-5 minutes.</p> <p>283 (within a mile of site between 3/1/2019-2/29/2020)</p> <p>No concerns</p> <p>No additional resources are required at this time.</p> <p>28 (within a mile of site between 3/1/2019-2/29/2020)</p> <p>19 (within a mile of site between 3/1/2019-2/29/2020)</p> <p>The MPD can provide service if this development is approved as they already serve this area.</p>																	
West Ada School District																		
<ul style="list-style-type: none"> Distance (elem, ms, hs) Capacity of Schools # of Students Enrolled 	<table border="1" data-bbox="505 1320 1539 1530"> <thead> <tr> <th></th> <th>Enrollment</th> <th>Capacity</th> <th>Miles Dev. to school</th> </tr> </thead> <tbody> <tr> <td>Pleasant View Elementary</td> <td>Opening 20/21 School Year</td> <td>675</td> <td>.9</td> </tr> <tr> <td>Star Middle School</td> <td>692</td> <td>1000</td> <td>6.3</td> </tr> <tr> <td>Meridian High School</td> <td>1961</td> <td>2400</td> <td>4.0</td> </tr> </tbody> </table> <p>Due to the abundant amount of growth in the area, West Ada is actively building new schools, and boundaries are always changing. These future students could potentially attend Owyhee High School.</p>		Enrollment	Capacity	Miles Dev. to school	Pleasant View Elementary	Opening 20/21 School Year	675	.9	Star Middle School	692	1000	6.3	Meridian High School	1961	2400	4.0	
	Enrollment	Capacity	Miles Dev. to school															
Pleasant View Elementary	Opening 20/21 School Year	675	.9															
Star Middle School	692	1000	6.3															
Meridian High School	1961	2400	4.0															
<ul style="list-style-type: none"> Estimated # of students from this development 	<p>110 (NE) + 40 (SE) = 150</p>																	
Wastewater																		
<ul style="list-style-type: none"> Distance to Sewer Services Sewer Shed Estimated Project Sewer ERU's 	<p>Directly adjacent</p> <p>North Black Cat Trunk Shed</p> <p>See application</p>																	

• WRRF Declining Balance	13.92	
• Project Consistent with WW Master Plan/Facility Plan	Yes	
• Impacts/Concerns	Applicant to ensure that the depths of the sanitary sewer allows for service of the property to the SE of Quartet Northeast per the Meridian Wastewater Master Plan.	
Water		
• Distance to Water Services	Directly adjacent	
• Pressure Zone	1	
• Estimated Project Water ERU's	See application	
• Water Quality	None	
• Project Consistent with Water Master Plan	Yes	
• Impacts/Concerns	The water main in N. Joy Way (furthest east road) should be a 12-inch. In addition, the water main in N. Joy Way will need to continue south through Quartet Southeast to provide a second connection out to Black Cat Rd. with the second phase of the development.	

C. Project Area Maps





III. APPLICANT INFORMATION

A. Applicant:

Brighton Development, Inc. – 2929 W. Navigator #400, Meridian, ID 83642

B. Owner:

Quenzer Farms, LLLP – 3680 N. Black Cat Rd., Meridian, ID 83646

C. Representative:

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

IV. NOTICING

	Planning & Zoning Posting Date	City Council Posting Date
Notification published in newspaper	5/29/2020	7/10/2020
Notification mailed to property owners within 300 feet	5/26/2020	7/8/2020
Applicant posted public hearing notice on site	4/22/2020	7/15/2020
Nextdoor posting	5/27/2020	7/8/2020

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

Land Use: The Future Land Use Map (FLUM) contained in the Comprehensive Plan designates the western 50+/- acres of the property as Medium Density Residential (MDR) and the eastern 41+/- acres as Mixed Use – Non-Residential (MU-NR). A City Park is also conceptually designated on the FLUM in this general area.

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

The purpose of the MU-NR designation is to designate areas where new residential dwellings will not be permitted, as residential uses are not compatible with the planned and/or existing uses in these areas. For example, MU-NR areas are used near the City’s Wastewater Resource Recovery Facility and where there are heavy industrial or other hazardous operations that need to be buffered from residential. Developments are encouraged to be designed similar to the conceptual MU-NR plan depicted in Figure 3E in the Comprehensive Plan (see page 3-18).

Transportation: The Master Street Map (MSM) depicts a collector street from W. McMillan Rd. to the project’s north boundary near the northeast corner of the site and a multi-lane roundabout at the mid-mile on Black Cat Rd. The Map depicts a future east/west collector street near the half mile on the west side of Black Cat.

A collector street (San Remo St./N. Joy Way) is proposed from N. Black Cat Rd. to the north boundary in accord with the MSM. ACHD is not requiring a roundabout be constructed at this time as they feel it’s not warranted based on the Traffic Impact Study (TIS) although additional right-of-way (ROW) is required to be dedicated to accommodate the future construction of the multi-lane roundabout.

Proposed Development: The Applicant proposes to develop 66.35 acres of the subject overall property with 186 single-family detached dwelling units at an overall gross density of 2.8 units per acre; and 20.09 acres with non-residential/commercial uses to be determined in the future consistent with the FLUM. **The eastern 18 acre residential portion of Quartet Northeast is located within the MU-NR designated area, which is a non-residential designated area that provides approximately a ¼ mile separation and buffer to the City’s wastewater facility. Because the FLUM is not parcel specific, the Applicant requests the MDR designation on the western portion of the property is extended to the collector street (N. Joy Way), which bisects the eastern portion of the property. The portion of the property east of the collector street is proposed to be zoned C-G and developed with non-residential/commercial uses.**

Because the collector street will provide a “break” to future non-residential/commercial uses similar to that shown on the concept diagram for MU-NR designated areas included in the Comprehensive Plan (see Figure 3E on pg. 3-18), Staff is amenable to this proposal if deemed appropriate by City Council. Staff does have concerns with residential uses in such close proximity to the Wastewater facility as foul odors are a concern in this area, thus the reason for the “non-residential” designation. For this reason, residential may not be a compatible use in this area. City Council should make this determination. Note: The Public Work’s Dept. anticipates doing a noise/odor study later this year to determine the current impacts of the facility on adjacent properties, which may change the boundary of the MU-NR designated area.

The Park’s Dept. is not pursuing a City park in this location at this time; however, the non-residential/commercial lot (Lot 1, Block 14) on the east side of the collector street adjacent to the wastewater facility may be considered for a potential park site with a future development application on that property.

Prior to any development occurring on this lot, the Applicant should coordinate with the Park’s Department to determine if a City park is needed in this area.

The following Comprehensive Plan Policies are applicable to this development:

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

Only one housing type is proposed in this development (i.e. single-family detached). The residential developments in this vicinity also contain standard single-family detached homes. Because this site is in close proximity to the City’s Wastewater Resource Recovery Facility, Staff does not recommend a mix of housing types is provided as it would likely increase the density in this area, which is not desired.

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

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

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

Only one housing type is proposed in this development (i.e. single-family detached); the minimum lot size proposed is 6,866 with an average lot size of 9,145 square feet, which will accommodate a variety of housing styles consisting of 1- and 2-story units.

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

The proposed single-family residential development is compatible with other residential and agricultural uses in the area; the future non-residential/commercial development should be compatible with the existing Wastewater facility to the southeast. The proposed residential uses in the MU-NR designated area may not be compatible with the Wastewater facility. The Public Work’s Dept. anticipates doing a noise/odor study later this year to determine the current impacts of the facility on adjacent properties, which may change the boundary of the MU-NR designated area.

- “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)

Segments of the City’s multi-use pathway system are proposed off-site along the north boundary of the Five Mile Creek and along the east side of the proposed collector street in accord with the Pathways Master Plan. Detached sidewalks are proposed along the arterial and collector streets for safe pedestrian access. Usable open space and quality amenities are proposed (see detailed analysis below in Section VI.B).

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

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

- “Discourage residential land uses in close proximity to the Wastewater Resource Recovery Facility, the Intermountain Gas Facility on Can-Ada Road, and other incompatible land uses.” (3.06.02E)

The eastern 18 acre portion of the site in Quartet Northeast is within the MU-NR designated area on the FLUM, which is in close proximity to the wastewater facility. The expansion of residential uses in this area may not be compatible with the wastewater facility due to odors associated with the facility.

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

The proposed project is located in part of a larger “enclave” around the City’s wastewater facility; development of this property will assist in maximizing public services.

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

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

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

The proposed development plan is generally consistent with the City’s vision in terms that medium density residential and non-residential uses are proposed; public services can be provided and infrastructure will be extended with development.

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

A collector street (San Remo St./N. Joy Way) is proposed from N. Black Cat Rd. that stubs to the north for future extension to McMillan Rd. in accord with the MSM, which depicts a collector street from McMillan Rd. to the northeast corner of the proposed residential development.

- “Plan for and allow land uses surrounding the Wastewater Resource Recovery Facility that reduce human exposure to odors.” (4.10.01A)

The residential uses proposed on 18 acres in Quartet Northeast in the MU-NR designated area may expose humans to odors associated with the wastewater facility.

- “Coordinate with developers, irrigation districts, and drainage entities to implement the proposed pathway network along canals, ditches, creeks, laterals and sloughs.” (3.08.02B)

A 10-foot wide multi-use pathway is proposed along the north side of the Five Mile Creek adjacent to the south boundary of the Quartet Northeast preliminary plat on NMID’s property.

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

The proposed project is in a larger enclave area around the City’s wastewater facility and is not on the fringe.

Staff believes the proposed development plan is generally consistent with the vision of the Comprehensive Plan in regard to land use, density and transportation if City Council determines an extension of the MDR designation on the abutting 18 acres of land to the east is appropriate for the area currently designated MU-NR.

VI. UNIFIED DEVELOPMENT CODE ANALYSIS (UDC)

A. Annexation & Zoning:

The Applicant proposes to annex a total of 90.99 acres of land between the two subdivisions with R-8 (70.68 acres) and C-G (20.31 acres) zoning consistent with the associated MDR and MU-NR FLUM designations in the Comprehensive Plan as discussed above in Section V. At the request of the City, the Applicant included the 0.97 acre out-parcel at the southwest corner of the Quartet Northeast subdivision where a sewer lift station is located in the annexation boundary.

The single-family residential and future non-residential/commercial uses planned to develop on this site are consistent with uses desired in this area as discussed above in Section V. A conceptual development plan was not submitted for the non-residential/commercial lot proposed to be zoned C-G; the Applicant states this lot will be the subject of future discussion with the City regarding a potential park site as depicted on the FLUM or consideration of other potential buffer uses determined by the results of the Public Work’s noise/odor study.

The annexation area is within the Area of City Impact Boundary (AOIB). Legal descriptions for the annexation area are included in Section VIII.B; separate descriptions were submitted for each of the preliminary plat applications.

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.** 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.

The Record of Survey depicted in Section VIII.A should be approved by Ada County and recorded prior to approval of the annexation ordinance and the Development Agreement for this project. Additionally, as a provision of the Development Agreement, Staff recommends the Applicant is required to coordinate with the Park's Dept. prior to development of the C-G zoned portion of the site on the east side of the collector street to determine if a City park is needed in that area.

B. Preliminary Plat:

Two separate preliminary plats, Quartet Northeast and Quartet Southeast, are proposed due to land owned by NMID containing the Five Mile Creek bisecting the two properties. Because both plats are proposed to develop and be marketed as one overall project, Staff's analysis is based on the overall project.

Quartet Northeast consists of 137 buildable lots (136 residential and 1 commercial), 19 common lots, and 2 other lots on 66.52 acres of land in the R-8 and C-G zoning districts; and Quartet Southeast consists of 50 buildable lots and 10 common lots on 19.92 acres of land in the R-8 zoning district. Overall, a total of 186 residential buildable lots, 1 commercial buildable lot, 29 common lots and 2 other lots are proposed between the two subdivisions.

The minimum lot size proposed overall is 6,866 square feet (s.f.) with an average lot size of 9,145 s.f.; the gross density overall is 2.8 units/acre with a net density of 4.76 units/acre. The subdivision is proposed to develop in three (3) phases as depicted on the plat (see Section VIII.C). The first two phases are located along N. Black Cat Rd. with the third and final phase on the eastern portion of the site.

Existing Structures/Site Improvements:

There is one existing home and accessory structures within the boundary of each preliminary plat that are proposed to remain on Lot 11, Block 7, Quartet Southeast and Lot 2, Block 1, Quartet Northeast subdivision. All existing accessory structures that don't comply with the setback standards listed in UDC Table 11-2A-6 should be removed prior to the City Engineer's signature on the final plat on the phase in which they're located.

The existing homes are required to disconnect from private service and hook up to City water and sewer service within 60 days of such services becoming available as set forth in MCC 9-1-4 and 9-4-8 respectively. Existing wells may be used for irrigation purposes only. The addresses of these homes will also be subject to change with subdivision of the property.

Proposed Use Analysis:

Single-family detached dwellings are listed as a principal permitted use in the R-8 zoning district per UDC Table 11-2A-2. Allowed uses in the C-G district are listed in UDC Table 11-2B-2.

Although some residential uses are allowed in the C-G zoning district per UDC Table 11-2B-2, Staff recommends as a provision of the DA that no residential uses be developed on the non-residential/commercial C-G zoned lot on the east side of the collector street, including but not limited to, a multi-family development, a vertically integrated residential project, and/or a nursing/residential care facility *unless* a subsequent Noise and Odor Study conducted by the City determines residential uses are appropriate in that area.

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

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

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

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

There are two (2) common driveways proposed on common lots (i.e. Lots 10 and 16, Block 1); such driveways should be constructed in accord with the standards listed in UDC 11-6C-3D. **A perpetual ingress/egress easement is required to be filed with the Ada County Recorder, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment. An exhibit should be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via the common driveway; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway should be depicted on the opposite side of the shared property line from the common driveway. Address signage should be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.**

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

One (1) collector street (San Remo St./N. Joy Way) access is proposed in Quartet Southeast and one (1) local street access is proposed in Quartet Northeast via N. Black Cat Rd. The collector street is proposed to stub to the north at the northeast corner of the site for future extension to W. McMillan Rd. Local stub streets are proposed to the north and south to adjacent properties for future extension as depicted on the preliminary plats in Section VIII.C. Direct lot access via the arterial (Black Cat Rd.) and collector (San Remo St./N. Joy Way) streets is prohibited; the existing access via Black Cat Rd. for the home proposed to remain on Lot 2, Block 1 Quartet Northeast subdivision shall be removed and access taken from Belltower Dr.

The bridge across the Five Mile Creek and the gravel fire access road from Black Cat Rd. in the location where the collector street is proposed is required to be constructed for emergency access for any development over 30 homes/lots as approved by the Fire Department.

Because N. Joy Way is proposed to stub at the north boundary and is longer than 150' without a Fire Department approved turn around, the Fire Dept. requests a Type III barricade is placed at the intersection of N. Joy Way and Grand Rapids Dr. to prevent access until the street is extended in the future. The construction drawings should be revised to include this change. As an alternative to a barricade, a Fire Dept. approved turnaround could be provided at the end of the collector street.

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

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

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

The Pathways Master Plan depicts a segment of the City's multi-use pathway system along the north side of the Five Mile Creek; and along the north and a short portion of the east side of the Quartet Northeast property.

The Applicant proposes to construct an off-site 10-foot wide multi-use pathway along the north side of the Five Mile Creek and a detached 10-foot wide sidewalk/multi-use pathway along the east side of the collector street (N. Joy Way), north of the creek, to the north boundary of Quartet Northeast per discussions with the Park's Department. **Legal descriptions for the pathway alignments (14-foot wide)**

should be submitted to the City in order for the pathways to be added to the City's Master Pathways Agreement.

The pathway proposed on NMID's property will require a license agreement with NMID for the pathway and associated landscaping required by UDC 11-3B-12C.

The UDC (11-3B-12C) requires a 5-foot wide landscape strip to be provided along each side of the pathway, landscaped with a mix of trees, shrubs, lawn, and/or other vegetative groundcover. A minimum of one trees is required per 100 linear feet of pathway; the calculations table included on the landscape plan does not include the linear feet of pathways or trees proposed to demonstrate compliance with this requirement – the revised plan submitted with the final plat application should include this information.

If NMID does *not* approve the pathway and associated landscaping to be located on their property, the pathway should be provided in a minimum 20-foot wide common lot within Quartet Northeast subdivision within a 14-foot wide public pedestrian easement.

Staff recommends pedestrian pathways are provided from the internal sidewalks along Miramente Ct. and Miramente Dr. through adjacent common areas to the multi-use pathway along the Five Mile Creek; and micro-pathways are provided through Lot 10, Block 4 and Lot 7, Block 3 for pedestrian interconnectivity within the subdivision.

All pathways shall be constructed in accord with the standards listed in UDC 11-3A-8 and the Pathways Master Plan.

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

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

Detached sidewalks are proposed along all internal streets, except around the cul-de-sacs, and within the street buffer adjacent to N. Black Cat Rd. and San Remo St./N. Joy Way in accord with the standards listed in UDC 11-3A-17.

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

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

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

A 25-foot wide street buffer is required adjacent to N. Black Cat Rd., an arterial street; and a 20-foot wide street buffer is required adjacent to San Remo St./N. Joy Way, a collector street, landscaped per the standards listed in [UDC 11-3B-7C](#), as proposed.

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

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

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

There are existing trees on the site around the existing homes that are proposed to be retained that may require mitigation if removed. The Applicant should coordinate with Matt Perkins, the City Arborist, to determine mitigation requirements per the standards listed in UDC 11-3B-10C.5 if existing trees are *not* proposed to be retained on the site. Any mitigation information shall be included in the calculations table on the landscape plan.

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

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

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

Based on the area of the Quartet Northeast plat (66.52 acres), a minimum of 6.65 acres of qualified open space should be provided. A total of 7.6 acres (or 11.5%) is proposed in excess of UDC standards consisting of half the street buffer along the arterial street (N. Black Cat Rd.), all of the street buffer along the collector street (N. Joy Way), internal linear open space and common areas exceeding 50' x 100' in area.

Based on the area of the Quartet Southeast plat (19.92 acres), a minimum of 1.99 acres of qualified open space should be provided. A total of 3.4 acres (or 17%) is proposed in excess of UDC standards consisting of half the street buffer along the arterial street (N. Black Cat Rd.), all of the street buffer along the collector street (San Remo St./N. Joy Way), and internal linear open space.

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

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

Based on the area of the Quartet Northeast plat (66.52 acres), a minimum of three (3) qualified site amenities are required to be provided. A community swimming pool, a tot lot containing children's play equipment, one acre of extra qualified open space beyond the minimum standards and segments of the City's multi-use pathway system are proposed in excess of UDC standards.

Based on the area of the Quartet Southeast plat (19.92 acres), a minimum of one (1) qualified site amenity is required to be provided. An additional 1.41 acres of qualified open space beyond the minimum standards is proposed as a site amenity in accord with UDC standards.

Because Quartet Northeast and Southeast subdivisions will develop as one and be under the same Homeowner's Association, and common open space and site amenities will be shared, Staff believes the proposed open space and site amenities are adequate for the development with the inclusion of the micropath connections as recommended above.

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

The Creason Lateral runs across the eastern portion of the north boundary of Quartet Northeast subdivision in Lot 34, Block 4 within a 40-foot wide easement and is proposed to be left open. **Because this area is included in the qualified open space calculations for the site, it should be landscaped per the standards listed in UDC 11-3G-3E – no landscaping is depicted on the landscape plan for that area.**

The Five Mile Creek is contained within land owned by NMID that lies between the two proposed preliminary plats. **The creek should be protected during construction.**

A portion of the site is within the Five Mile Creek floodplain in an approximate (A) zone which will require a floodplain permit application, including hydraulic and hydrologic analysis to define base flood elevations and a floodway prior to any development occurring in the overlay district – contact Jason Korn, Public Work's, with any questions.

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

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

Six-foot tall solid wood fencing is proposed along the perimeter boundary of the site and along side yards adjacent to the street; and 5-foot tall clear vision fence is proposed adjacent to most internal common open space areas. **To provide more visibility of the common area on Lot 34, Block 4 where the Creason Lateral is located, Staff recommends fencing adjacent to the common lot complies with the standards listed in UDC 11-3A-7A.7.**

The Creason Lateral is required to be fenced with an open vision fence at least 6' in height and having an 11-gauge, 2" mesh or other construction, equivalent in ability to deter access to the waterway. If the Applicant can demonstrate to the satisfaction of the Director that the waterway serves as or will be improved as a part of the development to be a water amenity as defined in UDC 11-1A-1, it is not required to be fenced per UDC 11-3A-6C. If it's improved as a water amenity, construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.

Staff recommends a break in the fence is provided on the south side of Lot 8, Block 6 adjacent to the Five Mile Creek for pedestrian access to the multi-use pathway.

Storm Drainage:

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

Irrigation: Underground, pressurized irrigation water is required to be provided for each and every lot within the development in accord with MCC 9-1, Water Use and Service. Irrigation water will be provided from the Nampa & Meridian Irrigation District.

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

The Applicant submitted several conceptual building elevations for the proposed single-family detached homes planned to be constructed in this development which are included in Section VIII.F. Homes depicted are a mix of 1- and 2-story units with building materials consisting of a variety of siding styles with stone/brick veneer accents. No elevations were submitted for the non-residential/commercial portion of the development as no development is proposed at this time.

Because 2-story home elevations that face arterial and collector streets are highly visible, Staff recommends as a provision of the DA that the rear and/or side of structures on lots that face N. Black Cat Rd., an arterial street, and San Remo St./N. Joy Way, a collector street, incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. Single-story structures are exempt from this requirement.

A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility and the non-residential/commercial portion of the development. Design of these structures is required to comply with the design standards listed in the Architectural Standards Manual. *Design review is not required for single-family detached homes.*

VII. DECISION

A. Staff:

If the City Council determines extending the MDR FLUM designation further to the east as proposed is appropriate, Staff recommends approval of the requested annexation and zoning with the requirement of a

Development Agreement and approval of the requested preliminary plats with the conditions noted in Section IX.A per the Findings in Section X.

- B. The Meridian Planning & Zoning Commission heard these items on June 18, 2020. At the public hearing, the Commission moved to recommend approval of the subject AZ and PP requests.
1. Summary of Commission public hearing:
 - a. In favor: Mike Wardle, Brighton Corp. (Applicant's Representative); Jon Wardle, Brighton Corp.
 - b. In opposition: None
 - c. Commenting: None
 - d. Written testimony: Carrie Hovey
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: None
 2. Key issue(s) of public testimony:
 - a. Concern pertaining to traffic & safety of existing 2-lane roadways and the amount of development occurring in this area which is worsening the situation and impact of more development on area schools – would like these applications to be rejected or at least postponed until road infrastructure and schools can be prepared to handle the additional impacts.
 3. Key issue(s) of discussion by Commission:
 - a. Concerns pertaining to growth and traffic and the adequacy of existing infrastructure to handle more development until improvements are made in this area;
 - b. The option of requiring the noise/odor study to be complete prior to development of Phase 3 to determine if residential uses are appropriate in the area current MU-NR designated area.
 4. Commission change(s) to Staff recommendation:
 - a. Modification to condition #B1.2 to require the water main in N. Joy Way to continue south through Quartet SE to provide a 2nd connection out to Black Cat Rd. with the 2nd phase of development, instead of the 1st phase, as recommended by Staff.
 5. Outstanding issue(s) for City Council:
 - a. None
- C. The Meridian City Council heard these items on July 28, 2020. At the public hearing, the Council moved to approve the subject AZ and PP requests.
1. Summary of the City Council public hearing:
 - a. In favor: Mike Wardle and Jon Wardle, Brighton Corp.
 - b. In opposition: None
 - c. Commenting: Denise LaFever
 - d. Written testimony: Mike Wardle, Brighton Corp. (in agreement with the Commission's recommendation)
 - e. Staff presenting application: Sonya Allen
 - f. Other Staff commenting on application: Dale Bolthouse, Clint Dolsby
 2. Key issue(s) of public testimony:
 - a. Opinion that it's not appropriate to approve C-G zoning without a development plan.
 - b. Testimony from Dale Bolthouse that only 4 complaints have been received in the last 5 years from downwind residents pertaining to an offensive odor generated from the wastewater treatment facility.
 3. Key issue(s) of discussion by City Council:
 - a. Council requested more information from Public Works in regard to the upcoming odor study;

- b. Concern pertaining to approval of residential uses in the MU-NR designated portion of Phase 3 prior to obtaining results from an updated odor study to determine if residential uses are appropriate in that area;
 - c. Possible condition on Phase 3 and the commercial portion of the development to ensure City has the ability to restrict residential uses and possibly other uses in the MU-NR designated area if the odor study reflects a significant impact on this area;
 - d. Concern of allowing C-G zoning without a conceptual development plan showing how the lot is to be developed.
4. City Council change(s) to Commission recommendation:
- a. An odor study is required to be conducted by the City prior to development of Phase 3 to determine if residential uses are appropriate in the MU-NR designated area; if determined to *not* be appropriate, a modification to the DA shall be required to amend the development plan for that area (see new DA provision A.1i);
 - a. Modify DA provision #A.1f to require the DA to be modified to include a conceptual development plan for the C-G zoned area/lot prior to development.

B. Annexation Legal Description & Exhibit Map

Quartet Northeast:



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

April 10, 2020
Project No. 19-010

**Exhibit A
Legal Description for
Annexation
Quartet Northeast**

A parcel of land situated in a portion of the South 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:

Commencing at a brass cap marking the Northwest corner of said Section 34, which bears N00°27'24"E a distance of 2,631.60 feet from an aluminum cap marking the West 1/4 corner of said Section 34, thence following the westerly line of said Northwest 1/4, S00°27'24"W a distance of 1,315.80 feet to the North 1/16 corner of said Section 34 and Section 33 and being the **POINT OF BEGINNING**.

Thence leaving said westerly line and following the northerly line of said South 1/2 of the Northwest 1/4, S89°26'06"E a distance of 2,647.62 feet to an aluminum cap marking the Northeast corner of said South 1/2 of the Northwest 1/4 (C-N 1/16 corner);
Thence leaving said northerly line and following the easterly line of said South 1/2 of the Northwest 1/4, S00°43'47"W a distance of 1,323.39 feet to a 5/8-inch rebar marking the center of said Section 34;
Thence leaving said easterly line and following the southerly line of said Northwest 1/4, N89°16'14"W a distance of 1,129.66 feet to the centerline of Five Mile Drain;

Thence leaving said southerly line and following said centerline the following eight (8) courses:

1. N38°17'55"W a distance of 133.84 feet;
2. N46°51'55"W a distance of 134.69 feet;
3. N73°28'41"W a distance of 107.81 feet;
4. N79°57'01"W a distance of 202.45 feet;
5. N77°05'23"W a distance of 112.20 feet;
6. N79°05'40"W a distance of 326.25 feet;
7. N78°22'23"W a distance of 307.52 feet;
8. N78°15'35"W a distance of 100.49 feet;

Thence leaving said centerline, N00°27'24"E a distance of 236.72 feet;
Thence N89°32'36"W a distance of 195.00 feet to the westerly line of said Northwest 1/4;
Thence following said westerly line, N00°27'24"E a distance of 664.43 feet to the **POINT OF BEGINNING**.

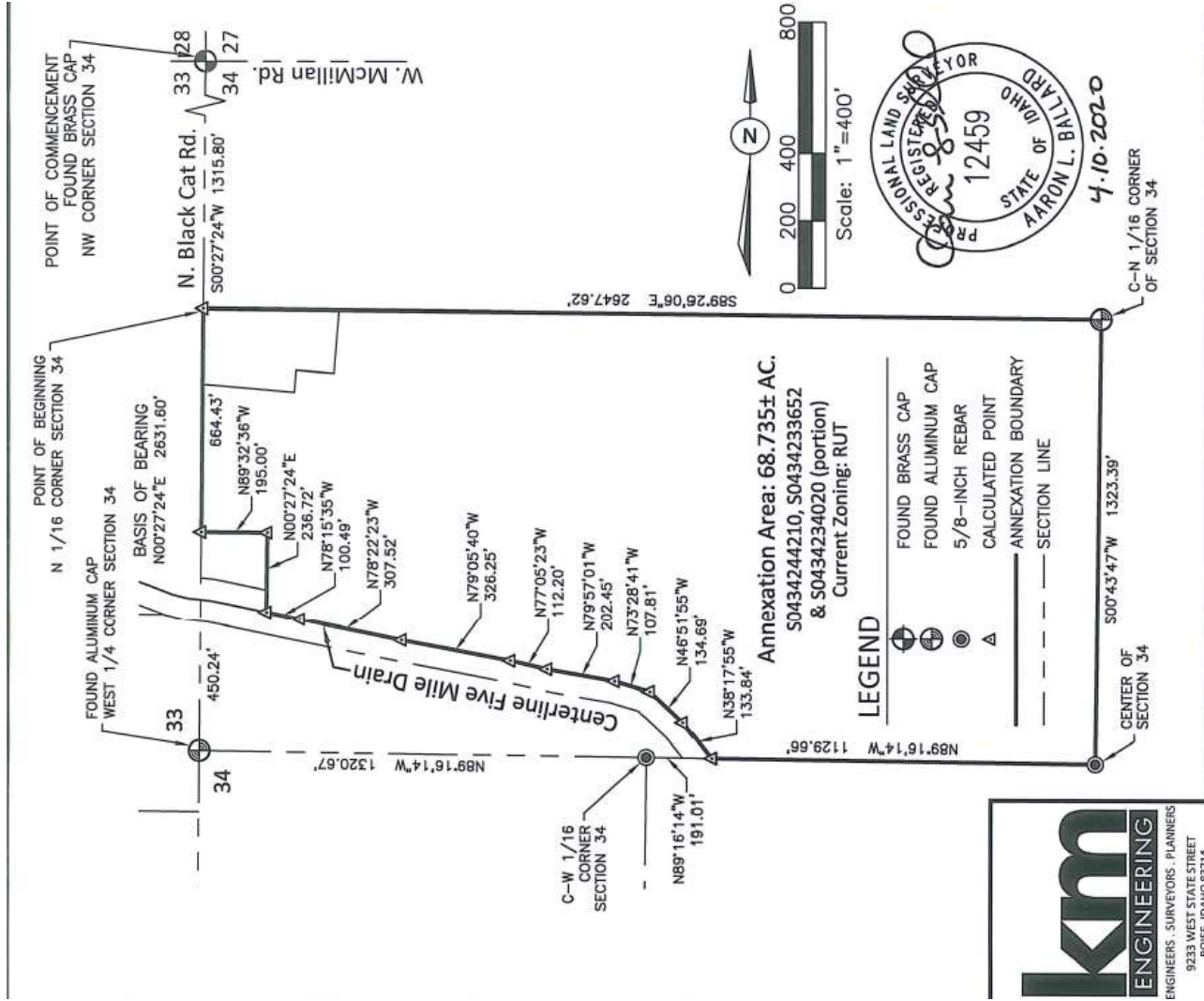
Said parcel contains a total of 68.735 acres, more or less.

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



ENGINEERS | SURVEYORS | PLANNERS

Item #9.



KMM ENGINEERING
 ENGINEERS - SURVEYORS, PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

Exhibit B
 Annexation

Quartet Northeast Subdivision
 S 1/2 NW 1/4 Sec. 34, T4N., R1W., B.M., Ada County, Idaho

DATE: April 2020
 PROJECT: 19-010
 SHEET: 1 OF 1

Quartet Southeast:



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

April 10, 2020
Project No. 19-010

**Exhibit A
Legal Description for
Annexation and Rezone to R-8
Quartet Southeast**

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

BEGINNING at an aluminum cap marking the West 1/4 corner of said Section 34, which bears S00°27'24"W a distance of 2,631.60 feet from a brass cap marking the Northwest corner of said Section 34, thence following the westerly line of said Northwest 1/4, N00°27'24"E a distance of 450.24 feet to the centerline of Five Mile Drain;

Thence leaving said westerly line and following said centerline the following nine (9) courses:

1. S83°53'03"E a distance of 33.19 feet;
2. S78°15'35"E a distance of 265.65 feet;
3. S78°22'23"E a distance of 307.52 feet;
4. S79°05'40"E a distance of 326.25 feet;
5. S77°05'23"E a distance of 112.20 feet;
6. S79°57'01"E a distance of 202.45 feet;
7. S73°28'41"E a distance of 107.81 feet;
8. S46°51'55"E a distance of 134.69 feet;
9. S38°17'55"E a distance of 133.84 feet to the southerly line of said Northwest 1/4;

Thence leaving said centerline and following said southerly line, N89°16'14"W a distance of 191.01 feet to a 5/8-inch rebar marking the Northeast corner of said West 1/2 of the Southwest 1/4 (C-W 1/16 corner);

Thence leaving said southerly line and following the easterly line of said West 1/2 of the Southwest 1/4, S00°35'24"W a distance of 25.93 feet;

Thence leaving said easterly line, 60.97 feet along the arc of a circular curve to the left, said curve having a radius of 517.00 feet, a delta angle of 06°45'23", a chord bearing of S47°09'17"W and a chord distance of 60.93 feet;

Thence S43°46'36"W a distance of 306.45 feet;

Thence 423.64 feet along the arc of a circular curve to the right, said curve having a radius of 520.00 feet, a delta angle of 46°40'43", a chord bearing of S67°06'57"W and a chord distance of 412.02 feet;

Thence N89°32'41"W a distance of 589.03 feet;

Thence S45°27'19"W a distance of 29.19 feet;

Thence S00°27'12"W a distance of 79.36 feet;

Thence N89°32'48"W a distance of 78.00 feet to the westerly line of said Southwest 1/4;

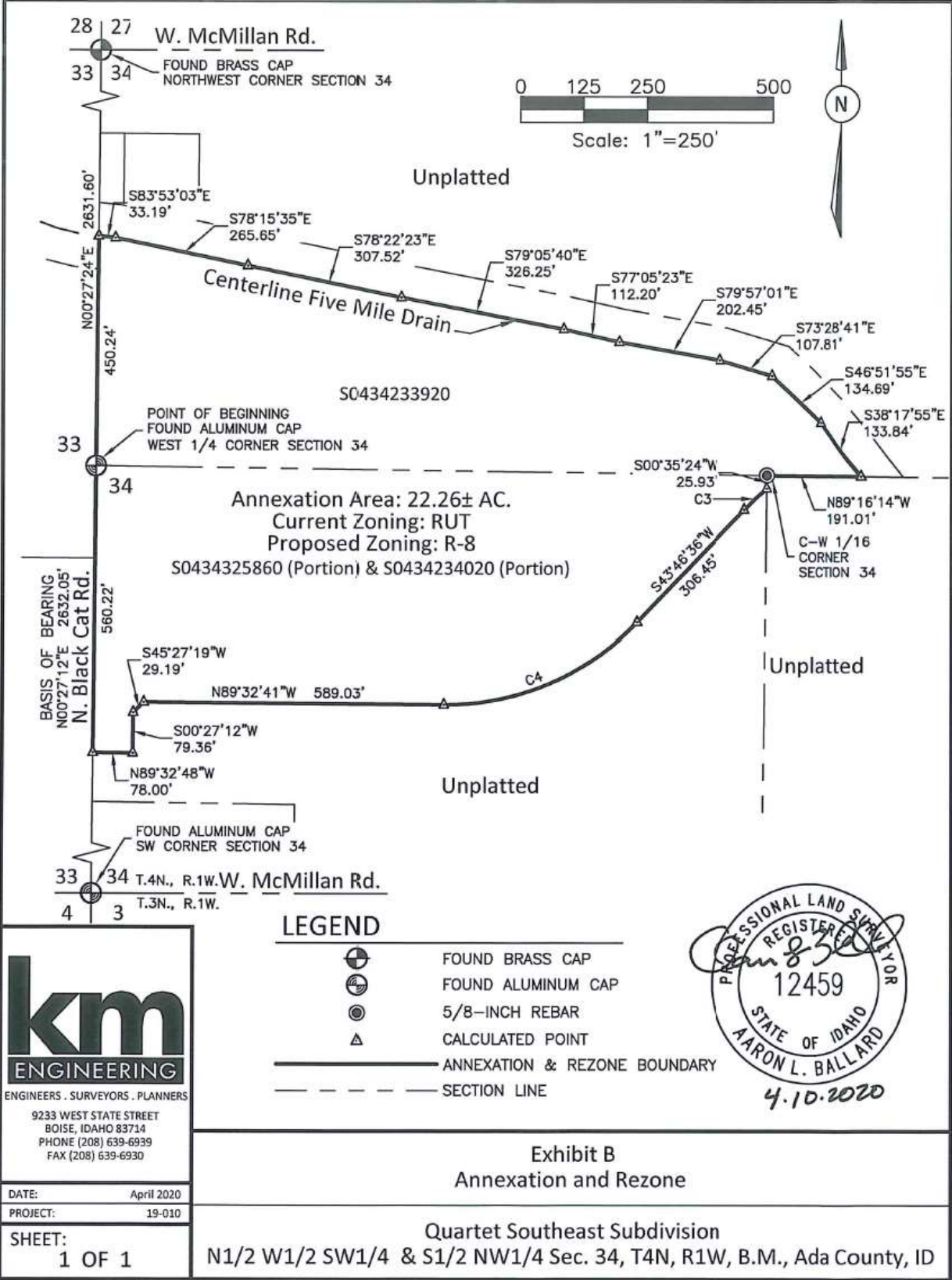
Thence following said westerly line, N00°27'12"E a distance of 560.22 feet to the **POINT OF BEGINNING**.

Said parcel contains a total of 22.26 acres, more or less.

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



ENGINEERS | SURVEYORS | PLANNERS



City Lift Station Lot:



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

April 20, 2020
Project No. 19-010

Exhibit A
Legal Description for
Annexation and Rezone to R-8
City of Meridian Parcel

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

Commencing at a brass cap marking the northwest corner of said Section 34, which bears N00°27'24"E a distance of 2,631.60 feet from an aluminum cap marking the west 1/4 of said Section 34, thence following the westerly line of said Northwest 1/4, S00°27'24"W a distance of 1,980.23 feet to the **POINT OF BEGINNING.**

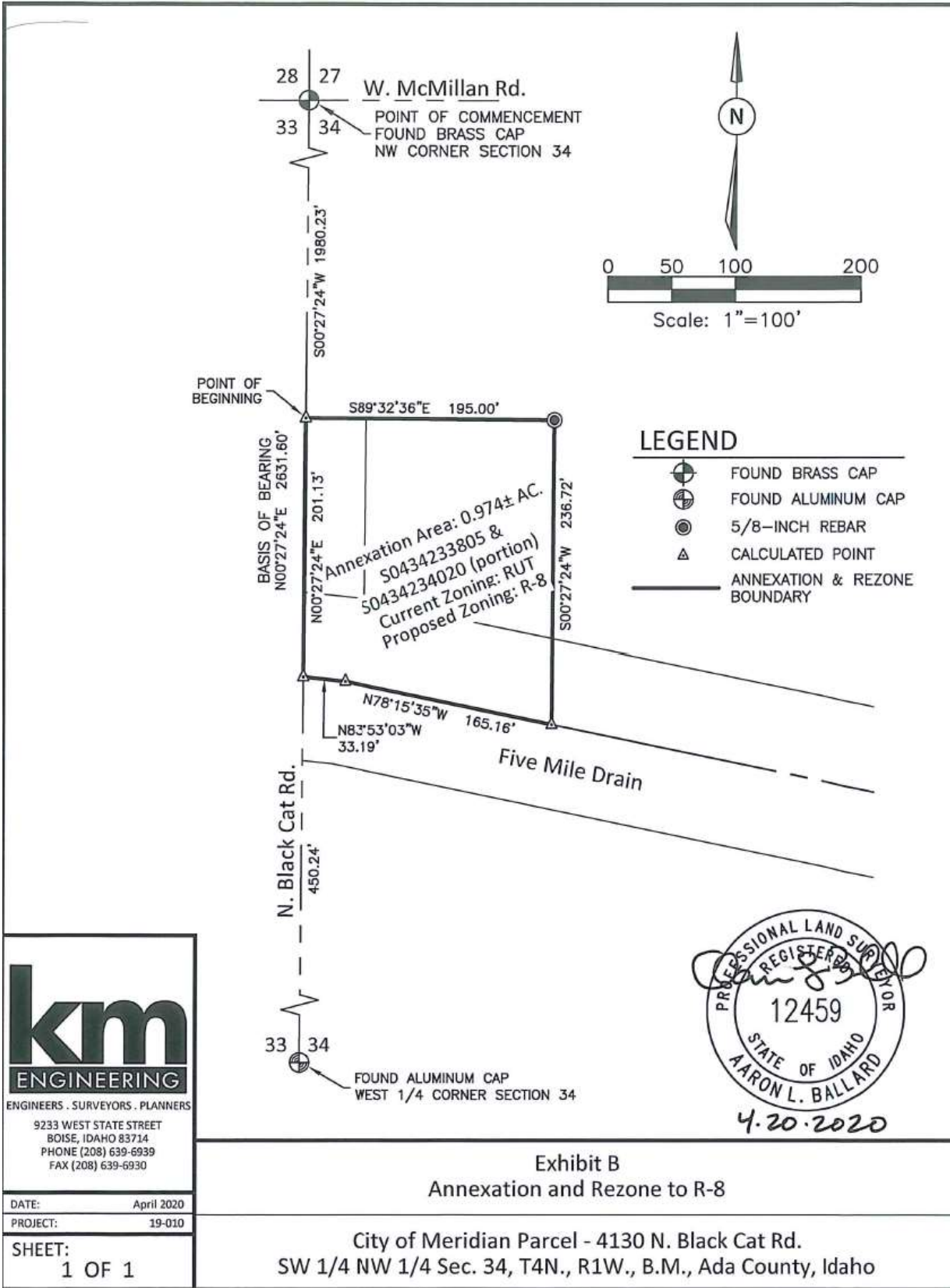
Thence leaving said westerly line, S89°32'36"E a distance of 195.00 feet to a 5/8-inch rebar;
Thence S00°27'24"W a distance of 236.72 feet to centerline of Five mile Drain;
Thence following said centerline, N78°15'35"W a distance of 165.16 feet;
Thence following said centerline, N83°53'03"W a distance of 33.19 feet to the westerly line of said Northwest 1/4;
Thence leaving said centerline and following said westerly line, N00°27'24"E a distance of 201.13 feet to the **POINT OF BEGINNING.**

Said parcel contains a total of 0.974 acres, more or less.

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



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km
ENGINEERING
 ENGINEERS . SURVEYORS . PLANNERS
 9233 WEST STATE STREET
 BOISE, IDAHO 83714
 PHONE (208) 639-6939
 FAX (208) 639-6930

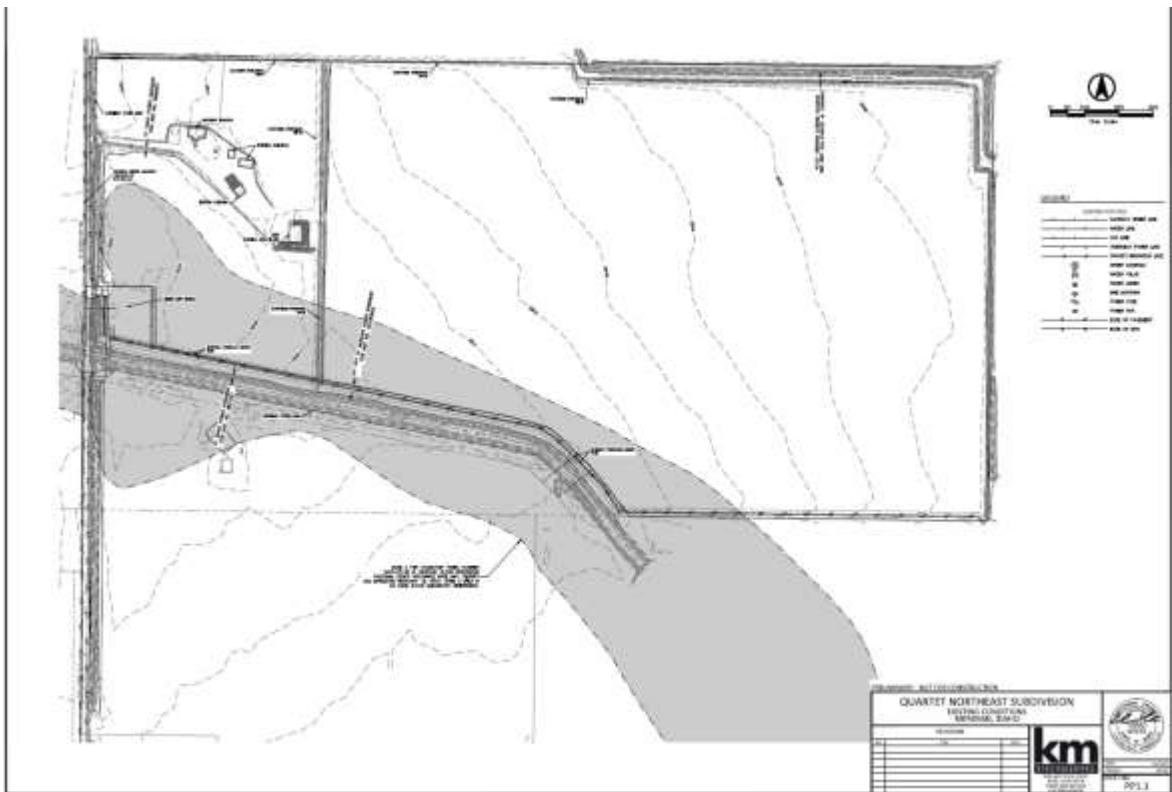
DATE:	April 2020
PROJECT:	19-010
SHEET:	1 OF 1

Exhibit B
Annexation and Rezone to R-8

City of Meridian Parcel - 4130 N. Black Cat Rd.
 SW 1/4 NW 1/4 Sec. 34, T4N., R1W., B.M., Ada County, Idaho

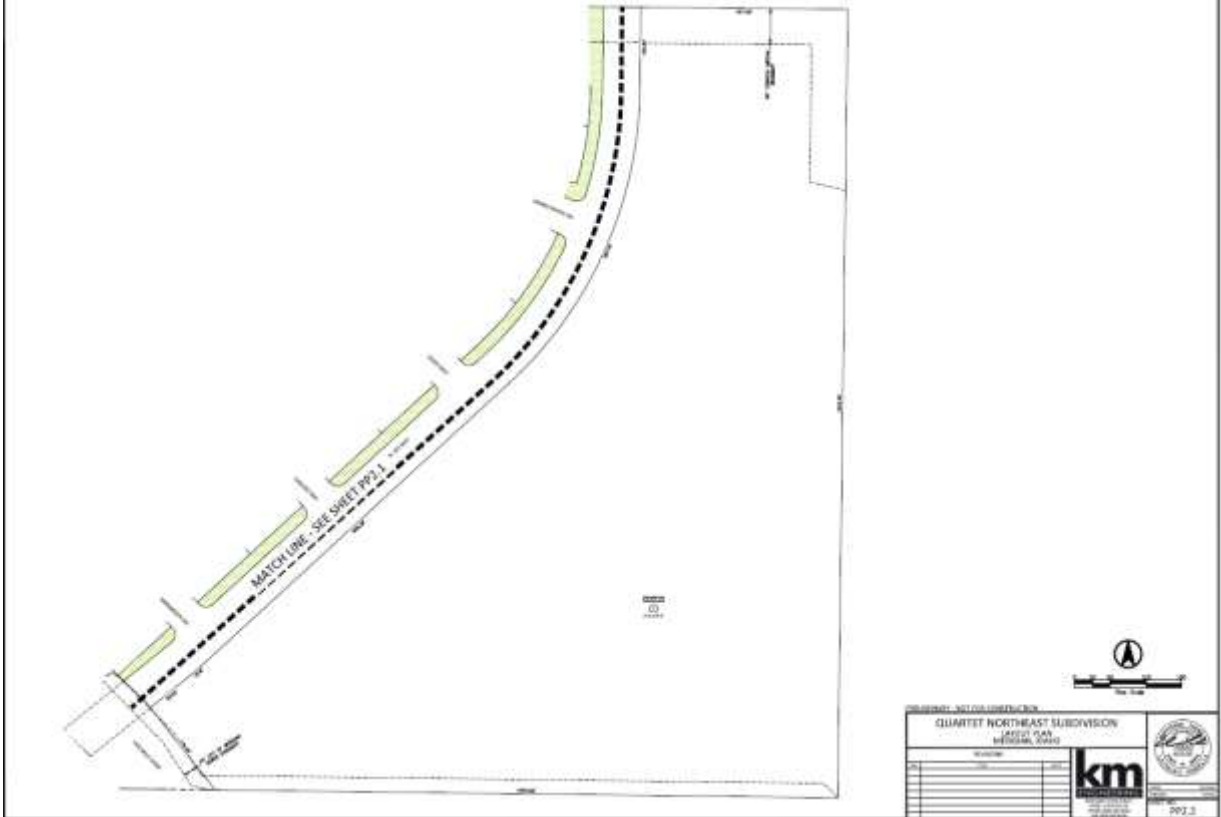
C. Preliminary Plat (date: 1/31/2020) & Phasing Plan

Quartet Northeast:



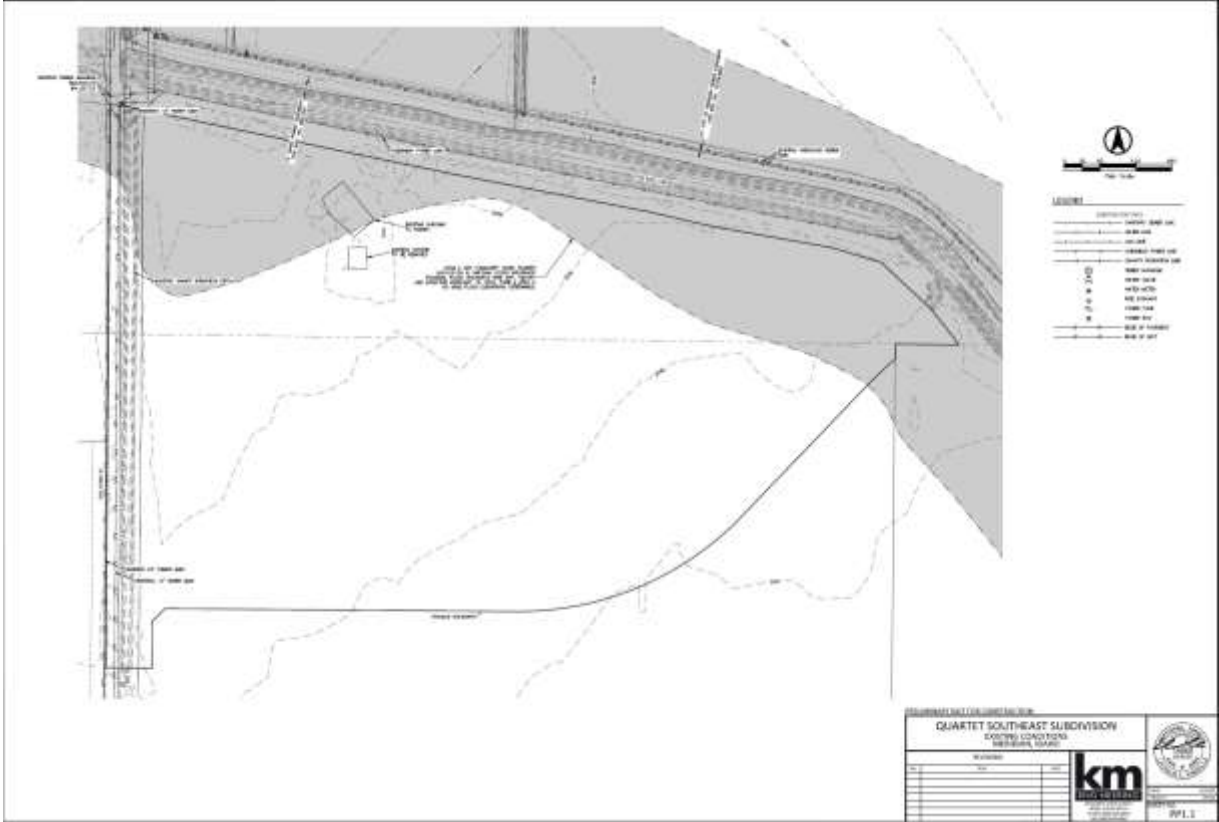


Item #9.



Quartet Southeast:

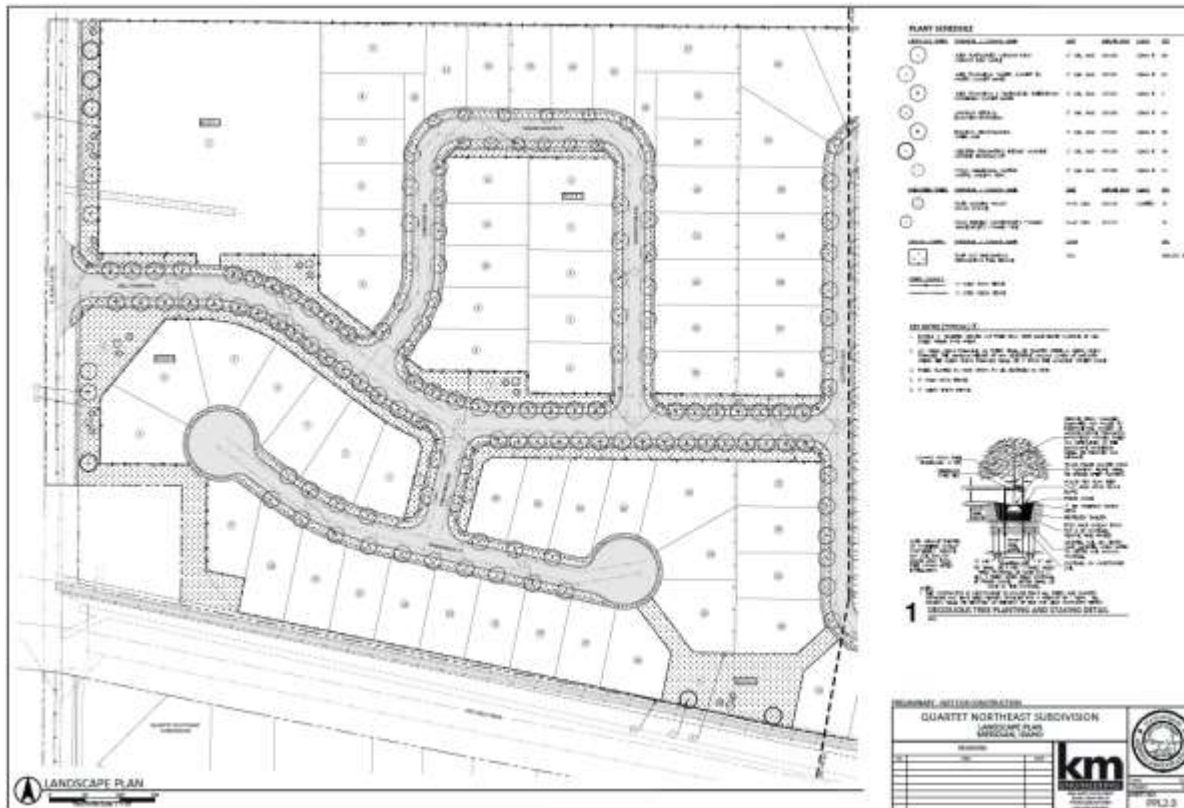




Phasing Plan:



D. Landscape Plan (date: 1/30/2020)
 Quartet Northeast:



E. Qualified Open Space Exhibit (dated: 6/11/2020)
Quartet Northeast:



F. Conceptual Building Elevations



IX. CITY/AGENCY COMMENTS & CONDITIONS

A. PLANNING DIVISION

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

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

~~The Record of Survey depicted in Section VIII.A shall be approved by Ada County and recorded prior to City Council approval of the Annexation Ordinance and Development Agreement for this project.~~ The DA shall, at minimum, incorporate the following provisions:

- a. Future development of this site shall be generally consistent with the preliminary plat, phasing plan, landscape plan, qualified open space exhibit and conceptual building elevations included in Section VIII and the provisions contained herein.
- b. The existing homes that are to be retained on lots in the proposed subdivision are required to disconnect from private systems and hook up to City water and sewer service within 60 days of such services becoming available as set forth in MCC 9-1-4 and 9-4-8 respectively. Existing wells may be used for irrigation purposes only.
- c. The existing homes to be retained on lots in the proposed subdivision will be assigned new addresses with subdivision of the property.
- d. The Five Mile Creek shall be protected during construction.
- e. No residential uses shall be developed on the non-residential/commercial C-G zoned lot on the east side of the collector street (depicted as Lot 1, Block 14 on the preliminary plat), including but not limited to, a multi-family development, a vertically integrated residential project, and/or a nursing/residential care facility *unless* a subsequent Noise and Odor Study conducted by the City determines residential uses are appropriate in that area.
- f. The Developer shall coordinate with the City Park's Department prior to development of the non-residential/commercial lot (depicted as Lot 1, Block 14 on the preliminary plat) on the east side of the collector street (N. Joy Way) to determine if a City Park is needed in this area as designated on the Comprehensive Plan. The Development Agreement shall be amended to include a conceptual development plan for that area prior to any development occurring on that lot.
- g. The rear and/or side of structures on lots that face N. Black Cat Rd., an arterial street, and San Remo St./N. Joy Way, a collector street, shall incorporate articulation through changes in two or more of the following: modulation (e.g. projections, recesses, step-backs, pop-outs), bays, banding, porches, balconies, material types, or other integrated architectural elements to break up monotonous wall planes and roof lines that are visible from the subject public street. *Single-story structures are exempt from this requirement.*
- h. Quartet Northeast and Southeast subdivisions shall develop and be phased as one project and shall be included in the same Homeowner's Association; all common open space and site amenities between the two subdivisions shall be shared.
- i. An odor study shall be conducted by the City prior to development of Phase 3 to determine if residential uses are appropriate in the MU-NR designated area; if determined to not be appropriate,

a modification to the Development Agreement shall be required to amend the development plan for that area.

2. The final plat(s) submitted for this development shall incorporate the following:
 - a. Include a note stating direct lot access via N. Black Cat Rd. and San Remo St./N. Joy Way is prohibited.
3. The landscape plan submitted with the final plat application shall be revised as follows:
 - a. Add pedestrian pathways from the internal sidewalks along Miramente Ct. and Miramente Dr. through adjacent common areas to the multi-use pathway along the Five Mile Creek; provide breaks in the fence where necessary to provide a connection. Also provide micro-path connections through Lot 10, Block 4 and Lot 7, Block 3 for pedestrian interconnectivity within the subdivision.
 - b. Landscaping shall be depicted on either side of all pathways as set forth in UDC 11-3B-12C. Calculations shall be included for the linear feet of pathway and the required vs. provided number of trees in the Calculations table.
 - c. If any existing trees are proposed to be removed from the site, the Applicant shall schedule an inspection with the City Arborist, Matt Perkins, prior to removal of any such trees to determine mitigation requirements in accord with the standards listed in UDC 11-3B-10C.5. Mitigation information shall be included in the calculations table on the plan if applicable.
 - d. If the unimproved right-of-way is 10 feet or greater from the edge of pavement to edge of sidewalk or property line, the Developer is required to maintain a 10 foot compacted shoulder meeting the construction standards of ACHD and landscape the remainder with lawn or other vegetative ground cover as set forth in UDC 11-3B-7C.5. A license agreement for improvements within the right-of-way is required between the property owner and ACHD.
 - e. Depict fencing adjacent to the Creason Lateral as set forth in UDC 11-3A-6C.3 in order to preserve public safety *unless* the waterway is proposed to be improved as part of the development to be a water amenity. In such case, documentation shall be submitted as set forth in UDC 11-1A-1 and 11-3A-6C.2 for approval by the Director.
 - f. The location of site amenities shall be depicted on the plan; a detail shall be submitted for the children's play equipment.
 - g. Depict landscaping in Lot 34, Block 4 in accord with the standards listed in UDC 11-3G-3E.
 - h. Depict fencing on Lot 34, Block 4 where the Creason Lateral is located per the standards listed in UDC 11-3A-7A.7 to provide more visibility of the common area.
 - i. Depict a 6-foot tall open vision fence having an 11-gauge, 2 inch mesh or other construction equivalent in ability to deter access to the Creason Lateral on Lot 34, Block 4 in accord with the standards listed in UDC 11-3A-6C.3 *unless* the waterway is proposed to be improved as part of the development to be a water amenity. In such case, construction drawings and relevant calculations prepared by a qualified licensed professional registered in the State of Idaho shall be submitted to both the Director and the authorized representative of the water facility for approval.
4. Future development shall be consistent with the minimum dimensional standards listed in UDC Tables 11-2A-6 and 11-2B-3 for the R-8 and C-G zoning districts respectively.
5. The bridge across the Five Mile Creek and the gravel fire access road from Black Cat Rd. in the location where the collector street is proposed shall be constructed for emergency access for any development over 30 homes/lots as approved by the Fire Department.
6. Off-street parking is required to be provided in accord with the standards listed in [UDC Table 11-3C-6](#)

based on the number of bedrooms per unit.

7. An exhibit shall be submitted with the final plat application that depicts the setbacks, fencing, building envelope, and orientation of the lots and structures accessed via common driveways; if a property abuts a common driveway but has the required minimum street frontage and is taking access via the public street, the driveway shall be depicted on the opposite side of the shared property line from the common driveway as set forth in [UDC 11-6C-3D](#).
8. Address signage shall be provided at the public street for homes accessed via common driveways for emergency wayfinding purposes.
9. A perpetual ingress/egress easement shall be filed with the Ada County Recorder for the common driveways, which shall include a requirement for maintenance of a paved surface capable of supporting fire vehicles and equipment as set forth in UDC 11-6C-3D.8. A copy of said easement shall be submitted to the Planning Division with the final plat for City Engineer signature; or, this information may be included on the face of the plat.
10. A Type III barricade shall be placed at the intersection of N. Joy Way and Grand Rapids Dr. to prevent access until the street is extended in the future; the construction drawings shall be revised to include this change. As an alternative to a barricade, a Fire Dept. approved turnaround could be provided at the end of the collector street instead.
11. All existing structures that don't comply with the setback standards listed in UDC 11-2A-6 shall be removed from the site prior to signature on the final plat by the City Engineer for the phase in which they are located.
12. A 14-foot wide public pedestrian easement shall be submitted to the Planning Division for the 10-foot wide multi-use pathways proposed within the site that are not located within right-of-way, prior to signature on the final plat by the City Engineer.
13. The existing access via Black Cat Rd. for the home proposed to remain on Lot 2, Block 1, Quartet Northeast subdivision shall be removed.
14. A Certificate of Zoning Compliance and Design Review application is required to be submitted and approved prior to submittal of any building permit applications for the swimming pool facility in the residential portion of the development; and for all non-residential/commercial uses.

B. PUBLIC WORKS

1. Site Specific Conditions of Approval

- 1.1 Applicant to ensure that the depths of the sanitary sewer allows for service of the property to the SE of Quartet Northeast per the Meridian Wastewater Master Plan.
- 1.2 The water main in N Joy Way (furthest east road) should be a 12-inch. Also, the water main in N Joy Way will need to continue south through Quartet Southeast to provide a second connection out to Black Cat Road with the ~~first~~ second phase of the development.
- 1.3 Consider eliminating the short dead-end water main in the cul-de-sac off of Exeter Avenue and Capriana Drive, instead install three services to the three cul-de-sac homes off the mainline in Capriana Drive.
- 1.4 From the preliminary investigation of groundwater elevation provided in the application, it appears that shallow groundwater may be a factor with the development of this subdivision. Additional monitoring and analysis shall be required to ensure that homes constructed within this development do not encounter groundwater within their crawl spaces. Updated data and recommendations from a geotechnical professional shall be required with the submittal of construction design drawings.

- 1.5 A portion of this project lies within the Meridian Floodplain Overlay District. Prior to any development occurring in the Overlay District, a floodplain permit application, including hydraulic and hydrologic analysis is required to be completed and submitted to the City and approved by the Floodplain Administrator per MCC 10-6.
- 2. General Conditions of Approval – Quartet Northeast & Quartet Southeast**
- 2.1 Applicant shall coordinate water and sewer main size and routing with the Public Works Department, and execute standard forms of easements for any mains that are required to provide service outside of a public right-of-way. Minimum cover over sewer mains is three feet, if cover from top of pipe to sub-grade is less than three feet than alternate materials shall be used in conformance of City of Meridian Public Works Departments Standard Specifications.
- 2.2 Per Meridian City Code (MCC), the applicant shall be responsible to install sewer and water mains to and through this development. Applicant may be eligible for a reimbursement agreement for infrastructure enhancement per MCC 8-6-5.
- 2.3 The applicant shall provide easement(s) for all public water/sewer mains outside of public right of way (include all water services and hydrants). The easement widths shall be 20-feet wide for a single utility, or 30-feet wide for two. The easements shall not be dedicated via the plat, but rather dedicated outside the plat process using the City of Meridian’s standard forms. The easement shall be graphically depicted on the plat for reference purposes. Submit an executed easement (on the form available from Public Works), a legal description prepared by an Idaho Licensed Professional Land Surveyor, which must include the area of the easement (marked EXHIBIT A) and an 8 1/2” x 11” map with bearings and distances (marked EXHIBIT B) for review. Both exhibits must be sealed, signed and dated by a Professional Land Surveyor. **DO NOT RECORD.** Add a note to the plat referencing this document. All easements must be submitted, reviewed, and approved prior to development plan approval.
- 2.4 The City of Meridian requires that pressurized irrigation systems be supplied by a year-round source of water (MCC 12-13-8.3). The applicant should be required to use any existing surface or well water for the primary source. If a surface or well source is not available, a single-point connection to the culinary water system shall be required. If a single-point connection is utilized, the developer will be responsible for the payment of assessments for the common areas prior to receiving development plan approval.
- 2.5 All existing structures that are required to be removed shall be prior to signature on the final plat by the City Engineer. Any structures that are allowed to remain shall be subject to evaluation and possible reassignment of street addressing to be in compliance with MCC.
- 2.6 All irrigation ditches, canals, laterals, or drains, exclusive of natural waterways, intersecting, crossing or laying adjacent and contiguous to the area being subdivided shall be addressed per UDC 11-3A-6. In performing such work, the applicant shall comply with Idaho Code 42-1207 and any other applicable law or regulation.
- 2.7 Any existing domestic well system within this project shall be removed from domestic service per City Ordinance Section 9-1-4 and 9 4 8 contact the City of Meridian Engineering Department at (208)898-5500 for inspections of disconnection of services. Wells may be used for non-domestic purposes such as landscape irrigation if approved by Idaho Department of Water Resources Contact Robert B. Whitney at (208)334-2190.
- 2.8 Any existing septic systems within this project shall be removed from service per City Ordinance Section 9-1-4 and 9 4 8. Contact Central District Health for abandonment procedures and inspections (208)375-5211.

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

file an application for surety, which can be found on the Community Development Department website. Please contact Land Development Service for more information at 887-2211.

C. FIRE DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187210&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187211&dbid=0&repo=MeridianCity>

Phasing:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187133&dbid=0&repo=MeridianCity>

D. POLICE DEPARTMENT

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187674&dbid=0&repo=MeridianCity>

E. PARK'S DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=190216&dbid=0&repo=MeridianCity>

Southeast: No comments were submitted

F. COMMUNITY PLANNING ASSOCIATION OF SOUTHWEST IDAHO (COMPASS)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188456&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188457&dbid=0&repo=MeridianCity>

G. ADA COUNTY HIGHWAY DISTRICT (ACHD)

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189173&dbid=0&repo=MeridianCity>

H. NAMPA & MERIDIAN IRRIGATION DISTRICT (NMID)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188676&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=188675&dbid=0&repo=MeridianCity>

I. CENTRAL DISTRICT HEALTH DEPARTMENT

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187426&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187427&dbid=0&repo=MeridianCity>

J. IDAHO TRANSPORTATION DEPARTMENT (ITD)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189529&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=189614&dbid=0&repo=MeridianCity>

K. DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ)

Northeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187575&dbid=0&repo=MeridianCity>

Southeast:

<https://weblink.meridiancity.org/WebLink/DocView.aspx?id=187574&dbid=0&repo=MeridianCity>

X. FINDINGS

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

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

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

The City Council finds the proposed zoning map amendment to R-8 & C-G and proposed development is generally consistent with the Comprehensive Plan and is appropriate with an extension of the MDR FLUM land use designation to the collector street as proposed if the Applicant complies with the provisions in Section IX.

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

The City Council finds the proposed single-family detached homes will contribute to the range of housing opportunities in the City.

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

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

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

The City Council finds the proposed zoning map amendment will not result in an adverse impact on the delivery of services by any political subdivision providing public services within the City.

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

The City Council finds the proposed annexation is in the best interest of the City if the property is developed in accord with the provisions in Section IX.

B. Preliminary Plat Findings:

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

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

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

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

The City Council finds that public services will be provided to the subject property with development. (See Exhibit B of the Staff Report for more details from public service providers.)

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

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

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

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

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

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

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

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



AGENDA ITEM

ITEM TOPIC: Agreement Between City of Meridian and Envision 360 Inc. to Accept Payment in Lieu of Installing Streetlights at 1351 E. Fairview Ave. in the Estimated Amount of \$8465.00



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Al Christy, Public Works **Meeting Date:** August 11, 2020
Presenter: Public Works Representative **Estimated Time:** 5 Minutes
Topic: Agreement Between City of Meridian and Envision 360 Inc. to Accept Payment in Lieu of Installing Streetlights at 1351 E. Fairview Ave. in the Estimated Amount of \$8465.00

Recommended Council Action:

1. Approve the attached agreement with Envision 360 Inc.
2. Authorize the Mayor to sign the agreement.

Background:

I. DEPARTMENT CONTACT PERSONS

Al Christy, Transportation and Utility Coordinator	489-0352
Warren Stewart, City Engineer	489-0350
Dale Bolthouse, Director of Public Works	985-1257

II. DESCRIPTION

A. Background

One of the site specific conditions of approval for Building Permit #C-Shell-2020-0015 is to provide sufficient funds for the installation of street lighting along E. Fairview Ave. The Streetlight will be installed once the Ada County Highway District (ACHD) has improved E. Fairview Ave. to its ultimate width.

B. Proposed Project

Pursuant to the attached agreement with Envision 360 Inc., the City will accept the estimated amount of \$8,465.00, required to install one streetlight on E. Fairview Ave. These funds will be used to install the streetlight once ACHD has completed road expansion in the area. Envision 360 Inc., is in favor of this solution and has signed the attached agreement.

III. IMPACT

A. Strategic Impact:

This agreement is in alignment with the Public Works Department's *Strategic Plan 2010-2015* Objective ENG-12, which is to increase street lighting throughout the City to enhance the safety of our citizens in a fiscally responsible manner.

B. Service/Delivery Impact:

This agreement will increase the street lighting along E. Fairview Ave. while ensuring that the lights are installed at the appropriate time and in the appropriate location.

C. Fiscal Impact:

Per this agreement, the City will receive \$8,465.00. This is the estimated amount required to install the street light along E. Fairview Ave. and these funds will be reserved for that specific purpose.

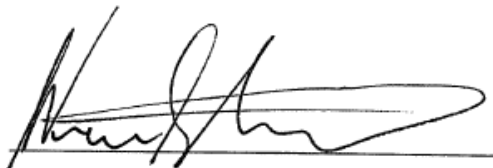
IV. TIME CONSTRAINTS

Council approval of this agreement will allow Envision 360 Inc. to remit the required funds to the City and receive their Subdivision approval once all other requirements have been met.

V. LIST OF ATTACHMENTS

- Agreement Between City of Meridian and Envision 360 Inc. to Accept Payment in Lieu of Installing Streetlights at 1351 E. Fairview Ave. in the Estimated Amount of \$8465.00
- Street Light Agreement Envision 360 Inc.

Approved for Council Agenda:



7-24-20

AGREEMENT TO ACCEPT PAYMENT IN LIEU OF INSTALLING STREETLIGHTS
AT
1351 E. FAIRVIEW AVE.

THIS AGREEMENT for streetlight installation, made this 15th day of July, 2020 between the **City of Meridian**, a municipal corporation organized under the laws of the State of Idaho, whose address is 33 East Broadway Avenue, Meridian, Idaho (hereinafter "City"), and **Envision 360 Inc.**, 104 E. Fairview Ave. #233, Meridian, ID 83642 (hereinafter "Envision").

WHEREAS, Envision has received from City, conditional approval of a Building Permit at 1351 E. Fairview, Building Permit No. C-SHELL-2020-0015; and,

WHEREAS, One of the Site Specific Conditions of Approval of City's approval of C-SHELL-2020-0015 is to install streetlights on all public roadways per the City of Meridian Improvement Standards for Street Lighting; and,

WHEREAS, Envision is currently unable to install the required streetlights on E. Fairview Avenue because E. Fairview Avenue has not been built out to its ultimate width; and,

WHEREAS, once the E. Fairview Avenue is widened, City is willing to install the required streetlight if Envision has paid to City the estimated amount necessary to install the streetlight.

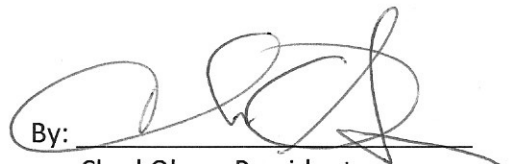
NOW THEREFORE, THE PARTIES AGREE AS FOLLOWS:

1. Envision shall pay to City the amount of \$8,465.00 as the amount necessary to supply and install one (1) type 1 streetlight.
2. City agrees to accept the amount set forth in Article 1 in lieu of requiring Envision to install the one (1) streetlight on E. Fairview Avenue frontage of C-SHELL-2020-0015.
3. Upon payment of the amount in Article 1 by Envision to City, Envision's requirement to install the one (1) streetlight on E. Fairview Ave. shall be considered satisfied.
4. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their heirs, successors and assigns, and shall survive any transfer by Envision of Envision's Property.

IN WITNESS WHEREOF, the parties shall cause this Agreement to be executed by their duly authorized officers the day and year first above written.

Envision 360 Inc.

CITY OF MERIDIAN

By: 
Chad Olsen, President

By: _____
Robert E. Simison, Mayor



AGENDA ITEM

ITEM TOPIC: Agreement Between the City of Meridian and Nampa Meridian Irrigation District to Authorize the City to Discharge Water from Well 32 in to the Ridenbaugh Canal for a Designated Period

PROJECT AGREEMENT

This PROJECT AGREEMENT, made and entered into this ____ day of _____, 2020, by and between NAMPA & MERIDIAN IRRIGATION DISTRICT, an irrigation district organized and existing under and by virtue of the laws of the State of Idaho, party of the first party, hereinafter referred to as the "District," and

THE CITY OF MERIDIAN, a political subdivision and municipality of the State of Idaho,
33 East Broadway Avenue, Meridian, Idaho 83642

party or parties of the second part, hereinafter referred to as the "City,"

WITNESSETH:

WHEREAS, the parties hereto entered into a Master Agreement entered into March 18, 2014 and recorded as Instrument No. 114029168 in the records of Ada County, Idaho , hereinafter referred to as the "Master Agreement;" and,

WHEREAS, the District and the City intended by entering the Master Agreement to establish a process for the City's submission of encroachment proposals and the District's consideration of such proposals and to provide the general conditions for the District's approval and permission of encroachment proposals affecting the District's ditches, property, operations and maintenance; and,

WHEREAS, the City is the owner of the real property/ right of way (burdened with the easement of the District hereinafter mentioned) particularly described in the "Legal Description" attached hereto as Exhibit A and by this reference made a part hereof; and,

WHEREAS, the District controls the irrigation/drainage ditch or canal known as the RIDENBAUGH CANAL (hereinafter collectively referred to as "ditch or canal") together with the real property and/or easements to convey irrigation and drainage water, to operate and maintain the ditch or canal, and which crosses and intersects said described real property of the City as shown on Exhibit B attached hereto and by this reference made a part hereof; and,

WHEREAS, the City seeks permission to: 1) temporarily discharge water from the City's Well Site #32 into the Ridenbaugh Canal through the existing discharge pipe and valve located in the District's easement for the Ridenbaugh Canal where the Ridenbaugh Canal intersects W. Overland Road, under the terms and conditions of said Master Agreement and those hereinafter set forth,

NOW, THEREFORE, for and in consideration of the premises and of the covenants, agreements and conditions hereinafter set forth and those set forth in said Master Agreement, the parties hereto agree as follows:

1. City may: a) temporarily discharge water from the City's Well Site #32 into the Ridenbaugh Canal through the existing discharge pipe and valve located where the Ridenbaugh Canal intersects W. Overland Road; and b) modify the existing discharge pipe, valve and flange within the District's easement to temporarily discharge water from the City's Well Site#32 into the Ridenbaugh Canal, located northeast of the intersection of Ten Mile Road and Overland Road in Meridian, Ada County, Idaho as shown in the attached project plans stated as Exhibit B-1.

2. Any construction or crossing of said ditch or canal shall be performed in accordance with the project plans shown in Exhibit B-1 and the "Special Conditions" stated in Exhibit C, attached hereto and by this reference made part thereof.

3. The parties hereto incorporate in and make part of this Project Agreement all the covenants, conditions, and agreements of said Master Agreement unchanged except as the result of the provisions of this Project Agreement.

The covenants, conditions and agreements herein contained and incorporated by reference shall constitute covenants to run with, and running with, all of the lands of the City described in said Exhibit A, and shall be binding on each of the parties hereto and on all parties and all persons claiming under them or either of them, and the advantages hereof shall inure to the benefit of each of the parties hereto and their respective successors and assigns.

END OF TERMS - SEE FOLLOWING PAGES FOR SIGNATURES

IN WITNESS WHEREOF, the District has hereunto caused its corporate name to be subscribed by its officers first hereunto duly authorized by resolution of its Board of Directors and the City has hereunto subscribed its corporate name to be subscribed and its seal to be affixed thereto, all as of the day and year herein first above written.

NAMPA & MERIDIAN IRRIGATION DISTRICT

By _____
Its President

ATTEST:

Its Secretary

THE CITY OF MERIDIAN

By _____
Its

ATTEST:

STATE OF IDAHO)
) ss:
County of Canyon)

On this ____ day of _____, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared Will Patterson and Michael Comeskey, known to me to be the President and Secretary, respectively, of NAMPA & MERIDIAN IRRIGATION DISTRICT, the irrigation district that executed the foregoing instrument and acknowledged to me that such irrigation district executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for _____
Residing at _____, _____
My Commission Expires: _____

STATE OF IDAHO)
) ss:
County of _____)

On this ____ day of _____, 2020, before me, the undersigned, a Notary Public in and for said State, personally appeared _____ and _____, known to me to be the _____ and _____, respectively, of The CITY OF MERIDIAN, the entity that executed the foregoing instrument and acknowledged to me that such entity executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal, the day and year in this certificate first above written.

Notary Public for _____
Residing at _____, _____
My Commission Expires: _____

EXHIBIT A
Legal Description

The City's well site is described in Exhibit A-1 attached hereto and the right of way for the flush line from the well to the Ridenbaugh Canal is shown in Exhibit A-2 attached hereto. The location where the flush line will discharge to the Ridenbaugh Canal is located where the Ridenbaugh Canal intersects W. Overland Road in the NW1/4 of Section 23, Township 3 North, Range 1 West, B.M., Ada County, Idaho.

EXHIBIT B
Crossing Location

See Exhibit B-1 attached hereto.

EXHIBIT C
Special Conditions

a. Discharge and/or construction of the flush line shall be in accordance with Exhibit B-1, attached hereto and by this reference made a part hereof. The flush line will allow the discharge of a maximum of flow into the Ridenbaugh Canal of 3.5 cubic feet per second for a duration of not more than 55 days. The flush line shall be removed and all discharge to the Ridenbaugh Canal shall cease at the end of the 2020 irrigation season.

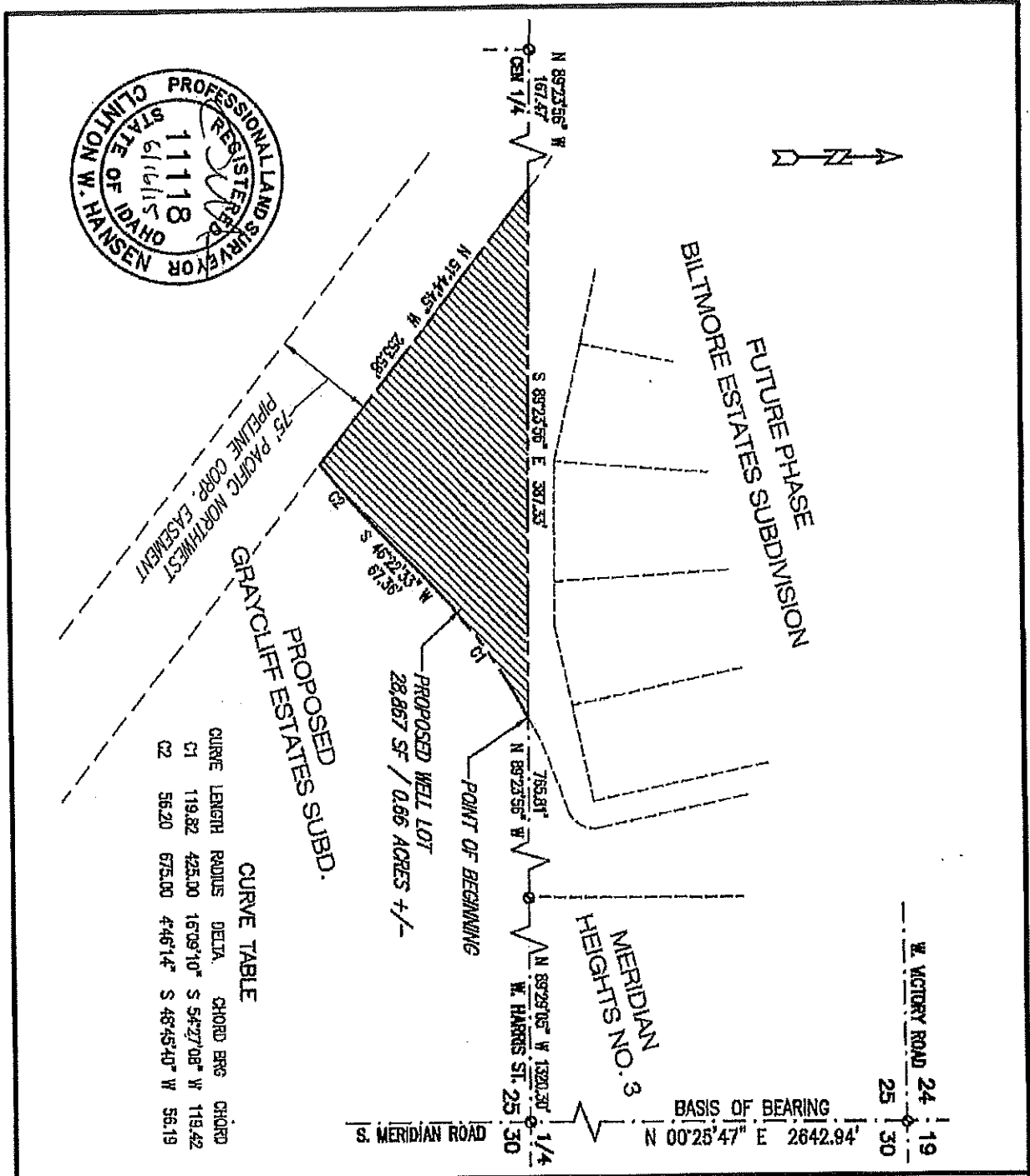
b. City shall notify the water superintendent of the District prior to and immediately after construction so that he or the District's engineers may inspect and approve the construction. The City shall also notify the District prior to any flushing and when said flushing is completed. At the request of the District, the City shall provide measurement and other records, including water quality records, for the quantity and quality of the water discharged/flushed to the Ridenbaugh Canal.

c. City acknowledges that the District's easement for the Ridenbaugh Canal includes a sufficient area of land to convey irrigation and drainage water, to operate, clean, maintain and repair the Ridenbaugh Canal, and to access the Ridenbaugh Canal for those purposes, and that, in the location of the City's project, NMID claims a minimum easement dimension for the Ridenbaugh Canal of 100 feet, 50 feet to either side of the centerline.

d. The duration of the permission granted by this Project Agreement shall be in temporary and shall cease at the end of the 2020 irrigation season.

END OF SPECIAL CONDITIONS

EXHIBIT "A-1"



CURVE TABLE

CURVE	LENGTH	RADIUS	DELTA	CHORD BEG.	CHORD END
C1	119.82	425.00	167°09'10"	S 54°27'08" W	119.42
C2	56.20	675.00	47°46'14"	S 48°45'40" W	56.19

SCALE	1"=100'
DWG. DATE	06/16/15
PROJ. NO.	140529
SHEET	1 OF 1
140529--WELL.DWG	bxb

PROPOSED WELL LOT
GRAYCLIFF ESTATES SUBDIVISION

LOCATED IN THE SE 1/4 OF SECTION 25, T.3N., R.1W., B.M.
 MERIDIAN, ADA COUNTY, IDAHO

ENGINEERING SOLUTIONS

1028 N. ROSARIO ST., STE. 100
 MERIDIAN, IDAHO 83642
 Phone (208) 838-0880 Fax (208) 838-0841

A-1, pg. 1

EXHIBIT "A-2"

June 16, 2015

Description for Proposed Well Lot
Proposed Graycliff Estates Subdivision

A parcel located in the SE ¼ of Section 25, Township 3 North, Range 1 West, Boise Meridian, City of Meridian, Ada County, Idaho, and more particularly described as follows:

Commencing at an Aluminum Cap monument marking the northeast corner of the SE ¼ (E ¼ corner) of said Section 25, from which a Brass Cap monument marking the northeast corner of said Section 25 bears North 00°25'47" East a distance of 2642.94 feet;

Thence North 89°29'05" West along the northerly boundary of said SE ¼ a distance of 1320.30 feet to a 5/8 inch diameter Iron pin marking the southwest corner of Meridian Heights No. 3 Subdivision as shown in Book 62 of Plats on Pages 6274 and 6275, Records of Ada County, Idaho, also being the northeast corner of the NW ¼ of the SE ¼ of said Section 25;

Thence along the northerly boundary of said NW ¼ of the SE ¼ North 89°23'56" West a distance of 765.81 feet to a point on a curve being the **POINT OF BEGINNING**;

Thence leaving said boundary 119.82 feet along the arc of a non-tangent curve to the left, said curve having a radius of 425.00 feet, a delta angle of 16°09'10", and a long chord bearing South 54°27'08" West a distance of 119.42 feet to a point of tangency;

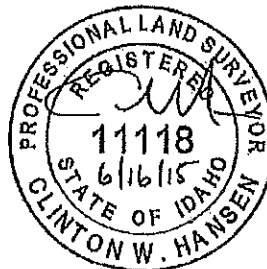
Thence South 46°22'33" West a distance of 67.36 feet to a point of curvature;

Thence 56.20 feet along the arc of a curve to the right, said curve having a radius of 675.00 feet, a delta angle of 04°46'14", and a long chord bearing South 48°45'40" West a distance of 56.19 feet;

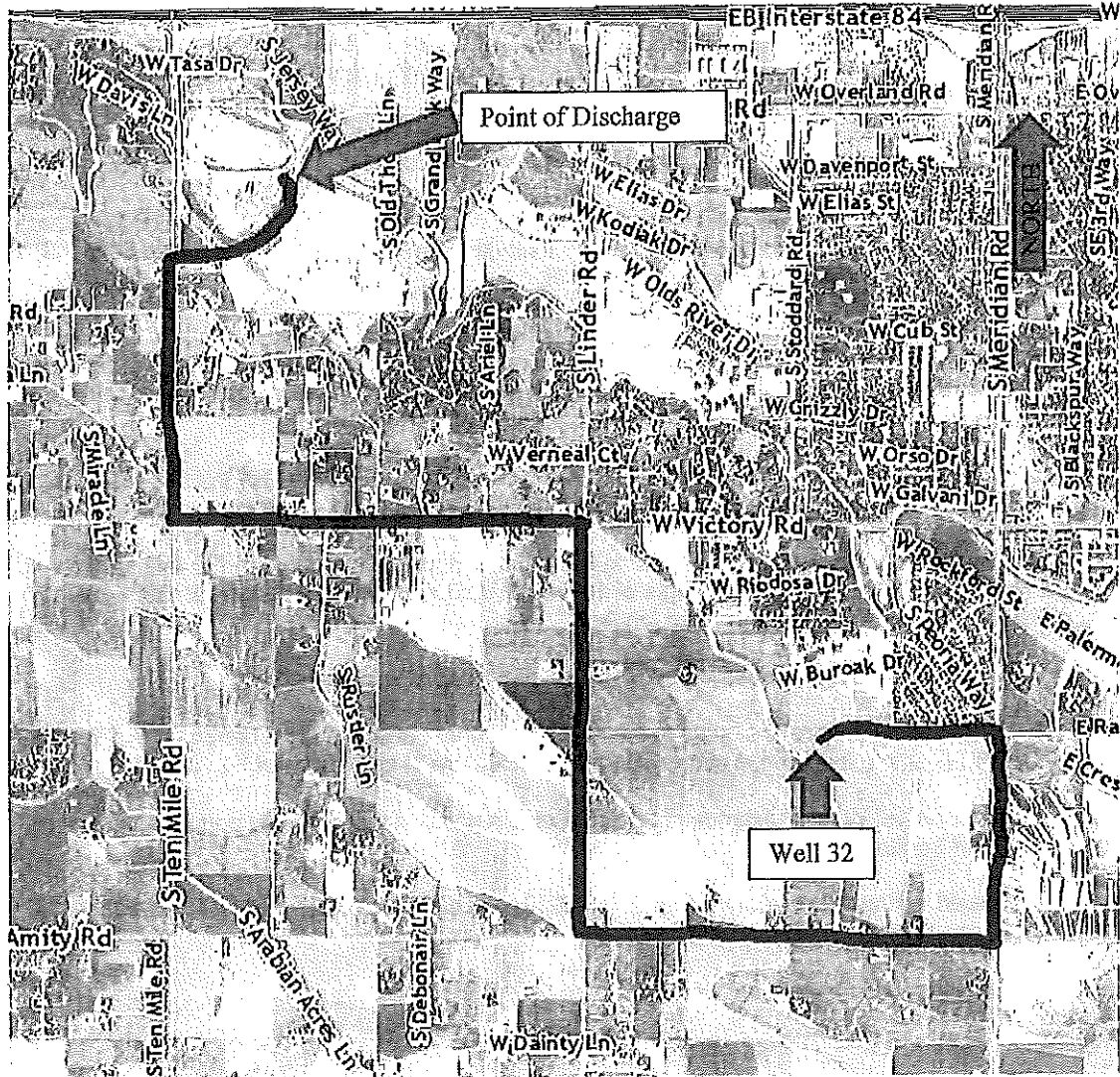
Thence North 51°44'45" West a distance of 253.58 feet to a point on the northerly boundary of the NW ¼ of the SE ¼ of Section 25;

Thence along said northerly boundary South 89°23'56" East a distance of 387.33 feet to the **POINT OF BEGINNING**.

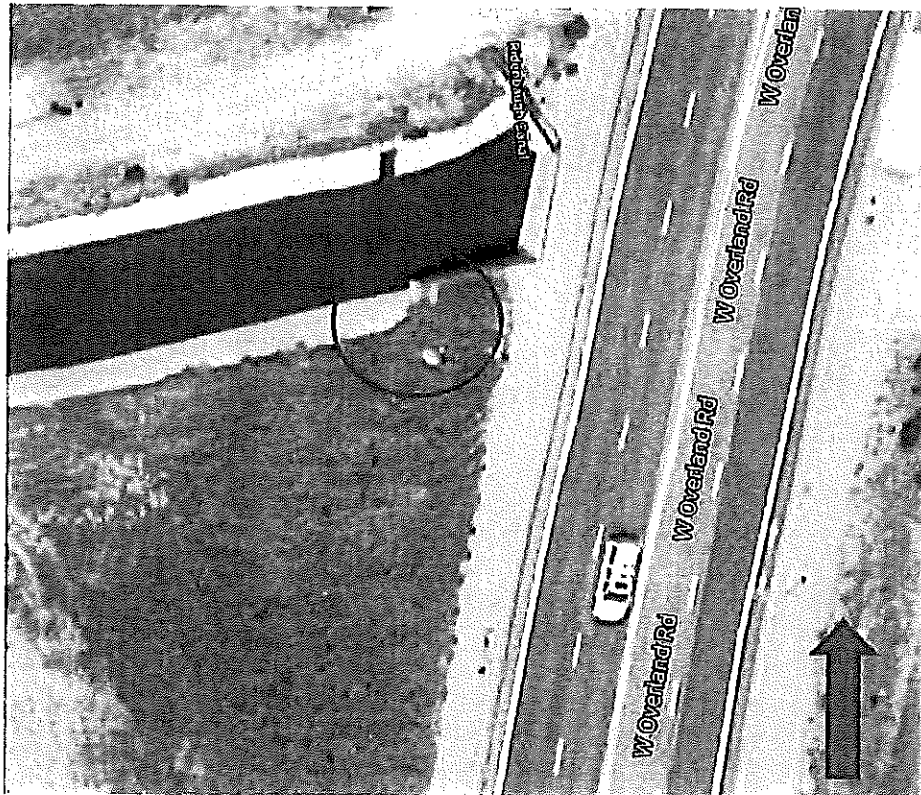
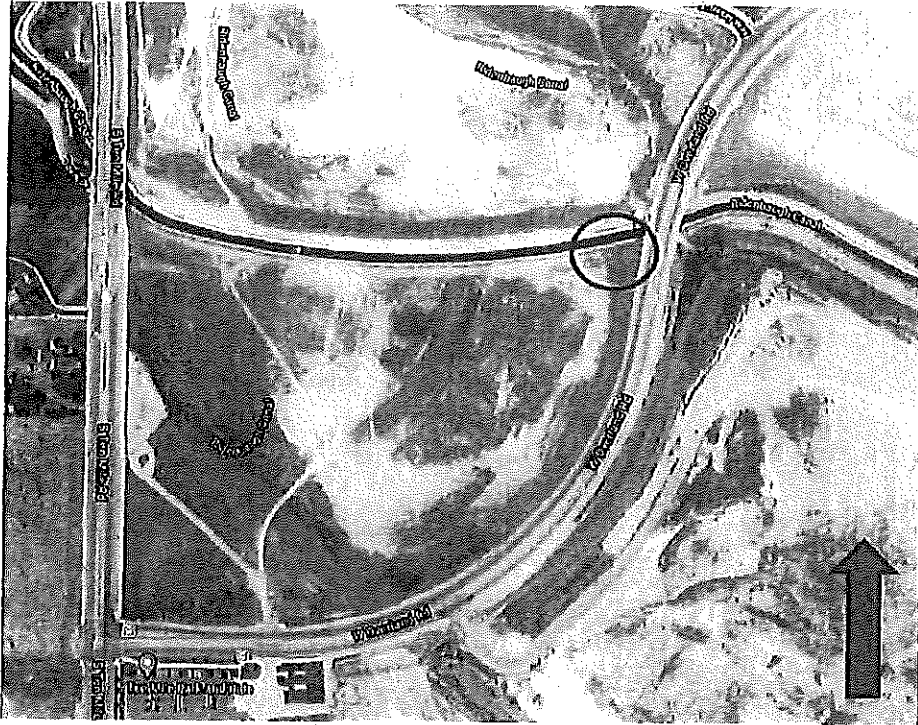
This parcel contains 0.66 acres, more or less.



Proposed Water Line Routing to the Ridenbaugh Canal from Well 32.



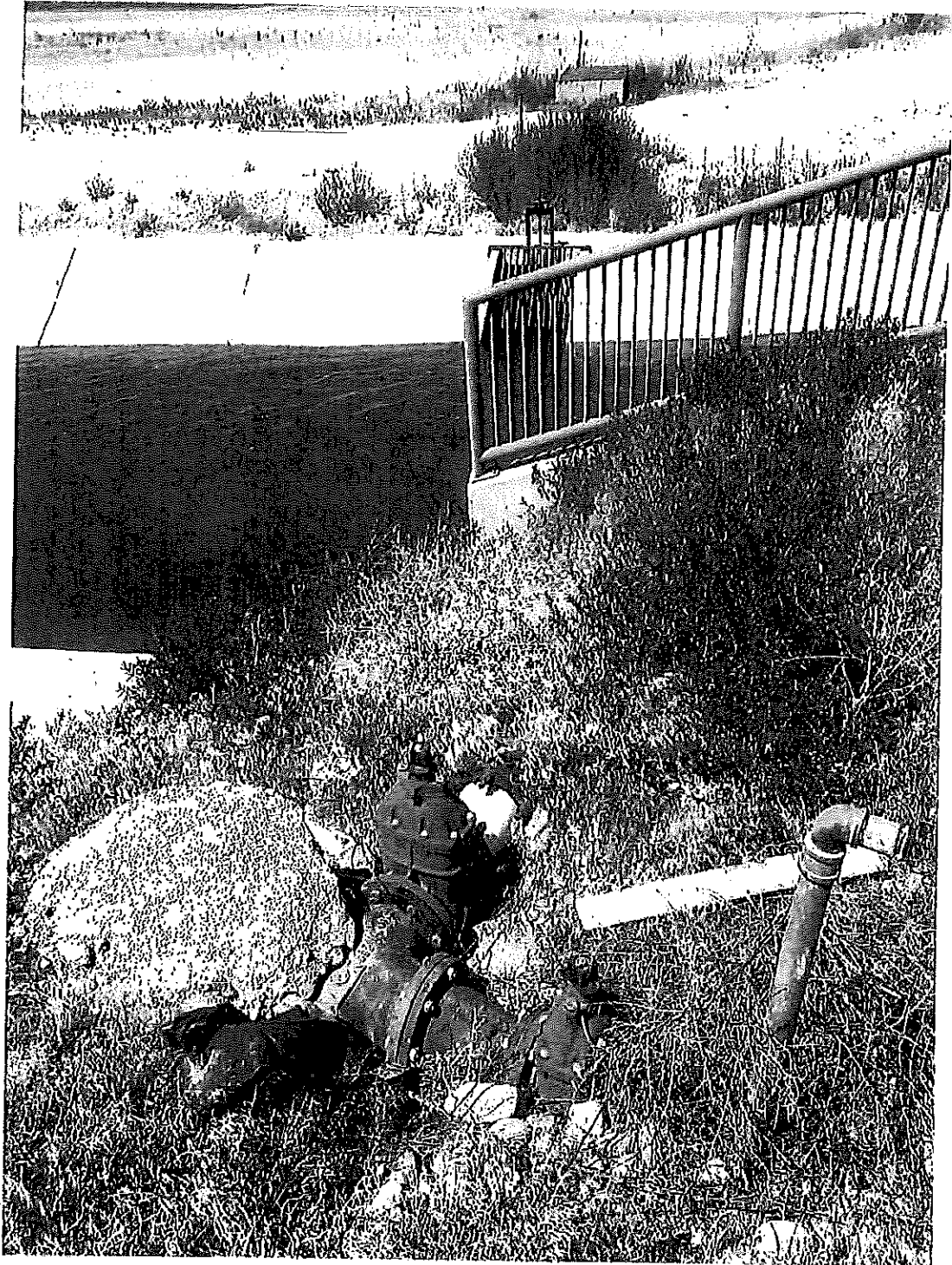
Proposed Entry Point to the Ridenbaugh Canal.



Section of water line to be modified to discharge into the Ridenbaugh Canal.



Section of water line to be modified to discharge into the Ridenbaugh Canal.



Item #11.



MEMO TO CITY COUNCIL

Request to Include Topic on the City Council Agenda

From: Sandra Ramirez, Procurement Division **Meeting Date:** August, 4 2020
Presenter: Sandra Ramirez on behalf of Dennis Teller **Estimated Time:** 0
Topic: Agreement Between the City of Meridian and Nampa Meridian Irrigation District to Authorize the City to Discharge Water from Well 32 in to the Ridenbaugh Canal for a Designated Period

Recommended Council Action:

Approve and authorize Procurement Manager, Keith Watts to sign the agreement.

Background:

The Nampa Meridian Irrigation District agreement is to authorize the City to discharge water into the Ridenbaugh Canal from Well 32 until irrigation season ends (October 2020). The agreement was reviewed by both the City's Legal and Procurement departments and approves to proceed with approval.



AGENDA ITEM

ITEM TOPIC: Resolution No. 20-2221: A Resolution Authorizing the Donation of Surplus Computers and Equipment to the West Ada School District.

BY THE CITY COUNCIL:

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

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MERIDIAN, IDAHO, SETTING FORTH CERTAIN FINDINGS AND PURPOSES TO DECLARE SURPLUS PROPERTY AND AUTHORIZING THE DONATION OF CERTAIN COMPUTER AND EQUIPMENT TO THE WEST ADA SCHOOL DISTRICT.

WHEREAS, it is in the best interest of the City of Meridian to declare that a certain computers and equipment as attached in Exhibit “A” as surplus as these particular items are no longer needed or used by the City of Meridian;

WHEREAS, the City of Meridian’s purchasing policy allows surplus City property to be donated to other agencies exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code when the value of the property in question is of nominal value, that is, valued at less than the cost of disposing of the property;

WHEREAS, the cost of maintaining the computer equipment would result in the unnecessary expenditure of City funds; and

WHEREAS, the City of Meridian desires to donate the computer equipment listed in Exhibit “A” to the West Ada School District, which are exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code.

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

Section 1. That the Mayor and City Council hereby authorize and declare that certain computers and equipment as attached hereto as Exhibit “A” are, surplus property.

Section 2. That the Mayor and City Council hereby authorizes the donation of the computers and equipment listed on Exhibit “A” to the West Ada School District.

ADOPTED by the City Council of the City of Meridian, Idaho, this ___ day of August, 2020.

APPROVED by the Mayor of the City of Meridian, Idaho, this ___ day of August, 2020.

APPROVED:

ATTEST:

Mayor Robert E. Simison

By: _____
Chris Johnson, City Clerk

Item #12.



CITY OF MERIDIAN

DEPARTMENT
Information Technology
DEPARTMENT CONTACT
Stephanie Olendorff

PROPERTY INFORMATION FORM

CITY TAG #	DESCRIPTION	LOCATION
See attached	Computers	IT

MODEL	MANUFACTURER	SERIAL / VIN #
See attached	See attached	See Attached

ACQUISITION DATE	ORIGINAL COST	VENDOR	LIFESPAN
See Attached	See attached	See attached	5 years

Addition (No additional information required)

PROPERTY DISPOSAL AUTHORIZATION

DISPOSAL METHODS	Give a brief description of how you plan on disposing the asset
<input type="checkbox"/> Auction/Sell	West Ada School District.
<input checked="" type="checkbox"/> Donation/Transfer	
<input type="checkbox"/> Trade In	
<input type="checkbox"/> Discard/Recycle	

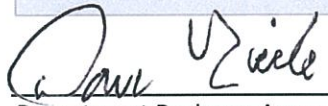
**Please remove all identifying logos prior to disposal

REASON FOR DISPOSAL OF PROPERTY

Items have been decomissioned.

CONDITION OF PROPERTY TO BE DISPOSED

Poor

 7/28/20
 Department Designee Approval Date

APPROVED
 By Cortni Klucken at 12:28 pm, Jul 28, 2020 7/28/20
 Date

Finance Reviewed Date
 7/28/20
 Mayor Approval Date

FOR FINANCE USE ONLY

FA# N/A	GL Code: N/A
Resolution No.:	Approved by Council Date:
Final Disposition of Property:	

Instructions for submitting Property Disposal Request:

- A. Department will obtain a signature for approval of Department Designee.
- B. Send to Finance Department (Accountant) for review and signature.
- C. Finance (Accountant) will route to Mayor for approval if needed.
- D. Finance (Accountant) will return a copy of the approved form to the Department so they can proceed with disposal.
- * The Department will remove all identifying logos prior to disposal.
- * **Any fixed assets that is to be disposed or sold without public notice, public sale, or at auction must be authorized by City Council resolution prior to disposal or sale.**
 - a. Finance (Accountant) will send copy of signed disposal request to Legal (Legal Services Support Manager) and Department for Resolution draft. Department will coordinate with Legal (Legal Services Support Manager); add Disposal Form and Resolution draft to next available Council Agenda using Agenda Manager Software.
- E. The Department will contact the auction company or donating agency to arrange pick up.
- F. Once the property is disposed of, Finance will note on the form the Final Disposition of Property and will delete item from the Fixed Asset Listing. Departments will note the disposition on their Inventory Listing.
- G. Finance will notify Legal to remove item from insurance policy

See [Purchasing Policy](#) for more information

See [Disposal Flowchart](#) for more information

Asset Tag	Description	IMFG	Vendor	Model	Serial No	Dept	Cost	Acq Date	Disposal Method
100993	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTK	Finance	986.70	10/01/2014	West Ada School District
100990	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1W	City Clerk	986.70	10/01/2014	West Ada School District
100978	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y21	Police	986.70	10/01/2014	West Ada School District
109019	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV9	Police	986.70	10/01/2014	West Ada School District
100997	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YVG	Police	986.70	10/01/2014	West Ada School District
100995	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y28	Police	986.70	10/01/2014	West Ada School District
109057	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1Y	Police	986.70	10/01/2014	West Ada School District
100970	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YVD	Police	986.70	10/01/2014	West Ada School District
109026	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV8	Police	986.70	10/01/2014	West Ada School District
109023	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YT5	Police	986.70	10/01/2014	West Ada School District
100979	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV2	Legal	986.70	10/01/2014	West Ada School District
109025	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTQ	MUBS	986.70	10/01/2014	West Ada School District
100988	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTL	Police	986.70	10/01/2014	West Ada School District
109020	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTX	Police	986.70	10/01/2014	West Ada School District
109017	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTT	Police	986.70	10/01/2014	West Ada School District
109056	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTJ	Parks	986.70	10/01/2014	West Ada School District
109058	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTG	Fire	986.70	10/01/2014	West Ada School District
109033	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTP	Fire	986.70	10/01/2014	West Ada School District
109044	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV1	Fire	986.70	10/01/2014	West Ada School District
109018	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1B	Fire	986.70	10/01/2014	West Ada School District
109051	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1X	Fire	986.70	10/01/2014	West Ada School District
100999	Desktop	HP	VLCM	Prodesk 600 G1	2YA4400YV0	Fire	986.70	10/01/2014	West Ada School District
100983	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTM	Fire	986.70	10/01/2014	West Ada School District
100977	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y27	Public Works	986.70	10/01/2014	West Ada School District
109031	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YT3	Building	986.70	10/01/2014	West Ada School District
109041	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1Z	Building	986.70	10/01/2014	West Ada School District
100971	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YVB	Parks	986.70	10/01/2014	West Ada School District
100984	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1H	Police	986.70	10/01/2014	West Ada School District
100985	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTC	Parks	986.70	10/01/2014	West Ada School District
109059	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTY	Public Works	986.70	10/01/2014	West Ada School District
109022	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTH	Fire	986.70	10/01/2014	West Ada School District
100972	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YVH	Planning	986.70	10/01/2014	West Ada School District
109040	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1L	IT	986.70	10/01/2014	West Ada School District

109048	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1V	IT	986.70	10/01/2014	West Ada School District
100976	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YT2	Mayors Office	986.70	10/01/2014	West Ada School District
109032	Desktop	HP	VLCM	Prodesk 600 G1	2A4400Y1S	MUBS	986.70	10/01/2014	West Ada School District
109052	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y26	IT	986.70	10/01/2014	West Ada School District
109030	Desktop	HP	VLCM	Prodesk 600 G1	2YA4400YVK	Fire	986.70	10/01/2014	West Ada School District
109029	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1D	Parks	986.70	10/01/2014	West Ada School District
100981	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV6	Public Works	986.70	10/01/2014	West Ada School District
100969	Desktop	HP	VLCM	Prodesk 600 G1	2YA4400YT9	Police	986.70	10/01/2014	West Ada School District
100968	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YT6	Parks	986.70	10/01/2014	West Ada School District
100996	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1F	City Clerk	986.70	10/01/2014	West Ada School District
109043	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YM1	WWTP	986.70	10/01/2014	West Ada School District
109034	Desktop	HP	VLCM	Prodesk 600 G1	2UYA4400YTS	Police	986.70	10/01/2014	West Ada School District
100974	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1C	Police	986.70	10/01/2014	West Ada School District
109053	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1R	Police	986.70	10/01/2014	West Ada School District
100998	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTB	Police	986.70	10/01/2014	West Ada School District
109024	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1K	Police	986.70	10/01/2014	West Ada School District
109046	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y23	Police	986.70	10/01/2014	West Ada School District
100992	Desktop	HP	VLCM	Prodesk 600 G1	2YA4400YTZ	Police	986.70	10/01/2014	West Ada School District
100994	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV3	Police	986.70	10/01/2014	West Ada School District
109045	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400TYV	IT	986.70	10/01/2014	West Ada School District
109042	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1N	IT	986.70	10/01/2014	West Ada School District
100986	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YVC	Police	986.70	10/01/2014	West Ada School District
109028	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1G	Police	986.70	10/01/2014	West Ada School District
109038	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y19	Police	986.70	10/01/2014	West Ada School District
109047	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV7	Building	986.70	10/01/2014	West Ada School District
100982	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YVF	MUBS	986.70	10/01/2014	West Ada School District
109027	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTN	Police	986.70	10/01/2014	West Ada School District
109036	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y25	Police	986.70	10/01/2014	West Ada School District
109021	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTD	Building	986.70	10/01/2014	West Ada School District
100980	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTW	IT	986.70	10/01/2014	West Ada School District
100987	Desktop	HP	VLCM	Prodesk 600 G1	2YA4400YTF	Planning	986.70	10/01/2014	West Ada School District
100975	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTR	Police	986.70	10/01/2014	West Ada School District
101000	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y22	Planning	986.70	10/01/2014	West Ada School District
100991	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1P	Building	986.70	10/01/2014	West Ada School District
109050	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y24	WWTP	986.70	10/01/2014	West Ada School District

100967	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1T	Water	986.70	10/01/2014	West Ada School District
109037	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YTB	Police	986.70	10/01/2014	West Ada School District
109035	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YV4	Police	986.70	10/01/2014	West Ada School District
109049	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y1Q	WWTP	986.70	10/01/2014	West Ada School District
109060	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400Y28	Police	986.70	10/01/2014	West Ada School District
109039	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YT7	HR	986.70	10/01/2014	West Ada School District
109054	Desktop	HP	VLCM	Prodesk 600 G1	2UA4400YT4	WWTP	986.70	10/01/2014	West Ada School District
DKWKP044D NQT	iPad	Apple	None	iPad 3rd Gen LTE (GSM/CDMA) (64 GB)	DKWKP044DNQT	Fire	0.00	10/01/2014	West Ada School District
109085	Laptop	HP	VLCM	ProBook 650 G1	5CG4413CC3	WWTP	1550.01	10/01/2014	West Ada School District
109065	Laptop	HP	VLCM	ProBook 650 G1	5CG44127ZK	Fire	1550.01	10/01/2014	West Ada School District
109079	Laptop	HP	VLCM	ProBook 650 G1	5CG44127XG	Public Works	1550.01	10/01/2014	West Ada School District
109072	Laptop	HP	VLCM	ProBook 650 G1	5CG44127YL	Building	1550.01	10/01/2014	West Ada School District
109069	Laptop	HP	VLCM	ProBook 650 G1	5CG44127YG	Public Works	1550.01	10/01/2014	West Ada School District
109070	Laptop	HP	VLCM	ProBook 650 G1	5CG44127W2	Public Works	1550.01	10/01/2014	West Ada School District
109084	Laptop	HP	VLCM	ProBook 650 G1	5CG44127WX	Building	1550.01	10/01/2014	West Ada School District
109071	Laptop	HP	VLCM	ProBook 650 G1	5CG44127X7	Police	1550.01	10/01/2014	West Ada School District
109083	Laptop	HP	VLCM	ProBook 650 G1	5CG44127X2	Parks	1550.01	10/01/2014	West Ada School District
109074	Laptop	HP	VLCM	ProBook 650 G1	5CG44127W6	Planning	1550.01	10/01/2014	West Ada School District
109075	Laptop	HP	VLCM	ProBook 650 G1	5CG44127XK	Legal	1550.01	10/01/2014	West Ada School District
109066	Laptop	HP	VLCM	ProBook 650 G1	5CG44127WB	WWTP	1550.01	10/01/2014	West Ada School District
150009	Laptop	HP	VLCM	ProBook 650 G1	5CG44127XS	WWTP	1550.01	10/01/2014	West Ada School District
109076	Laptop	HP	VLCM	ProBook 650 G1	5CG44127ZC	WWTP	1550.01	10/01/2014	West Ada School District
109073	Laptop	HP	VLCM	ProBook 650 G1	5CG44127WQ	Public Works	1550.01	10/01/2014	West Ada School District
150010	Laptop	HP	VLCM	ProBook 650 G1	5CG44127YS	WWTP	1550.01	10/01/2014	West Ada School District
109067	Laptop	HP	VLCM	ProBook 650 G1	5CG441286Y	Public Works	1550.01	10/01/2014	West Ada School District



AGENDA ITEM

ITEM TOPIC: Resolution No. 20-2222: A Resolution Authorizing the Fifth Continuance of a Local Disaster Emergency Declaration And Its Terms for an Additional Thirty (30) Days; Authorizing the Continued Immediate Expenditure of Public Money to Safeguard Life, Health and Property; and Providing an Effective Date.

RESOLUTION NO. 20-2222

BY THE COUNCIL:

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

A RESOLUTION AUTHORIZING THE FIFTH CONTINUANCE OF A LOCAL DISASTER EMERGENCY DECLARATION AND ITS TERMS FOR AN ADDITIONAL THIRTY (30) DAYS; AUTHORIZING THE CONTINUED IMMEDIATE EXPENDITURE OF PUBLIC MONEY TO SAFEGUARD LIFE, HEALTH AND PROPERTY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the 2019 novel coronavirus (COVID-19) pandemic continues to represent an imminent threat to the life, health, and property of the City of Meridian and its citizens; and

WHEREAS, a local disaster emergency, as defined in Section 46-1002, Idaho Code, continues to be in existence in the City of Meridian due to the imminent threat to life and property; and

WHEREAS, pursuant to the authority granted in Section 46-1011, Idaho Code, the Mayor of the City of Meridian, on March 16, 2020, declared a local disaster emergency; and

WHEREAS, on March 17, 2020 the City Council of the City of Meridian passed Resolution 20-2195 ratifying the Mayor’s Declaration and authorizing the continuance of the local disaster emergency declaration for a period of thirty (30) days; and

WHEREAS, on April 14, 2020 the City Council of the City of Meridian passed Resolution 20-2203 authorizing the continuance of the local disaster emergency declaration for an additional thirty (30) days; and

WHEREAS, on May 12th, 2020 the City Council of the City of Meridian passed Resolution 20-2210 authorizing the continuance of the local disaster emergency declaration for an additional thirty (30) days; and

WHEREAS, on June 9th, 2020 the City Council of the City of Meridian passed Resolution 20-2214 authorizing the continuance of the local disaster emergency declaration for an additional thirty (30) days; and

WHEREAS, on July 14th 2020, the City Council of the City of Meridian passed Resolution 20-2216 authorizing the continuance of the local disaster emergency declaration for an additional thirty (30) days; and

WHEREAS, it is deemed necessary by the Council of the City of Meridian to extend such local disaster emergency declaration for an additional thirty (30) days to provide for the ongoing response to the COVID-19 pandemic; and

WHEREAS, Section 67-2808, Idaho Code, authorizes the Council of the City of Meridian to declare an emergency authorizing the immediate expenditure of public money to safeguard life, health or property; and

WHEREAS, the Council of the City of Meridian deems it necessary for the health and safety of the citizens of the City of Meridian to continue the authorization for the immediate expenditure of public money to safeguard life, health and property;

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

Section 1. That the Declarations of Local Disaster Emergency pursuant to Resolutions 20-2195, 20-2203, 20-2210, 20-2214, and 20-2216 shall remain in effect for an additional period of thirty (30) days from the effective date of this Resolution unless terminated, modified or unless extended for thirty (30) day increments.

Section 2. That the continued immediate expenditure of public money to safeguard the life, health and property of the City of Meridian is hereby authorized for an additional thirty (30) day increment.

Section 3. That this Resolution shall be effective on August 14, 2020, and shall establish an uninterrupted period of Emergency Declaration from March 17, 2020 through midnight on September 12, 2020.

Section 4. That this resolution shall supersede and void all other resolutions, orders, or parts thereof that may conflict herewith.

Section 5. That a copy of this resolution shall be promptly filed with the Ada County Recorder.

ADOPTED by the Council of the City of Meridian, Idaho, this 11th day of August 2020.

APPROVED by the Mayor of the City of Meridian, this 11th day of August 2020.

ATTEST:

Robert E. Simison
Mayor

Chris Johnson
City Clerk

STATE OF IDAHO)
 : ss
County of Ada)

On this _____ day of _____, 2020, before me, a Notary Public, personally appeared **Robert E. Simison** and **Chris Johnson**, known or identified to me to be the Mayor and Clerk, respectively, of the City of Meridian, who executed the instrument or the person that executed the instrument of behalf of said City, and acknowledged to me that such City executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(SEAL)

Notary Public for Idaho
Residing at: _____
Commission expires: _____



AGENDA ITEM

ITEM **TOPIC:** AP Invoices for Payment - 07-30-20 - \$6,225.85

Item #14.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#251042 B.Caldwell Child Support July 2020	363.00
01	General Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#262519 T.Bryner Child Support July 2020	1,174.00
01	General Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#311213 M.Payne Child Support July 2020	317.00
01	General Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#321962 M.Gould Child Support July 2020	821.71
Total 01	General Fund			2,675.71
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#310074 B.Besson Child Support July 2020	400.00
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#326566 N.Howell Child Support July 2020	299.00
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#344238 B,Kerr Child Support July 2020	443.00
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#352719 B.Arte Child Support July 2020	349.00
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#352975 B.Blake Child Support July 2020	641.65
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#354376 M.Edwards Child Support July 2020	221.64
60	Enterprise Fund	IDAHO CHILD SUPPORT RECEIPTING	Case#412750 D. Patton Child Support July 2020	604.20
60	Enterprise Fund	IDAHO STATE TAX COMMISSION	Letter ID#L1704547008 D.Heaton #2375605	591.65
Total 60	Enterprise Fund			3,550.14
Report Total				6,225.85



AGENDA ITEM

ITEM **TOPIC:** AP Invoices for Payment - 07-31-20 - \$138,886.09

Item #15.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	ADA COUNTY PARAMEDICS	220/6 CPR & 6 First Aid cards, CPR program, city training	240.00
01	General Fund	ADA COUNTY SHERIFF'S OFFICE	Phone Translation Service June 2020	34.77
01	General Fund	AFLAC	July 2020 AFLAC	3,855.76
01	General Fund	ASHLEY HORVATH	Per Diem:A.Horvath Pendleton,OR,SRO Training, 8/2/20-8/7/20	302.50
01	General Fund	AT&T MOBILITY LLC	ATT First Net invoice 06/21 - 07/20/20	635.50
01	General Fund	BOE - Boise Office Equipment	XPN547404 Copier usage 6/22-7/21/2020 (Xerox 8N298)	1,233.38
01	General Fund	CENTURYLINK	CENTREX phone lines, Homecourt, FS #1 07/17 - 8/18/20	732.82
01	General Fund	D & B SUPPLY	Dog Food for K9 Tuso	44.99
01	General Fund	D & B SUPPLY	Dog Food for Tuso	44.99
01	General Fund	IAFF LOCAL 4627	#4627 Firefighters Dues July 2020	7,260.03
01	General Fund	IDAHO DEPARTMENT of LABOR	#0007001746 2nd Qtr 2020 Unemployment	15,137.90
01	General Fund	IDAHO POWER	Fire Department Power - July 2020	3,496.03
01	General Fund	JARED HAUSTVEIT	Per Diem:J.Haustveit Pendleton,OR,SROTraining, 8/2/20-8/7/20	302.50
01	General Fund	JOHNSON CONTROLS FIRE PROTECTION LP	20-0054 Sprinkler Test and Inspect Fire Safety Center	159.00
01	General Fund	KB PRINTS	Police Academy Shirts	363.00
01	General Fund	LEVEL 3 COMMUNICATIONS, LLC.	Level 3 Communications Telephone, 6/17 - 8/16/20 268238	1,000.33
01	General Fund	M2M WIRELESS	Parks Modem Service 06/17-07/16/20 Qty 32	364.23
01	General Fund	NATIONWIDE RETIREMENT SOLUTIONS, INC	July 2020 Pre Tax Contributions 457	43,358.81
01	General Fund	NATIONWIDE RETIREMENT SOLUTIONS, INC	July 2020 ROTH Contributions	13,151.52
01	General Fund	THE UPS STORE	Postage to Send Evidence to Lab	59.77
01	General Fund	UNITED WAY OF TREASURE VALLEY	#17426 July 2020 Contributions	143.34
01	General Fund	VERIZON FINANCIAL SERVICES, LLC. BELLEVUE	965467287-00001 Data Plan #1, 6/21 - 7/20/20	2,046.68
01	General Fund	VERIZON FINANCIAL SERVICES, LLC. BELLEVUE	965467287-00002 Cellphones - 6/21 - 7/20/20	8,825.04
01	General Fund	VERIZON FINANCIAL SERVICES, LLC. BELLEVUE	965467287-00003 Data Plan #2 - 6/21 - 7/20/20	1,004.55
01	General Fund	VISION SERVICE PLAN	Client#30044489 - July 2020 Premiums	4,558.34
01	General Fund	WSCFF EMPLOYEE BENEFIT TRUST	July 2020 MERP Contributions	8,200.00
Total 01	General Fund			116,555.78

Item #15.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
60	Enterprise Fund	AFLAC	July 2020 AFLAC	547.40
60	Enterprise Fund	CENTURYLINK	CENTREX phone lines, Homecourt, FS #1 07/17 - 8/18/20	624.00
60	Enterprise Fund	IDAHO DEPARTMENT of LABOR	#0007001746 2nd Qtr 2020 Unemployment	78.87
60	Enterprise Fund	IDAHO POWER	2225423496 WWTP McDermott & McMillan Sewer Lift 7/20	4,469.56
60	Enterprise Fund	JOHNSON CONTROLS FIRE PROTECTION LP	20-0054 Fire Alarm Monitoring Blackrock Booster St. to 6/30	45.83
60	Enterprise Fund	MY RENT LLC	REFUND WT/S/T: 4664 N DYVER AVE RENTER AND PROP MGMT PAID FI	34.21
60	Enterprise Fund	NATIONWIDE RETIREMENT SOLUTIONS, INC	July 2020 Pre Tax Contributions 457	5,732.81
60	Enterprise Fund	NATIONWIDE RETIREMENT SOLUTIONS, INC	July 2020 ROTH Contributions	2,681.87
60	Enterprise Fund	UNITED WAY OF TREASURE VALLEY	#17426 July 2020 Contributions	35.00
60	Enterprise Fund	VERIZON FINANCIAL SERVICES, LLC. BELLEVUE	965467287-00001 Data Plan #1, 6/21 - 7/20/20	3,451.40
60	Enterprise Fund	VERIZON FINANCIAL SERVICES, LLC. BELLEVUE	965467287-00002 Cellphones - 6/21 - 7/20/20	2,868.80
60	Enterprise Fund	VERIZON FINANCIAL SERVICES, LLC. BELLEVUE	965467287-00003 Data Plan #2 - 6/21 - 7/20/20	136.60
60	Enterprise Fund	VISION SERVICE PLAN	Client#30044489 - July 2020 Premiums	1,623.96
Total 60	Enterprise Fund			22,330.31
Report Total				138,886.09



AGENDA ITEM

ITEM TOPIC: AP Invoices for Payment - 08-12-20 - \$546,760.96

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	ADVANCE AUTO PARTS	edger belt for Storey Park - qty 2	8.37
01	General Fund	ADVANCE AUTO PARTS	grommets for dump trailer - qty 1	4.16
01	General Fund	ADVANCE AUTO PARTS	hydraulic oil for ball field groomer - qty 1	48.75
01	General Fund	ADVANCE AUTO PARTS	spark plugs for mule #5 - qty 3	10.77
01	General Fund	ADVANCE AUTO PARTS	spark plugs for small engines - qty 7	16.94
01	General Fund	ALCOHOLICS ANONYMOUS H&I BOB RECORDS	REFUND: SUMMER EVENT CANCELLED DUE TO COVID	300.00
01	General Fund	AUTOMATED OFFICE SYSTEMS	Kyocera Cs5053ci click fees 6/14-7/13/20; SN 004635	237.45
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Atreetlight Repair for Pole #29322B on 7/20/20	144.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair for Pole # 29531C on 7/20/20	558.55
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 10808 on 7/20/20	65.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 30146C on 7/20/20	238.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 30164C on 7/20/20	94.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 40814C on 7/20/20	284.50
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 40941C on 7/20/20	196.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 51600C on 7/20/20	54.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 52663C on 7/20/20	65.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole # 52664C on 7/20/20	65.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	20-0012 Streetlight Repair Pole #5714B on 7/20/20	129.00
01	General Fund	BERRY ELECTRICAL SERVICES, INC.	NO PO Stlt Repair Pole #40011C Damage Claim	8,864.00
01	General Fund	BOE - Boise Office Equipment	CN28973-01 220/ Maint. Fee Charged per copy 6/25-7/24/20	130.21
01	General Fund	BOISE FITNESS EQUIPMENT	Repair BH Treadmill_City Hall Gym	45.00
01	General Fund	BOISE SOFTBALL UMPIRES ASSOC.	20-0231 softball umpires 7/13-7/17/20 - qty 46 games	1,329.40
01	General Fund	BOISE SOFTBALL UMPIRES ASSOC.	20-0231 softball umpires 7/20-7/24/20 - qty 50 games	1,445.00
01	General Fund	BOISE SOFTBALL UMPIRES ASSOC.	20-0231 softball umpires 7/6-7/10/20 - qty 49 games	1,522.81
01	General Fund	BRANDON MEDICA	Education Reimbursement B.Medica Jan-May2020	1,050.00
01	General Fund	BRUNEEL TIRE OF MERIDIAN LLC	Alignment for Unit # 11	63.00
01	General Fund	BRUNEEL TIRE OF MERIDIAN LLC	Battery for Unit # 144	162.00
01	General Fund	BRUNEEL TIRE OF MERIDIAN LLC	HVAC Blower Motor & Resistor for Unit # 160	377.72
01	General Fund	BRUNEEL TIRE OF MERIDIAN LLC	Vehicle #1 Maintenance/Tire Rotation & Oil Change C20826	54.99
01	General Fund	BRUNEEL TIRE OF MERIDIAN LLC	Vehicle #7 Maintenance/Tire Rotation & Oil Change C21130	54.99
01	General Fund	BSN SPORTS, INC.	volleyball storage rack - qty 3	278.95
01	General Fund	BUILDING BLOCKS IDAHO	imstructor fee-Lego EV3 Mindstorm Battle Bots 7/20-7/24/20	780.00
01	General Fund	CINTAS	First Aid Kit Maintenance	165.38

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	CITY OF BOISE ATTORNEYS OFFICE	PO# 20-0032 FY20 Pros & Criminal Legal Services August 2020	41,844.02
01	General Fund	D & B SUPPLY	Dog Food for K9 Tuso	89.98
01	General Fund	D & B SUPPLY	work boots for J Aldrich - qty 1 pair	167.99
01	General Fund	DAVID EPLEY & ASSOCIATES	Paint wall after Window Reseal, North Stairwell	1,775.00
01	General Fund	DISTINCTIVE MILLWORK & SPEC	Repaired Laminate Counters @ PSTC	381.00
01	General Fund	ELECTRICAL WHOLESALE SUPPLY CO	150 SYL FO32/835/Eco Octron Flou 21779	300.00
01	General Fund	ELECTRICAL WHOLESALE SUPPLY CO	220/ Balasts(5), Sta. 5, Building Mntc	95.95
01	General Fund	ELECTRICAL WHOLESALE SUPPLY CO	30 SYL FO32/835/Eco Octron Flou 21779	180.00
01	General Fund	ELECTRICAL WHOLESALE SUPPLY CO	60 SYL FO32/835/Eco Octron Flou 21779	120.00
01	General Fund	ELECTRICAL WHOLESALE SUPPLY CO	photo cell for Lanark Parks Shop - qty 2	41.05
01	General Fund	ERS, EMERGENCY RESPONDER SERVICES, INC.	Battery Isolator for SWAT Van Unit # 37	56.99
01	General Fund	ERS, EMERGENCY RESPONDER SERVICES, INC.	Power Distribution Relay Replaced, Wiring Repair #522	131.25
01	General Fund	ERS, EMERGENCY RESPONDER SERVICES, INC.	Prisoner Seatbelts Replaced	418.48
01	General Fund	FIRE & ICE POTTERY STUDIO	canvas painting camp activity - qty 27	295.00
01	General Fund	FIRE & ICE POTTERY STUDIO	Siena canvas painting class for summer camp - qty 27	295.00
01	General Fund	FOUR SEASONS SPA & POOL	REFUND: MOVIE NIGHT SPONSORSHIP CANCELLED DUE TO COVID	535.00
01	General Fund	FREDERICK L SCOTT	New Hire Police Academy Training Role Player	112.50
01	General Fund	GEM STATE PAPER & SUPPLY CO	20-0018 20 cs enmotion towels	1,031.00
01	General Fund	GEM STATE PAPER & SUPPLY CO	hand sanitizer - qty 3 cases	140.70
01	General Fund	GEM STATE PAPER & SUPPLY CO	No PO 10 cs Purell Advanced hand sanitizers 8 oz bottles	457.20
01	General Fund	GLASS DOCTOR	Rock Chip Repair for Unit # 105	39.95
01	General Fund	GLASS DOCTOR	Rock Chip Repair for Unit # 20	39.95
01	General Fund	GRAINGER	220/ Janitorial, Sta. 6 - Spray Bottles(4)	40.52
01	General Fund	GRAINGER	220/mop, dust pan, handle, broom, janitorial	143.68
01	General Fund	GRAINGER	220/wasp spray, brush, shop supplies	11.03
01	General Fund	H.D. FOWLER COMPANY	credit on overcharge reference invoice I5525686	(18.00)
01	General Fund	H.D. FOWLER COMPANY	Hunter PGJ sprinklers for Heroes Park - qty 25	239.50
01	General Fund	H.D. FOWLER COMPANY	irrigation PVC couplings for Tully Park - qty 50	18.00
01	General Fund	H.D. FOWLER COMPANY	PVC couplings for Tully Park (overcharged)	18.00
01	General Fund	HACH COMPANY	chlorine analyzer parts & reagents for Generations Plaza x 9	843.17
01	General Fund	HACH COMPANY	sulfuric acid for Generations Plaza - qty 1	24.12
01	General Fund	HOME DEPOT CREDIT SERVICES	220/ Workbench project, Sta. 1	30.10
01	General Fund	HOME DEPOT CREDIT SERVICES	Supplies to Attach Bean Bag Mag to Rifle Mount	8.19

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	HORIZON DISTRIBUTORS INC	sprinkler head trimmer - qty 3	100.47
01	General Fund	IDAHO HUMANE SOCIETY	20-0057 FY20 ID Humane Society Animal Cont Services AUG. 20	43,378.00
01	General Fund	IDALOHA INC	20-0172 pay #2 for curtain divider materials, labor, install	22,412.78
01	General Fund	INTERMOUNTAIN DESIGN, INC	desktop for workstation #2	386.64
01	General Fund	INTERMOUNTAIN DESIGN, INC	Furniture Credit for Faulty Drawer	(125.00)
01	General Fund	JAYKER WHOLESALE NURSERY	discount credit reference invoice 000015873	(124.72)
01	General Fund	JAYKER WHOLESALE NURSERY	discount credits for tree purchases	(824.09)
01	General Fund	JAYKER WHOLESALE NURSERY	trees for Keith Bird Legacy Park - qty 10	2,556.50
01	General Fund	JEFF YARNALL	REFUND: MOVIE NIGHT SPONSORSHIP CANCELLED DUE TO COVID	2,250.00
01	General Fund	JENNIFER POTCHER	New Hire Police Academy Training Role Player	112.50
01	General Fund	JENSEN BELTS ASSOC	20-0286 prof svcs S Slough Path design development 7/13/20	16,101.25
01	General Fund	KATHRYN GRACE MARTIN	New Hire Police Academy Training Role Play	112.50
01	General Fund	KB FABRICATION & WELDING INC.	220/Fire Education Van rack, welded to vehicle VIN464545	295.00
01	General Fund	KB FABRICATION & WELDING INC.	220/workbench project, ST. 1, bldg mtnc	480.63
01	General Fund	KNIGHT TECHNOLOGY GROUP & KATELYN MCLEOD	20-0319 Cisco Catalyst 3850-12XS-E Switch - L3 - Managed, Ci	16,442.26
01	General Fund	L.N. CURTIS AND SONS	220/ Pants (1) - Fedrizzi	85.00
01	General Fund	L.N. CURTIS AND SONS	Field Force Equipment	910.40
01	General Fund	LASASCO INC.	Laptop Mount for Crimes Car & a Spare Mount	219.00
01	General Fund	LAWN CO MAINTENANCE	misc sprinkler repairs & pest spraying at contracted sites	1,580.01
01	General Fund	LAWN CO MAINTENANCE	tree plantings at Keith Bird Legacy Park - qty 10	1,500.00
01	General Fund	LAWN EQUIPMENT COMPANY	Fuller Park Hustler mower belt - qty 1	90.88
01	General Fund	LES SCHWAB TIRE CENTER	Storey Park Grasshopper tire repair	45.49
01	General Fund	LIFEMED SAFETY, INC	220/AED for New Pub Ed Van	1,951.70
01	General Fund	LOWE'S	220/tools for Public Ed Van	10.88
01	General Fund	LUCKY J EXCAVATION	Weed Abatement for 3626 E. Presidential	325.00
01	General Fund	MERIDIAN VETERINARY CLINIC	Medication for K9 KB	63.50
01	General Fund	METROQUIP, INC.	hose fittings for Discovery Park pressure washer - qty 3	16.09
01	General Fund	MINUTEMAN, INC.	220/ Keys for aquired structure (3)	7.50
01	General Fund	MINUTEMAN, INC.	broken key repair on chase door at Kleiner Park	105.00
01	General Fund	MOTIONS DANCE STUDIO	instructor fee-Princess,Mermaid,Unicorn,FairyDance 7/13-7/17	60.00
01	General Fund	NEW HORIZON ACADEMY	REFUND: MOVIE NIGHT SPONSORSHIP CANCELLED DUE TO COVID	535.00

Item #16.

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	OFFICE DEPOT, INC.	Badge holders qty 5; Notebooks - 2 packs	37.55
01	General Fund	OFFICE DEPOT, INC.	batteries qty. 6 packs	54.50
01	General Fund	OFFICE DEPOT, INC.	Keyboard/Mouse combo - 2; dry erase markers - 3; legal pads	59.33
01	General Fund	OFFICE DEPOT, INC.	Office Supplies/Planning Keyboard M Carson;Com Dev Inventory	75.20
01	General Fund	OVERHEAD DOOR COMPANY	220/ Replaced Coils on door on East side	237.20
01	General Fund	RESERVE ACCOUNT	20474979 Postage Use, July 2020	1,118.30
01	General Fund	REVVED UP MOTORSPORTS	Front Brakes & Front Tire for Unit #522	241.99
01	General Fund	ROCKY MTN TOWING	Evidence Tow, DR# 20-4296	117.50
01	General Fund	ROCKY MTN TOWING	Unit 142 Breakdown, tow to Bruneel	67.50
01	General Fund	ROGERS TIRE PROS AND AUTO CARE	Front End Alignment	85.00
01	General Fund	SAFEBUILT LLC	20-0095 Bldg & Mech Plan Review 6/2020	126,901.86
01	General Fund	SALT LAKE WHOLESALE SPORTS	20-0344 FY20 2nd Ammunition order	7,522.36
01	General Fund	SILVER CREEK SUPPLY	IQ cell cartridges for all parks - qty 12	905.52
01	General Fund	SILVER CREEK SUPPLY	sprinklers for various parks - qty 36	1,059.84
01	General Fund	SMITH POWER PRODUCTS INC	220/ MF040 Coolant leak	106.00
01	General Fund	STEELMAN PLUMBING	Water Line Leak Repair @ K9 Building	1,582.00
01	General Fund	STERLING LANDSCAPE DESIGN & CONSTRUCTION	tree pruning maintenance for Fire Station #2 - qty 1 hr	1,200.00
01	General Fund	SUNROC CORPORATION	road mix for Kleiner Park pathways - qty 43.34 tons	554.20
01	General Fund	T-ZERS SHIRT SHOP, INC	I38 shirts with logo and 2 black down coats	1,040.00
01	General Fund	Tami J Leach	instructor fee - Pickleball 6/25-7/16/20 - qty 4	288.00
01	General Fund	TATES RENTS (GENERAL OFFICE)	trencher for Tully Park 7/14/20	75.00
01	General Fund	TEX TRAIL	box trailer u-bolts & spring bolts - qty 13	14.10
01	General Fund	TEX TRAIL	leaf springs for blue trailer - qty 2	29.02
01	General Fund	TREASURE VALLEY STEEL, INC.	metal for Bear Creek Park dugout roofs - qty 55 ft	118.25
01	General Fund	TREASURE VALLEY TENNIS ASSOCIATION	instructor fee - Tennis 7/7-7/16/20 - qty 78	1,996.80
01	General Fund	UNITED HERITAGE INSURANCE	FICA Third Party STD Benefit Payment Qtr Ending 06/30/20	347.25
01	General Fund	USSSOA	20-0048 volleyball officials for games 7/13-7/17/20 - qty 37	843.41
01	General Fund	USSSOA	20-0048 volleyball officials for games 7/20-7/24/20 - qty 39	889.00
01	General Fund	USSSOA	20-0048 volleyball officials for games 7/6-7/10/20 - qty 40	911.79
01	General Fund	VERMEER ROCKY MOUNTAIN, INC.	pole saw parts - qty 4	127.80
01	General Fund	VERMEER ROCKY MOUNTAIN, INC.	stump grinder for various parks 7/14/20	200.00
01	General Fund	VICTORY GREENS	sod for Fuller Park - qty 30 SF	8.70

City Of Meridian
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Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
01	General Fund	VIKING INDUSTRIAL SYSTEMS	tank lid for mobile pressure washer - qty 1	39.09
01	General Fund	WEIDNER & ASSOCIATES	220/20 Streamlight Survivor lights, 2 charge cords	1,989.92
01	General Fund	WIMAN CORPORATION	dog waste bags - qty 511,980	10,242.62
01	General Fund	YESCO	flagpole repairs at Tully Park	2,536.82
01	General Fund	YOUNG REMBRANDTS	instructor fee - African Safari, Drawing/Cartoon 7/13-17/20	1,152.00
Total 01 General Fund				344,584.85
60	Enterprise Fund	ADA COUNTY HIGHWAY DISTRICT	19-0303,19-0410 ACHD-Linder-Ustick-McMillian Svc to 7/22/20	7,748.97
60	Enterprise Fund	ADA COUNTY HIGHWAY DISTRICT	20-0243 ACHD-Meridian-Cherry-Ustick Util. Impvmt Svc 2/13/20	59,152.46
60	Enterprise Fund	AIR FILTER SUPERSTORE WHOLESAL LLC	HVAC Filters for Well Sites, Qty 16	76.24
60	Enterprise Fund	AIR FILTER SUPERSTORE WHOLESAL LLC	HVAC Filters for Well Sites, Qty 6	27.18
60	Enterprise Fund	AQUA-AEROBIC SYSTEMS, INC	Drive wheel for filter 3 stock (1 qty)	675.41
60	Enterprise Fund	BADGER CONCRETE CONSTRUCTION LLC	Concrete Prep Work for Overland Rd, WO#302589	1,800.00
60	Enterprise Fund	BADGER CONCRETE CONSTRUCTION LLC	Concrete Work for Hickory Avenue Mainbreak, WO#299703	4,500.00
60	Enterprise Fund	BRUNEEL TIRE OF MERIDIAN LLC	Land Development Vehicle Maintenance/ Oil Change C14420	49.99
60	Enterprise Fund	CAROLYN & LANE CORLESS	REFUND WT/S/T: 368 E MOSKEE ST CUSTOMER PAID AFTER CLOSING	37.67
60	Enterprise Fund	CARRIER CORP	Labor & parts to repair HVAC boiler 2 in Admin bldg (11 hrs)	1,505.00
60	Enterprise Fund	CDW GOVERNMENT	Laptop mount	255.93
60	Enterprise Fund	COMMERCIAL TIRE	4 tires & wheel balance for D. Heaton vehicle, PIP05, C18640	565.48
60	Enterprise Fund	COMMERCIAL TIRE	4 tires & wheel balance, LOF 5W30 oil B. Standley PIP07	721.94
60	Enterprise Fund	COMMERCIAL TIRE	Tire and blance for M. Jones vehicle, PIP01, C19841	213.74
60	Enterprise Fund	CORE & MAIN LP	Brass Nipple, Qty 4, WO#302590	25.32

City Of Meridian
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Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
60	Enterprise Fund	CORE & MAIN LP	PVC flange & coupler for TWAS pipe repair (3 qty)	138.30
60	Enterprise Fund	D & B SUPPLY	Pressure/Flow Gauge Assembly Kits, Qty 13	105.86
60	Enterprise Fund	D & B SUPPLY	Removable Trailer Jack Sand Shoe, Side Wind Afram 5000lb	44.78
60	Enterprise Fund	DUBOIS CHEMICALS INC	20-0002 Ferric chloride (43,240 lbs)	7,394.04
60	Enterprise Fund	DUBOIS CHEMICALS INC	20-0009 Defoamer tote (2,200 lbs)	2,640.00
60	Enterprise Fund	EDGE ANALYTICAL, INC.	IPDES testing (1 test)	194.00
60	Enterprise Fund	EDGE ANALYTICAL, INC.	IPDES Testing (2 tests)	223.00
60	Enterprise Fund	ESTATE OF LAWRENCE SWISHER C/O NORA SWISHER	REFUND WT/S/T: 2929 N BOULDER CREEK AVE CUSTOMER PAID AFTER	38.40
60	Enterprise Fund	ESTATE OF LINDA ALLEN	REFUND WT/S/T: 2356 N AMETHYST AVE TITLE COMPANY OVERPAID	37.67
60	Enterprise Fund	EUROFINS EATON ANALYTICAL LLC	PO#20-0019, OCCT Pilot Study @ Well 19	922.00
60	Enterprise Fund	FERGUSON ENTERPRISES INC.	Bushing, Coupler, Adapter, Victory Injection Relocate, Qty 3	27.17
60	Enterprise Fund	FERGUSON ENTERPRISES INC.	Couplers, Grundfos Pump Head, Qty 6	3,767.76
60	Enterprise Fund	FERGUSON ENTERPRISES INC.	Dbl Hex Nipple, Hydrant Meter Parts, Qty 10	309.60
60	Enterprise Fund	FERGUSON ENTERPRISES INC.	Grate lid for manhole in front of Collections garage (1 qty)	139.04
60	Enterprise Fund	FERGUSON ENTERPRISES INC.	PO#20-0309, 3in Hydrant Meter, Replacement Meters, Qty 3	4,135.44
60	Enterprise Fund	FIRE EXTINGUISHER CO	FY20 Extinguisher Annual Inspection	1,036.00
60	Enterprise Fund	FISHER SCIENTIFIC	Eye wash refill bottles, weigh boats (8 qty)	308.14
60	Enterprise Fund	GRAINGER	Camlok coupler & antifreeze injector cleaner (6 qty)	73.26
60	Enterprise Fund	GRAINGER	Freezer packs (2 qty)	35.28
60	Enterprise Fund	HACH COMPANY	Calibration standard for turbidimeter (1 qty)	410.04

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Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
60	Enterprise Fund	HACH COMPANY	Mono-Chlor, F&T Ammonia, Dissolved Iron, Orthophosphate Chemkey	781.38
60	Enterprise Fund	HACH COMPANY	Nitrate test kits (4 qty)	244.98
60	Enterprise Fund	IDAHO POWER	2202131047, WWTP Power - July 2020	54,975.95
60	Enterprise Fund	IDAHO POWER	2205167097 WWTP Power - Liftstations - JULY 2020	4,499.31
60	Enterprise Fund	IDAHO TOOL & EQUIPMENT	Hammer, Chisel, Sckt Set, Chain Vise, Pipe Wrnch, Qty 8	821.93
60	Enterprise Fund	JOSE DE LEON	REFUND WT/S/T: 4943 W CHARLES ST TITLE COMPANY OVERPAID	77.48
60	Enterprise Fund	JUB ENGINEERS	19-0373 ACHD-Eagle-Amity-Victory Water Impvmt Svc to 6/30/20	5,408.30
60	Enterprise Fund	JUB ENGINEERS	20-0215 Well 31 Water Treatment Facility - Concept D FINAL	1,213.30
60	Enterprise Fund	KELLER ASSOCIATES, INC.	20-0053 Well 18 Water Trtmt Svc to 6/30/20	4,363.75
60	Enterprise Fund	LAWN CO MAINTENANCE	Pruning trees & leave cleanup at Landing & McCaile	135.00
60	Enterprise Fund	LAYNE of IDAHO, INC.	No PO Well 17 Water Treatment Pump & Motor Pull Svc 6/30/20	2,500.00
60	Enterprise Fund	MADDYN HOMES LLC	REFUND: WARRANTY SURETY DEPOSIT HAMELIN VILLAGE	4,557.00
60	Enterprise Fund	MARK ANDERSON	reimburse M.Anderson CDL License Class A test fee	260.00
60	Enterprise Fund	McCALL INDUSTRIAL	Elbow, nipple, coupling, & bushing (24 qty)	138.72
60	Enterprise Fund	McCALL INDUSTRIAL	SS ball valves, elbows, nipple, bell reducers, (64 qty)	614.52
60	Enterprise Fund	METROQUIP, INC.	Hydrant Flow Control Valve, Qty 8	260.32
60	Enterprise Fund	METROQUIP, INC.	Swival joint, nozzles, overhaul kit, descaling head (18 qty)	2,201.72
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Epoxy for repairing diesel tanks (8 qty)	727.01
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Gloves (17 qty) & HVAC air filters (11 qty)	801.59
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Grease fittings for grit room valves (3 qty)	117.87

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Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Polyprop camgrove coupler (2 qty)	43.66
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Primer for repairing diesel fuel tanks (4 qty)	38.52
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Replacement labels for onsite diesel tanks (5 qty)	87.11
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Rings to attach wrenches to blowers for filter cleaning (33	53.72
60	Enterprise Fund	MSC INDUSTRIAL SUPPLY CO.	Slip on cowhide drivers gloves, nitrile gloves (32 qty)	514.84
60	Enterprise Fund	MURRAYSMITH INC	19-0389 WtrMain Replcmt Hickory-Pine-Fairview Svc to 6/30/20	622.50
60	Enterprise Fund	MYFLEETCENTER.COM	Oil change for Lab vehicle C19577	55.19
60	Enterprise Fund	O'REILLY AUTO PARTS	Protectant & cloth for Ops/Maint vehicles (2 qty)	11.98
60	Enterprise Fund	O'REILLY AUTO PARTS	Trailer Plug Adapter for Hydrant Truck, Qty 1	12.99
60	Enterprise Fund	O'REILLY AUTO PARTS	Windshield wiper fluid & windshield cleaner (7 qty)	33.43
60	Enterprise Fund	OFFICE TEAM	PW Temp Receptionist: J. Jorsey in Week Ending 07/17/20	400.95
60	Enterprise Fund	OXARC, INC.	PO#20-0342, Sodium Hypochlorite,Well 30,27,19,20,11,VR,28,22	7,050.05
60	Enterprise Fund	PACIFIC STEEL & RECYCLING	Freight charges for inv#7301866	25.18
60	Enterprise Fund	PACIFIC STEEL & RECYCLING	I beam for fabricating mounts for UV temp sensor (1 qty)	256.95
60	Enterprise Fund	PACIFIC STEEL & RECYCLING	Steel to install adjustable pressure relief valve (2 qty)	153.77
60	Enterprise Fund	PENN VALLEY PUMP CO	Parts & labor to rebuild/repair PVP HP switch @ primary	817.00
60	Enterprise Fund	PLATT ELECTRIC SUPPLY	Parts to replace electrical for blower upgrades (80 qty)	211.82
60	Enterprise Fund	POSTNET	Backflow July 1st Past Due Letters, Batch 1053,Qty1,130	352.45
60	Enterprise Fund	PRECISION EQUIPMENT REPAIR	Labor & parts for generator service on CCTV Van 1 C16415	251.07
60	Enterprise Fund	PRECISION EQUIPMENT REPAIR	Labor & parts for generator service on CCTV Van 2 C19267	240.94

City Of Meridian
Invoices Selected for Payment - Invoices for Payment - Eunice

Fund Code	Fund Title	Vendor Name	Invoice/Credit Description	Invoice Amount
60	Enterprise Fund	RESERVE ACCOUNT	20474979 Postage Use, July 2020	161.05
60	Enterprise Fund	RICK MURRAY	REIMBURSEMENT, R. MURRAY, WASTEWATER COLLECTIONS IV EXAM & F	117.00
60	Enterprise Fund	ROCKY MOUNTAIN VALVES & AUTOMATIONS, INC.	Check valve for recirc line in reuse (1 qty)	2,326.94
60	Enterprise Fund	ROGERS TIRE PROS AND AUTO CARE	Labor & parts to put new rear tires on forklift	285.34
60	Enterprise Fund	SPECIALTY PLASTICS & FAB, INC	Bushing, adapter, cap, coupler, elbow, tee, nipple, spigot	151.43
60	Enterprise Fund	SPECIALTY PLASTICS & FAB, INC	Parts for Victory Reservoir CL2 Injector Relocation, Qty 56	149.41
60	Enterprise Fund	SPECIALTY PLASTICS & FAB, INC	PVC spigot (4 qty)	8.12
60	Enterprise Fund	THE BRYAN YAGER GROUP, LLC	20 leadership books for WDP training, Nov - S. Deardorff	430.00
60	Enterprise Fund	UNITED HERITAGE INSURANCE	FICA Third Party STD Benefit Payment Qtr Ending 06/30/20	321.53
60	Enterprise Fund	UNITED OIL	Diesel for plant (1,830 gal)	2,889.57
60	Enterprise Fund	WESTERN STATES EQUIPMENT CO	Replacement horn for front end loader (1 qty)	66.36
Total 60	Enterprise Fund			202,176.11
Report Total				546,760.96



AGENDA ITEM

ITEM TOPIC: License and Management Agreement Between Western Ada Recreation District and the City of Meridian for Maintenance and Operation of Lakeview Golf Course

**LICENSE AND MANAGEMENT AGREEMENT
BETWEEN
WESTERN ADA RECREATION DISTRICT
AND
THE CITY OF MERIDIAN
FOR MAINTENANCE AND OPERATION OF
LAKEVIEW GOLF COURSE**

THIS AGREEMENT (the “Agreement”) made and entered into this _____ day of _____, 2020, by and between the Western Ada Recreation District, a Recreation District created and organized under Title 31, Chapter 43 of the Idaho Code (“District”), and the City of Meridian, an Idaho municipal corporation (“City”).

WHEREAS, City owns real property located at 4200 W Talamore Boulevard in Meridian, which is currently developed as an 18 hole public golf course, driving range, pro shop, restaurant and related facilities known as the Lakeview Golf Course (the “Facility”).

WHEREAS, the Facility is currently under lease by the City to Lakeview Meridian Investors, LLC, (the “Leasehold Owners”).

WHEREAS, the Leasehold Owners’ use of the Facility is pursuant to a certain Agreement of Lease between the City of Meridian and Cherry Lane Recreation, Inc. dated August 13, 1999, which was assigned to the Leasehold Owners in an Assignment of Lease and Amended Lease Agreement between Leasehold Owners, as Lessee, and the City of Meridian, as Lessor, dated May 17, 2005 (all collectively referred to as the “Lease”).

WHEREAS, District is currently under contract or will be under contract to purchase the assets of the Leasehold Owners, including their interest in the Lease, the leasehold improvements, and certain assets, properties and contractual rights used in connection with the operation of the golf course.

WHEREAS, City intends to agree to an assignment of the Lease to District at such time that the purchase of the assets of the Leasehold Owners is completed.

WHEREAS, City has proven experience at successfully and efficiently operating, maintaining, and programming public recreation facilities across the City.

WHEREAS, District is interested in entering into a partnership with City to support the efficient operation of Lakeview into the future.

WHEREAS, District is willing, upon certain terms and conditions, to license the Facility to City for the purposes stated herein for a period of time defined within this Agreement.

NOW, THEREFORE, the parties hereto agree as follows:

A. GRANT OF LICENSE

For and in consideration of promises contained herein, and other good and valuable consideration, District hereby gives and grants to City the non-exclusive right, privilege and license to maintain and operate the Facility.

B. TERM OF AGREEMENT

The term of this Agreement commences on October 9, 2020 and ends on September 30, 2023 unless the parties mutually agree on an extension or early termination of this Agreement. City’s agreement to continue its obligations under this Agreement shall be contingent on the City Council’s appropriation of the funds necessary to operate and maintain the Facility.

C. MASTER PLAN FOR OPERATIONS, IRRIGATION AUDIT, AND WATER RIGHTS RESEARCH

City and District will endeavor to retain the services of a consultant or consultants to prepare (1) a Master Plan for the Operation of the Facility, (2) an Audit of the state of the Irrigation System including recommendations for extent and timing of any required repair or replacement of the irrigation system, and (3) Water Rights Research and filing of paperwork with the Idaho Department of Water Resources as necessary to assure that the water rights associated with the facility are fully secured. District agrees to contract directly with the mutually selected consultant(s) and District agrees to pay up to a combined total of \$65,000 for such consulting services and deliverables. Subject to mutual agreement, the parties may negotiate for additional funds based on actual quotes for the work.

D. USE OF LICENSED PREMISES

City or its assignee(s) shall be licensed to operate and maintain the Facility in a manner consistent with other municipal golf course facilities.

E. MAINTENANCE AND OPERATION OF THE FACILITY

City’s maintenance and operation of the Facility during the term of this Agreement shall be consistent with the terms of the Lease agreement dated May 17, 2005 referred to in the premises (the “whereas clauses”) and incorporated herein by this reference. Specifically, City’s (or City’s assignee(s)) obligations shall include but are not limited to the following Service Obligations:

1. Golf Services.

City is hereby authorized to grant tee times to the general public on a fair and equitable basis, sell, rent, store and/or repair golf equipment; sell golf related clothing and supplies; provide instructional services in the playing of golf; rent power-driven golf cars and manually operated golf carts.

2. Junior Golf Program.

City shall participate in the promotion of a Junior Golf Program. The City will coordinate with schools for instructional use, team practice, matches and tournaments.

3. Food and Beverage Services.

City or its assignee is hereby authorized to sell food and beverages, including alcoholic beverages, within the restaurant. City or its assignee must obtain and maintain all City, State and Federal licenses and certificates necessary to operate the food and beverage services in accordance with business and health standards. All employees must be able to meet such associated standards as well. City or its assignee may operate the restaurant facility so as to maintain hours of service in conjunction with all regular golf course activities, including regularly or specially scheduled tournaments. The restaurant may be operated at additional times, so long as it complies with all laws and regulations applicable thereto. City or its assignee may install and maintain, at their own expense, all equipment necessary to operate a food and beverage service. City or its assignee shall provide and maintain the necessary inventory of food and beverage products required to satisfy the public demand thereof.

4. Liquor License.

The Idaho State Retail by the Drink License to be included in the sale of golf course assets to District shall be retained in the ownership of the District during the term of this Agreement unless otherwise agreed by the Parties. District shall cooperate with City or City's assignee to utilize the License in connection with the food and beverage services at the Facility.

5. Building and Equipment Maintenance Services.

City shall, at his expense, keep and maintain the premises and all buildings, structures, improvements, fixtures, trade fixtures, golf course maintenance equipment and use equipment, including power-driven golf cars and manually operated golf carts, office equipment, and utility systems which may now or hereinafter exist thereon, in good, operable, usable and sanitary order and repair and in a good, safe condition, ordinary wear and tear excepted, throughout the term of this Agreement. City's obligation to maintain equipment shall apply whether the equipment is owned by City or District, including equipment subject to lease agreements held by District. At such time that equipment owned by District has reached the end of its useful life, City shall cooperate with District to declare such items as surplus equipment or otherwise lawfully dispose of such depleted equipment. City, at its sole expense, shall be responsible for replacing any depleted equipment and City shall be responsible for procuring any additional equipment that City deems necessary to meet its maintenance and operations requirements under this Agreement.

6. Grounds Maintenance Requirements.

City is hereby required to provide grounds maintenance services, including, but not limited to, the obligation to mow, edge, trim, overseed, fertilize, aerate, irrigate, sod, change cups, service tees, topdress, raise divots, rake traps, spray, mop, spot irrigate, syringe, and renovate turf and shrub areas designated hereunder; as well as to provide weed, disease and pest control, tree maintenance, maintenance of irrigation system

including mainlines, pumps, boosters and controllers, keep swales in good repair and to provide the necessary maintenance of any appurtenant structures and equipment, and other duties as deemed necessary by City.

7. Irrigation System.

City shall use its best efforts to maintain and operate the golf course irrigation system in its current state. Upon receipt of the Irrigation System Audit, City and District shall confer and agree upon the best course of action for the long term maintenance and repair of the irrigation system. Neither City nor District have any obligation for the long term maintenance and repair of the irrigation until agreed to in writing.

8. Staff and Employment Practices.

During the term of this Agreement, City intends to maintain an adequate and proper staff to support its maintenance and operations obligations under this Agreement. City may hire staff directly as City employees, or City may manage staff employed by an independent staffing agency, or some combination thereof.

9. Utilities and Irrigation Assessments.

At the commencement of the term of this Agreement, the City shall provide for the transfer of all applicable utility and telephone accounts to City accounts, and thereafter shall provide and pay for any necessary utilities, telephone service, and irrigation assessments at the golf premises.

F. PAYMENT OF RENT

In consideration for the obligations agreed to by City under this Agreement, and the benefit provided to the public, City shall not owe any monetary rent to District as rent during the term of this Agreement. City shall be entitled to retain any net profits from golf course operations, and City shall have the obligation to incur any net losses from golf course operations.

G. INDEMNIFICATION AND INSURANCE

City hereby agrees to indemnify and hold District harmless from any loss, liability, claim or action from damages or injuries to persons or property in any way arising out of or resulting from the maintenance, use, and/or occupancy of the Facility by City, its agents, assignees, employees, guests, or business invitees. If any claim, suit or action is filed against District for any loss or claim described in this paragraph, to the extent allowed by law City shall defend District and assume all costs, including attorney's fees, associated with the defense or resolution thereof, however District shall not be relieved hereby from liability for its own negligent or willful acts or omissions or that of its employees.

In addition, City shall maintain, and specifically agrees to maintain throughout the term of this Agreement, liability insurance in the minimum amount as specified in the Idaho Tort Claims Act set forth in Title 6, Chapter 9 of the Idaho Code, and such amount shall be deemed to be the limit of City's covenant to indemnify and save and hold harmless District.

In the event the insurance minimums of the Idaho Tort Claims Act are changed, City shall immediately submit Proof of Compliance with the changed limits.

H. TERMINATION

TERMINATION UPON DEFAULT: If either party is in breach or default of any terms, covenants, or conditions of this Agreement and fails or refuses to cure such breach or default within 180 days of written notice thereof, this Agreement, and all rights conferred by this Agreement, at the non-breaching party’s option, may be deemed terminated and forfeited without further notice or demand. Termination action by the non-breaching party shall be tolled as long as the party in breach is actively pursuing reasonable efforts to cure the breach.

TERMINATION UPON MUTUAL AGREEMENT: The parties may mutually agree to terminate this agreement in writing at any time.

I. ASSIGNMENT OR TRANSFER

City shall not assign, sublet or transfer the City’s interest in the licensed premises pursuant to this agreement, or any portion thereof, or cause or suffer any alterations thereto, other than as specified in this Agreement, without the express written consent of District, which consent shall not be unreasonably withheld.

J. NOTICES

1. All notices or other communications required or permitted under this Agreement shall be in writing and may be given by depositing the same in the United States mail, addressed to the party to be notified, postage prepaid and registered or certified with return receipt requested, by overnight courier, or by delivering the same in person to such party, addressed as follows:

To District: **Western Ada Recreation District**
By Mail at: P.O. Box 566
Meridian, ID 83680
By Delivery at: 30 E. Franklin Rd
Meridian, ID 83642

To City: **City of Meridian**
Attn: City Clerk
33 E. Broadway Avenue
Meridian ID 83642

2. Notice shall be deemed given and effective the day personally delivered, the day sent by overnight courier, subject to signature verification, and the day of deposit in the U.S.

mail, certified, return receipt requested, of a writing addressed and sent as provided above. Any party may change the address for notice by notifying the other parties of such change in accordance with this Section.

K. APPROVAL BY GOVERNING BOARDS REQUIRED

This Agreement shall not be effective for any purpose whatsoever until it is approved by the parties' respective governing boards.

IN WITNESS WHEREOF, the parties hereto have subscribed their names the day and year first above written.

WESTERN ADA RECREATION DISTRICT

By: _____
Shaun Wardle, Board President

CITY OF MERIDIAN

By: _____
Robert E. Simison, Mayor

Attest:

Chris Johnson, City Clerk



AGENDA ITEM

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

ASSIGNMENT OF LEASE
FOR THE PROVISION OF GOLF COURSE OPERATIONS AT
CITY OF MERIDIAN'S LAKEVIEW MUNICIPAL GOLF COURSE

This ASSIGNMENT OF LEASE entered into by the City of Meridian, an Idaho municipal corporation, ("City") as Lessor and the Western Ada Recreation District, a Recreation District created and organized under Title 31, Chapter 43 of the Idaho Code ("District") as "Lessee".

WITNESSETH, that for and in consideration of the mutual promises, covenants and agreements contained herein, the parties hereby agree as follows:

1. CONSENT TO ASSIGNMENT OF LEASE – CONTINGENT ON SALE OF ASSETS

- A. Provided that transaction contemplated in the Asset Purchase Agreement between Lakeview Meridian Investors LLC and District has closed and District has become the rightful owner of the Assets transferred by said Asset Purchase Agreement, City does provide its contingent consent to the assignment of that certain lease agreement dated May 17, 2005 between City and Lakeview Meridian Investors, LLC, (the Assignor) to Lessee, subject to the amended terms and conditions contained herein.
- B. Any waiver by District of the Seller's Covenants, Representations, Warranties, and agreement to pay Closing Date Indebtedness made in the Asset Purchase Agreement must be approved by City in order for the City's assignment of the Lease to become effective.

2. GRANT OF AUTHORITY; LEASED PREMISES

- A. The City accepts the Lessee as lessee of the Lease at the Lakeview Golf Course and understands that Lessee has all of the rights and obligation of the original lease, except as modified herein.
- B. Lessee acknowledges personal inspection of the golf premises and the surrounding area and evaluation of the extent to which the physical condition thereof will affect the operation of the golf course. Lessee accepts the demised premises in its present condition and agrees to make no demands upon the City for any improvements or alteration thereof.
- C. Ownership of all existing structures, and of all structures, buildings and/or improvements currently located upon the leased premises, and all alterations, additions or betterments thereto (the items included in the Description of Assets in the Asset Purchase Agreement), shall immediately vest and be vested in City after the term hereof, without compensation being paid therefore. Such structures, buildings and/or improvements shall be surrendered to City with the remainder of

the leased premises upon termination of the Lease Agreement. As a condition of this Assignment of Lease, District shall execute all appropriate Bills of Sale and other documentation to effectively transfer title of all WARD Leasehold Assets to City upon termination of the Lease Agreement.

3. TERM

- A. As additional consideration for City’s granting of this Assignment of Lease, the term of the assigned Lease agreement shall be from the effective date of the assignment until September 30, 2023 unless earlier terminated at the option of District.
- B. The Lessee DOES NOT have the option of renewing the Lease agreement beyond the term ending September 30, 2023.

4. PAYMENT OF RENT

In consideration of Lessee’s purchase of the golf course leasehold assets and the benefit provided to the public, which consists largely of the same taxpayer base as the City, Lessee shall not be required to pay any periodic rent payments to City.

5. INCORPORATION OF TERMS

All terms and conditions of the May 17, 2005 Lease agreement and any addenda thereto that are not inconsistent with the terms of this Assignment of Lease shall remain in effect and are incorporated herein by this reference.

IN WITNESS WHEREOF, the parties hereto have subscribed their names this ____ day of August 2020.

WESTERN ADA RECREATION DISTRICT:

By: _____
Shaun Wardle, Board President

CITY OF MERIDIAN

By: _____
Robert E. Simison, Mayor

Attest:

Chris Johnson, City Clerk



AGENDA ITEM

ITEM TOPIC: Fire Department: Discussion of Potential Fire Stations 7 and 8

